

Modoc Local Agency Formation Commission

REGULAR MEETING AGENDA

Website: www.modoclafco.org

TUESDAY

June 8, 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)

1. Call to order / Pledge of Allegiance

Commissioners

Cheryl Nelson, City Member
Ned Coe, Chair, County Member
Marie Neer, Public Member
Mark Steffek, Vice-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: Calafco Awards and Nominations

4. Consider Minutes for the April 13th, 2021 LAFCo meeting

a. *Approve minutes from the April 13th, 2021 LAFCo Meeting*

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 April 2021 and May 2021*

7. PUBLIC HEARING: Dissolution of the Daphedale Community Services District and Concurrent Formation of the City of Alturas Municipal Sewer District.

- a) *Conduct public hearing*
b) *Consider LAFCo Resolution 2021-0003 approving the Dissolution of the Daphnedale Community Service District subject to terms and conditions.*
c) *Consider LAFCo Resolution 2021-0004 approving the formation of the City of Alturas Municipal Sewer District.*

8. PUBLIC HEARING: Final 21-22 LAFCo Budget

- a) *2021-2022 Final Modoc LAFCo Budget*
b) *Conduct Public Hearing, Review and Discuss*
c) *Consider Resolution 2021-0002 adopting a final budget*

9. Executive Officer's Report:

10. 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.

11. Adjourn to the next regular meeting on August 10, 2021

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 j.benoit4@icloud.com Copies of reports to the extent feasible are located on the LAFCO webpage at: www.modoclafco.org

Local Agency Formation Commission of Modoc County
Meeting Minutes
April 13, 2021

1. Call to order / Pledge of Allegiance

Chair Coe called the meeting to order at 4:00 p.m. in City Council Chambers at 200 W. North Street in Alturas, CA. Commissioner Rhoads, Commissioner Nelson, Commissioner Steffek, Commissioner Neer, and Chair Coe were present. Commissioner Lewis and Commissioner Byrne were absent. Public attending 1.

Staff Present: John Benoit, Executive Officer, and Macey Binning, Clerk.

2. Approval of the Agenda (Additions and Deletions)

Commissioner Rhoads made the motion to approve the agenda as presented; seconded by Commissioner Neer. In favor were Commissioners Rhoads, Nelson, Steffek, Neer and Chair Coe. Motion passed unanimous

3. Correspondence:

Executive Officer Benoit informed the Commissioners of a lawsuit that occurred in San Luis Obispo County that he would like to make them aware of. This case has the potential to cost LAFCo as well as the City and County who would have to pay additional costs in the event of a lawsuit brought against LAFCo for an applicant initiated project. The California Supreme Court has been asked to review this case. More information will be available at future meetings.

Chair Coe asks if this was the County of San Luis Obispo vs. The City of Pismo case.

Executive Officer Benoit confirms that is the case.

4. Consider Minutes for the February 9th, 2021 LAFCO meeting

Commissioner Rhoads made the motion to approve the February 9, 2021 LAFCO meeting minutes; seconded by Commissioner Steffek. In favor were Commissioners Rhoads, Nelson, Steffek, and Chair Coe. Commissioner Neer abstained from this item due to being absent for the February 9, 2021 meeting.

Motion passed

5. Public Comment – None

6. Authorize payment of Claims for February, 2021 and March, 2021

Commissioner Steffek made the motion to authorize the payment of claims for February, 2021 and March, 2021; seconded by Commissioner Nelson. In favor were Commissioners Rhoads, Nelson, Steffek, Neer and Chair Coe.

Motion passed unanimous

7. Public Hearing – Proposed 21-22 LAFCo Budget

Chair Coe opened the public hearing at 4:13 p.m.

Executive Officer Benoit presented the Commissioners with a report and identified key factors to the budget and reviewed these with the Commissioners. These items included planned Municipal Service Review, Sphere of Influences, and potential district consolidations. The City of Alturas will need a review. However, Modoc County may receive grant funding that will conduct this review. Calpines will also need a review. Mr. Benoit suggests increasing the MSR and SOI updates to \$20,00.00.

Commissioner Steffek is concerned with increasing this due to the impact on the City's budget due to the pandemic. Mr. Steffek suggest gradually increasing each year.

Mr. Benoit suggests changing MSR and SOI updates to \$12,500.00. This will change the total budget to \$71,996.10. The County and City would be responsible for \$25,998.05. However, changing this will increase the contingency to 10% of the budget.

Hearing was closed at 4:32 p.m.

Commissioner Steffek made the motion to adopt **Resolution #2021-0001** as amended with the proposed budget; seconded by Commissioner Rhoads. In favor were Commissioners Rhoads, Nelson, Steffek, Neer and Chair Coe.

Motion passed unanimous

8. General Discussion regarding the Surprise Valley Hospital District MSR and SOI.

Executive Officer Benoit referenced a provision in the LAFCO Law which states what a District is and what it isn't. The Surprise Valley Hospital District is clearly a District that is subject to LAFCO jurisdiction. That means LAFCO regulates the District's boundaries and is why LAFCO conducts Municipal Service Review and Sphere of Influences to ensure compliance. The District Manager of Surprise Valley Hospital thought LAFCO had no jurisdiction over the Surprise Valley Hospital District. However, LAFCO does have jurisdiction to request and conduct these reviews and the requested information must be provided. If a District refuses to provide information they can be sued or they report in the MSR that they are not cooperative. This could result in loss of future funding. Mr. Benoit will send a letter to the Surprise Valley Hospital Board with documentation that is requested to conduct the reviews.

Jeanne Goldman informed Commissioners that the CEO of the Surprise Valley Health District believed the District was exempt because they were established before LAFCO.

Mr. Benoit informs Ms. Goldman that isn't correct. There are Fire District that were formed in 1945 that are subject to LAFCO. LAFCO was formed in 1963 and all Districts that were in place before it was created were still subject to LAFCO. Some special Districts lobbied to not be a part of LAFCO review and Legislation such as Air Pollution Districts.

Jeanne Goldman asks Mr. Benoit to repeat the consequences of not complying.

Mr. Benoit informs Ms. Goldman that they report in the Municipal Service Review that the District was not compliant. Which could result in loss of funding opportunities.

Chair Coe asks Mr. Benoit if he could include in the letter requesting documentation to the Surprise Valley Health District Board if he could provide an explanation why the Surprise Valley Health District is under LAFCO purview.

Mr. Benoit will include this in the correspondence.

9. Executive Officer's Report

Executive Officer Benoit informed the Commissioners that on June 8, 2021 the Modoc County LAFCO will hold a public hearing for the dissolution of the Daphnedale Service District and formation of a new Subsidiary District for the City of Alturas. Mr. Benoit will be sending notices to the Daphnedale District residents and adjacent property owners.

Commissioner Steffek inquires what will happen to outstanding debts.

Mr. Benoit isn't sure how they would collect on outstanding debts. This is to resolve the issues moving forward. They can include paying off debts but it can delay this process. However, the City will become the Successor to all accounts including banking accounts.

10. Commissioner Reports

Commissioner Neer apologized for her absents this last year. However, she plans on being more active moving forward.

Commissioner Steffek encourages the Commissioners to recruit for a Public Member alternate for Modoc County LAFCO.

There being no further business to come before the Commission. Motion made by Commissioner Rhoads to adjourn at 5:04 p.m.; seconded by Commissioner Nelson. In favor were Commissioners Rhoads, Nelson, Steffek, Neer and Chair Coe.

Motion passed unanimous

Modoc Local Agency Formation Commission

CLAIMS

for

April 2021 – May 2021

Authorize Claims for FY 2020-2021

May 1, 2021	Staff Svcs and Expenses April 2021	\$ 3,972.46
April 13, 2021	Meeting stipend April 13, 2021	\$ 500.00
June 1, 2021	Staff Svcs and Expenses May 2021	\$ 4,297.11
	TOTAL:	\$ 8,769.57

DATED: June 8, 2021

APPROVED: June 8, 2021

**Ned Coe, Chair or Mark Steffek, Vice-Chair
Modoc Local Agency Formation Commission**

Attest:

**John Benoit
Executive Officer**

Modoc LAFCo
Expenditures and Revenue
FY 2020-2021

Item	FY Scrambling Income	Memberships	Copies	Postage	Communications	Office Exp	Contract	Staff Svcs	Client Ours
Account Number	4220	4221	4222	4223	4224	4225	4226	4227	4228
Total Budgeted 2020-2021	\$ 3,000.00	\$ 1,130.00	\$ 600.00	\$ 300.00	\$ 1,000.00	\$ (600.00)	\$ 2,000.00	\$ 36,000.00	\$ 720.00
Catalfo Dies 20-21		\$ (1,130.00)							
JB staff exp July 2020		\$ (10.00)	\$ (10.00)	\$ (0.50)	\$ (79.45)			\$ (2,550.00)	
JB Staff exp August 2020		\$ (15.00)	\$ (15.00)	\$ (79.97)				\$ (3,410.00)	\$ (120.00)
JB Staff exp September 2020		\$ (10.00)	\$ (10.00)	\$ (83.07)				\$ (2,422.50)	
Modoc Record Pub Mem recruitment 9, 2020									
Comm Payroll Aug 11, 2020									
Comm Payroll October 13, 2020			\$ (20.00)	\$ (68.76)				\$ (3,367.50)	\$ (120.00)
JB staff Exp October 2020			\$ (15.00)	\$ (86.72)				\$ (1,870.00)	
JB Staff exp for November			\$ (15.00)	\$ (82.56)		\$ (64.00)		\$ (3,622.50)	\$ (120.00)
JB Staff Exp for December 2020									
Comm payroll December 8, 2020						\$ (150.00)			
Council Chambers rental for 2021							\$ (216.00)		\$ (120.00)
Browne ending Dec 15, 2020									
Staff Svcs Feb 2021			\$ (5.00)	\$ (107.07)				\$ (3,102.50)	
Comm payroll Feb 9, 2021									
Staff Svcs March 2021			\$ (10.00)	\$ (54.76)				\$ (2,911.25)	
Modoc Record 21-22 Prop Budget									
Staff SVCS April 2021			\$ (10.00)	\$ (134.96)				\$ (3,707.50)	\$ (120.00)
Staff Svcs May 2021			\$ (50.65)	\$ (54.76)		\$ (19.00)		\$ (4,122.50)	
Payroll April 13, 2021									

Total Expenditures	\$ (1,130.00)	\$ (175.00)	\$ (425.00)	\$ (248.65)	\$ (39.52)	\$ (833.00)	\$ 1,764.00	\$ 2,066.25	\$ (600.00)
Total Budget Remaining	\$ 3,000.00	\$ 1,130.00	\$ 600.00	\$ 300.00	\$ 1,000.00	\$ (600.00)	\$ 2,000.00	\$ 36,000.00	\$ 720.00

unaudited	July 1, 2020 City Fund Carryover	\$ 21,378.94	\$ 24,387.59
Actual	20-21 Actual City/Co Contributions	\$	\$
	FY 2020-21 City Anticipated Funds Transf	\$ 24,898.00	\$
	2020-21 County-City Funds anticipated	\$	\$ 46,866.70
	Funds received	\$	\$
	REVENUE FOR PROJECTS	\$	\$
	Interest	\$	\$
	Anticipated Funds received	\$ (39,858.28)	\$
	Less Expenditures	\$	\$ 9,427.31
	Actual Cash Balance	\$	\$

Modoc LAFCo
Expenditures and Revenue
FY 2020-2021

	Public Safety	Trans & Travel	MSFSOU/Utilities	Commissary	TOYAL	Contingency
\$	600.00	2,200.00	10,500.00	4,800.00	62,250.00	6,345.00
\$	(71.80)				(1,130.00)	(2,639.95)
\$	(102.00)				(3,624.97)	(3,769.95)
\$	(33.90)				(2,587.37)	(102.00)
					(500.00)	(500.00)
					(400.00)	(400.00)
					(3,630.16)	(6,001.88)
					(1,971.72)	(3,904.06)
					(500.00)	(150.00)
					(150.00)	(2,970.90)
					(216.00)	(3,334.57)
					(400.00)	(2,976.01)
					(51.00)	(3,972.46)
					(4,297.11)	(500.00)
					(500.00)	(8,769.57)
\$	341.30	2,200.00	10,500.00	2,360.00	22,391.72	(39,858.28)
\$	(268.70)				(2,463.00)	(5,853.28)

MODOC LOCAL AGENCY COMMISSION

EXECUTIVE OFFICER'S REPORT

MEETING DATE: June 8, 2021 4:00 PM

TO: Local Agency Formation Commission

FROM: John Benoit, Executive Officer

SUBJECT: LAFCo File 2021-0001 - Formation of a Subsidiary District and Dissolution of the Daphnedale CSD

Attachments:

1. Letter from the Daphendale CSD
2. Alturas City Council Resolution 2021-15 and Plan For Services
3. Notice of Exemption
4. Resolution 2021-0003 approving the Dissolution of the Daphnedale Community Services District (CSD)
5. Resolution 2021-0004 approving the formation of the City of Alturas Municipal Sewer District

Summary:

The Daphnedale CSD and the City of Alturas have applied to LAFCO to dissolve the Daphnedale CSD and to form a City Subsidiary District. (See Attachments 1 and 2, letter from the Daphnedale CSD and City of Alturas Resolution 2021-15) The territory for the City Subsidiary District is to include the incorporated limits of the City of Alturas as well as adjacent unincorporated territory located within the boundaries of the Daphnedale CSD as shown on the map and geographic description included in Resolutions 2021-0003 and 2021-0004.

Since this type of district is relatively reare, the procedures for establishment of a subsidiary district are included below. Subsidiary Districts were established by the legislature in 1965 by the adoption of the District Reorganization Act of 1965, effective September 17, 1965 (Stats 1965 ch 2043 §§ 2), which added Government Code section 56073, 56401, 56405.

A subsidiary district has limited powers and the City Council adjourns as its ex-officio Board of Directors. There would be a consistent fee schedule and standards for all related activities within the District. The District would include the entire City limits and up to 30% unincorporated area contiguous to the City provided the city retains 70% of the land and registered voters within an incorporated area. The Daphnedale CSD includes 173.45 acres and 56 registered voters therefore the criteria for a Subsidiary District is met. The City of Alturas contains 1,844.84 acres.

Residents in the unincorporated area would not be eligible to sit on the City Council and the district would be formed for a limited purpose. In this case Wastewater Collection

and Treatment. The District would be called the "City of Alturas Municipal Sewer District".

There is no obligation for the residents or voters within the unincorporated portion of a subsidiary district to be annexed to the City.

User fees for this Subsidiary District would ultimately become uniform for all territory served by city sewer located within the Subsidiary District through a process normally used to set property related fees for wastewater services including a user fee protest hearing.

The City would manage the Subsidiary District as a City Department. The District would be included in the City's annual audit and all City Procedures.

The term "subsidiary district" is a district of limited powers in which a city council is designated as, and empowered to act as, the ex officio board of directors of the district. (§ 56078.) A subsidiary district may be established if, upon the date of the commission's order, the commission determines that either of the following situations exist:

- (a) The entire territory of the district is included within the boundaries of a city.
- (b) A portion or portions of the territory of the district are included within the boundaries of a city and that portion or portions meet both of the following requirements.
 - (1) Represents 70 percent or more of the area of land within the district. . . .
 - (2) Contains 70 percent or more of the number of registered voters who reside within the district as shown on the voters' register in the office of the county clerk or registrar of voters. (§ 57105.)

Establishment of a Subsidiary District for the City of Alturas

A City Subsidiary District to provide Wastewater Collection services is proposed for the City of Alturas. **Establishment** of a Subsidiary District must be processed concurrently with dissolution of the Daphnedale CSD.

A subsidiary district has limited powers and the City Council adjourns as the ex-officio Board of Directors of the District. There would be a consistent fee schedule and standards for all related activities within the District. The District would include the entire City limits and up to 30% unincorporated area contiguous to the City provided the city retains 70% of the land and registered voters within an incorporated area.

On or after the effective date of the establishment of the subsidiary district, the city council shall be designated as, and empowered to act as, the ex officio board of directors of the district. The district shall continue to operate as a separate legal entity with all of the powers, rights, duties, obligations, and functions provided for by the principal act, except for any provisions relating to the selection or removal of the members of the board of directors of the district.

Daphnedale CSD Background

Daphnedale is located north of the City of Alturas and includes 173.45 acres. The CSD is located north of 19th Street between a line extended north of Juniper Street and East Street.

The Daphnedale CSD was formed in 1976 as a response to a moratorium on on-site disposal systems and chronic groundwater pollution hazards. The District was formed with the powers to supply water and to collect and dispose of sewage but the only power that is used is the power to collect wastewater. (In 2001 the legislature stripped all previously approved powers from CSD's excepting those powers the CSD actually was performing). The reason given for the formation of the District was that a survey of septic tank systems made by the Modoc County Sanitarian showed that the systems were not functioning correctly.

In March 1973, the Health Department stopped issuing permits for the installation of individual sewage systems in the Daphnedale area. That year, the Modoc County Health Department issued a moratorium on new sewer connections in the Daphnedale area based on water quality hazards. Attempts to remedy the hazards were unsuccessful. In 1976 a survey was conducted with the purpose of documenting existing public health hazards and nuisances created by the discharge of wastewater from individual disposal systems. This survey was initiated when concerned citizens met with the Modoc County Board of Supervisors regarding the establishment of a Wastewater Collection system in the Daphnedale area. The conclusion substantiated a serious health hazard existed in the community and further documented the need for a community sewer system.

Nevertheless, some individual sewage systems have been built in the area due to mistakes made during the building permit entitlement process and lack of communication between the Daphnedale CSD and the County in the past. This is unfortunate because it made it more difficult to develop future lots on the sewer lines. Today, the City Public Works department assists with system maintenance.

The Daphnedale CSD provides wastewater collection service for 42 residential connections more or less. The sewer lines were installed in 1980 and are connected to the City of Alturas wastewater treatment plant. Before the sewer lines were constructed an EIR was prepared by Hammond Engineering of Klamath Falls, Oregon in 1979 documenting the health and safety concerns and examining several alternatives to provide wastewater collection services in Daphnedale. Hammond Engineering then prepared an analysis of two types of sewage collection systems: gravity and low pressure. The gravity system was more expensive to install but the maintenance cost was less.

Since the District chose the gravity system for the low maintenance the District should maintain this system when adding new connections. In recent years the City has been maintaining the system. Daphnedale has not demonstrated it has the capacity to provide maintenance.

The extension of sewer lines is a technical problem that should be resolved by a professional such as a Civil Engineer. The services of a Civil Engineer when such services are for the benefit of a proposed development and the developer should pay the

entire cost. Normally, a developer pays the engineering costs for new development. This is to ensure the sewer lines are extended in a way that is acceptable to the City of Alturas.

This project is exempt from from the provisions of the California Environmental Quality Act (CEQA guideline section 15301 Class 1 existing facilities and section 15320 Class 20 Changes of Organization of Local Agencies, which includes establishment of a subsidiary district. Staff recommends approval of a Notice of Exemption based on Classes 1 and 20 – existing facilities, Changes of Organization of Local Agencies where existing and proposed structures are exempt from the California Environmental Quality Act and the General Rule exemption since this action cannot or could not have an effect upon the environment.

Staff recommends that the Modoc Local Agency Formation Commission approve the Subsidiary District Formation and the Dissolution of the Daphnedale Community Services District.

Proposal and Justification:

The district is failing to meet many of the requirements of state law including not auditing its financials as well as failure to comply with many State laws such as website requirements, records requirements, and many provisions of the CSD law. In addition the district desires to have the City assume its operations and requested the City to assume its responsibilities. The functions of the Daphnedale CSD would be extinguished, consolidated with the wastewater functions of the City of Alturas, participate in funding wastewater operations in the same manner as others within the City of Alturas via the establishment of a subsidiary district. The subsidiary district would be funded by revenue generated by maintenance, hookups and wastewater collection billing and participation in the funding and operation of the wastewater treatment plant.

Location:

The CSD is located north of 19th Street between a line extended north of Juniper Street and East Street north of Alturas

Purpose:

The goal of this change of organization is to have all wastewater collection and maintenance services provided by the City of Alturas as direct customers and to dissolve the Daphnedale CSD, which will no longer be needed. The justification is also to obtain reliable wastewater collection service as customers of the subsidiary district

Accepted for filing: May 12, 2021

Publication and Posting: May 12, 2021

Compliance with CEQA:

Lead Agency:	LAFCo at request of the City of Alturas
Responsible Agency:	City of Alturas
Environmental Finding:	Notice of Exemption (Attachment #3)

Date of Finding: June 8, 2021

Compliance with applicable Plans:

The proposed change of organization conforms to the County of Modoc General Plan and the City of Alturas General Plan.

Compliance with the Sphere of Influence:

A Sphere of Influence update will be completed for the City of Alturas Municipal Sewer District within one year after the effective date of the formation as required by the LAFCo Act.

Existing Land Use and Zoning:

LAND USE DESIGNATIONS:	Many Categories
ZONING:	Many Categories
DWELLINGS:	On various properties
POPULATION:	100
REGISTERED VOTERS:	56
LANDOWNERS:	91
TOTAL ASSESSED VALUE	\$3,979,930.00

Existing Land Use for surrounding territory:

North: Rural Residential

East: Rural Residential

South: Rural Residential

West: Rural Residential

Proposed development: No development is proposed.

Fiscal data:

The Daphnedale CSD has never had an Audit of their financial transactions. This has caused residents to criticize the District. In reviewing the files over the years there may be irregularities regarding the sewer property-related fee. Proposition 218 adopted in 1996 made significant changes to local government finance and governance requiring in this case a public hearing with specific land owner protest requirements prior to

increasing the wastewater property related fee. In recent years, the Daphnedale CSD has failed to have a property related fee increase per the requirements of Proposition 218. The City has had property related fees to keep up with regulatory requirements and the cost to provide the service.

Territory in this change of organization will not receive property tax revenue as a result of this change of organization. The City's wastewater function is an enterprise fund, which is funded by connection, maintenance and user fees. Existing fees for wastewater collection service as collected by the Modoc County Tax Collector for the Daphnedale CSD cost \$275 per year per connection, which is \$22.92 per month. The City of Alturas charges \$30.22 per month per residence. It is anticipated the discrepancy will be remedied after completion of this change of organization. According to the Auditor's office the District had a balance of \$9,490.09 as of April 19, 2021.

Currently, a share of the AB-8 property tax is allocated to the Daphnedale CSD. Upon dissolution of the CSD, the amount of base and increments will be distributed to the County General Fund. The City of Alturas Municipal Sewer District will not receive any AB-8 distribution and therefore revenue generated will not be referenced to the assessor parcels within the District. As with the City's current practice regarding sewer billing within, City sewer bills will be directly billed within the subsidiary district territory. Therefore the Subsidiary District will not require a filing with the State Board of Equalization.

Existing service agencies:

School District:	Modoc Jt. Unified School District
Fire Protection:	Alturas Rural and City of Alturas
General Government	County of Modoc and Daphnedale CSD
Police Protection	County of Modoc
Agricultural Water Service	N/A
Water and Wastewater:	Daphnedale CSD and Wells
Street Lighting:	N/A

Proposed service agencies:

School District:	No Change
Fire Protection:	No Change
General Government	County of Modoc and CAMSD
Police Protection	No Change
Agricultural Water Service	N/A

Water and Wastewater:	City Wastewater and Wells
Street Lighting:	No Change

Governing Law and LAFCO Policy

LAFCO is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Act to its decisions regarding detachments, annexations, incorporations, reorganizations, and other changes of government. LAFCO's policies and procedures have been adopted to be consistent with the policy directives of the Act. Specifically, Policies adopted by Modoc LAFCO are designed to:

- a) Provide Information. Give applicants for changes of organization guidance as to the information LAFCO needs to make appropriate determinations concerning their applications and provide information and notice to elected officials, governmental staff, and members of the general public as to the standards and procedures that LAFCO will use in evaluating applications.
- b) Set Criteria. Provide applicants for changes of organization with explicit guidance as to the criteria LAFCO will use in approving, disapproving, amending, or conditionally approving applications for changes of organization.
- c) Ensure Greater Consistency in LAFCO's decision-making process.
- d) Facilitate Communication among local agencies in the region.
- e) Minimize Adverse Impacts of the social, economic and environmental results of growth.
- f) Provide for Planned, Well-Ordered Efficient Urban Development Patterns with appropriate consideration of preserving open space lands within those patterns.

The following table is provided as a guide for the Commission to consider.

This proposal complies with applicable legal and proposed policy requirements, as summarized below:

1. GOVERNING LAW

LAFCO is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Act to its decisions regarding annexations, incorporations, reorganizations, and other changes of government. Section 56668 of the Government Code states the following:

Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

- (a) **Population, and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.**
- (b) **The Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation; formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**

“Services,” as used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

- (c) **The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.**
- (d) **The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns, of urban development, and the policies and priorities set forth in Section 56377.**
- (e) **The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.**
- (f) **The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.**
- (g) **A regional transportation plan adopted pursuant to Section 65080, and consistency with city or county general and specific plans.**
- (h) **The proposal's consistency with city or county general and specific plans.**
- (i) **The sphere of influence of any local agency which may be applicable to the proposal being reviewed.**
- (j) **The comments of any affected local agency or other public agency.**

- (k) **The ability of the newly formed or receiving entity to provide the services which area the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.**
- (l) **Timely availability of water supplies adequate for projected needs as specified in Section 65352.5**
- (m) **The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with section 65580) of Chapter 3 of Division 1 of Title 7.**
- (n) **Any information or comments from the landowner or landowners, voters or residents of the affected territory.**
- (o) **Any information relating to existing land use designations.**
- (p) **The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.**
- (q) **Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.**

These factors will be reviewed with regard to the proposed dissolution of the Daphnedale CSD and formation of a City of Alturas Subsidiary District for wastewater services.

- (a) **Population, and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.**

No change in population will occur as a result of this change of organization

- (b) **Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation; formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as**

used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

This project will lead to better-organized wastewater collection services.

- (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

The Daphnedale CSD serves the 173.45-acre Community of Daphnedale. This action will not have an impact upon growth one way or another.

- (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in (Government Code) Section 56377.

The annexation is contiguous to the city together will provide wastewater services as one agency.

- (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

There should be no impacts.

- (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The boundary are definite and certain and includes ninety one assessor parcels

- (g) Consistency with city or county general and specific plans.

The proposed annexation is consistent with Rural Residential designation in the Modoc County General Plan and Zoning Ordinance.

- (h) The sphere of influence of any local agency, which may be applicable to the proposal being reviewed.

The proposed annexation is within the Sphere of Influence for the City of Alturas, which will be the wastewater service provider in the area through the subsidiary district. The change of organization does not conflict with the Sphere of Influence of any other district.

- (i) The comments of any affected local agency.

No comments received.

- (j) The ability of the newly formed or receiving entity to provide the services which area the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The City has the ability to provide the area with municipal sewer service at present and in the future. The City adopted a plan for services, which states the city is currently providing services within the Daphnedale territory.

- (k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5

The Daphnedale area is served by wells.

- (l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with section 65580) of Chapter 3 of Division 1 of Title 7.

N/A

- (m) Any information or comments from the landowner or owners.

None reported

- (n) Any information relating to existing land use designations.

The area is planned and zoned single family and Rural Residential

- (o) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

There are no issues associated with environmental justice with this proposal.

- (q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land

determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

Not applicable

General Policies

<i>Policy</i>		<i>Comment</i>
Communication between local agencies is encouraged.	<i>Consistent</i>	<i>The City and the CSD have communicated</i>
Urban development proposals shall include annexation to a city where possible.	<i>N/A</i>	<i>This is not a City Annexation</i>
LAFCO will normally deny proposals that result in urban sprawl.	<i>N/A</i>	<i>This project will not result in urban sprawl</i>
Environmental consequences (CEQA) shall be considered.	<i>Consistent</i>	<i>Class 20 exempts establishment of a subsidiary district.</i>
LAFCO will consider the impact of a proposal on the regional supply of housing for all income levels.	<i>N/A</i>	
LAFCO will favor proposals that promote compact urban form and infill development.	<i>N/A</i>	
Government structure should be simple, accessible, and accountable.	<i>Consistent</i>	<i>There is no indication of unnecessary complexity or lack of accessibility or accountability.</i>
Agencies must provide documentation that they can provide service within a reasonable period of time.	<i>N/A</i>	<i>The city currently provides wastewater services</i>
Efficient services are obtained when proposals: Utilize existing public agencies. Consolidate activities and services. Restructure agency boundaries to provide more logical, effective, and efficient services.	<i>Consistent</i>	<i>A more logical and efficient service is proposed and an existing public agency will be used.</i>
Adverse impacts on adjacent areas, social and economic interests and the local government structure must be mitigated.	<i>Consistent</i>	
Conformance with general & specific plans required.	<i>Consistent</i>	

<p>Boundaries: Definite boundaries are required. Boundaries that are favored: Create logical boundaries & eliminate islands or illogical boundaries. Follow natural or man-made features and include logical service areas.</p> <p>Boundaries that are disfavored: Split neighborhoods or communities. Result in islands, corridors, or peninsulas. Drawn for the primary purpose of encompassing revenue-producing territories. Create areas where it is difficult to provide services.</p>	<i>Consistent</i>	
Revenue neutrality required for all proposals.	<i>Consistent</i>	
<p>Agricultural and Open Space Land Conservation Standards: Must lead to planned, orderly & efficient development. Approved Sphere of Influence Plan required. Findings with respect to alternative sites required. Impact on adjacent agricultural/open space lands assessed.</p> <p>Agricultural Buffers</p>	<i>N/A</i>	
<p>Need for services exists when: Public health and safety threat exists. The residents have requested extension of non-growth-inducing community services. Subject area is likely to be developed for urban use within 5 years.</p>	<i>N/A</i>	
<p>Exceptions are justified on the following grounds: Unique. Standards Conflicts. Quality/Cost. No Alternative.</p>	<i>N/A</i>	

Dissolution Policies—General

<i>Policy</i>	<i>Consistency/ Applicability</i>	<i>Comment</i>
Services Authorized are no longer necessary, or	<i>Consistent</i>	<i>The City will provide the service</i>
The services can be provided more efficiently by another agency or	<i>Consistent</i>	<i>The City of Alturas can more efficiently provide the service</i>

provider and that agency agrees to provide the services		
The agency is insolvent and unable to provide the services.	<i>Consistent</i>	<i>The CSD does not have the resources to comply with many of the requirements.</i>
Bonded Indebtedness. Where possible, LAFCO shall condition any dissolution to provide for the repayment of any bonded indebtedness or other obligations of the dissolved agency.	<i>N/A</i>	<i>The Bond has been paid off</i>
Disposition of Remaining Funds, A dissolved district shall turn over its funds to its successor as determined under 57451.	<i>Consistent</i>	<i>The City of Alturas will take over the District's finances and will directly bill those in the Daphnedale CSD in need of wastewater collection services</i>
Action options include: <ul style="list-style-type: none"> • Approval. • Conditional approval to require only a portion of the area to be detached. • Denial. 	<i>N/A</i>	
• Send back to the County for further negotiations with the HOA	<i>N/A</i>	

District Formation Policies

Proposal to form a new district must be consistent with LAFCO Policies.	<i>Consistent</i>
<i>There is no inconsistency with LAFCO's Policies</i>	
Need for a new district requires a. Documentation of a need for the proposed services b. Documentation that no existing agency can adequately or efficiently provide such services <i>No existing agency has the ability to financially provide said services in the territory proposed.</i>	<i>Consistent</i>
Plan for Services required. <i>A plan for services is contained in the initiating resolution</i>	<i>Consistent</i>
LAFCO will establish service pattern. <i>LAFCO must establish the location and range of services that may be provided by a new district. The authorized services are to provide wastewater collection services by a subsidiary district as a replacement for services provided by the Daphnedale CSD.</i>	<i>Consistent</i>
Consistency with General and Specific Plans is required.	<i>Consistent</i>
Conflicts with other agencies' master plans are not allowed (unless higher quality, more efficient service provision will occur). <i>n/a</i>	<i>Consistent</i>

Public benefit must be considered.	<i>Consistent</i>
Fiscal solvency is required. <i>The City has demonstrated fiscal accountability by providing a realistic budget for the of its wastewater services</i>	<i>Consistent</i>
LAFCO may reduce or waive policy standards for county service areas. LAFCO's Tribal Land Policy <i>n/a</i>	<i>Not applicable</i>

Conclusion:

The above considerations are the basis to support the change of organization and Recommended actions are presented in accordance with the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Based upon the foregoing, it is recommended that the attached Resolutions making determinations and approving the dissolution of the Daphnedale CSD and the formation of the City of Alturas Municipal Sewer District as a subsidiary district be approved.

Comments from the public and public agencies

1. No comments received

Recommendation

Staff recommends the Commission take the following actions:

1. *Adopt Resolution 2021-0003 approving the Dissolution of the Daphnedale CSD. (see attachment 4)*
2. *Adopt Resolution 2021-0004 approving the formation of the City of Alturas Municipal Sewer District. (see attachment 5)*

Daphnedale Community Service District

March 3, 2021

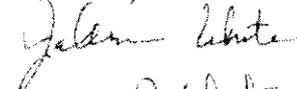
This is to request the dissolution of the Daphnedale Service District and to begin a City Subsidiary District for sewer service. This recommendation is due to the fact that the current Daphnedale Service District only function is to transfer funds from the County to the City and the Board doesn't have the time and capability to keep with new and current Special District requirements mandated by the State. So, this Board is in favor for the City Subsidiary District and agrees with moving forward with a resolution to adopt.

Sincerely,

Stephen Riley



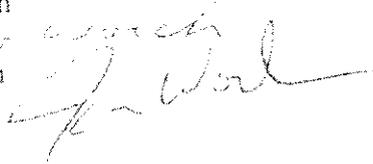
Joanne White



Monte White



Marcy Worch



James Worch

RESOLUTION NO #2021-15

**RESOLUTION OF APPLICATION BY THE COUNCIL OF THE CITY OF ALTURAS
REQUESTING THE MODOC LOCAL AGENCY FORMATION COMMISSION INITIATE
PROCEEDINGS FOR THE FORMATION OF A CITY OF ALTURAS SUBSIDIARY
DISTRICT AND DISSOLUTION OF UNINCORPORATED TERRITORY KNOWN AS THE
DAPHNE DALE COMMUNITY SERVICES DISTRICT**

WHEREAS, the City of Alturas received a request from the Board of Directors of the Daphnedale CSD (DCSD) on March 3rd 2021 to dissolve the DCSD and form a Subsidiary District for sewer services currently provided by both the City and the DCSD.

WHEREAS, the City Council of the City of Alturas desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 Division 3, Title 5 commencing with Section 56000 of the Government Code for a reorganization to form a city subsidiary district consisting of 2,017 acres more or less and dissolve an approximately 173.45-acre unincorporated area more or less known as the Daphnedale Community Services District located contiguous to the City of Alturas and located in the unincorporated area of Modoc County, and

WHEREAS, over 70% of both the territory and registered voters residing in the Subsidiary District will be located within the incorporated limits of the City of Alturas as required in Section 57105 of the Government Code; and

WHEREAS, The Daphnedale CSD was formed on September 29, 1977.

WHEREAS, a map and description of the boundaries of the approximately 173.45 acre unincorporated area and the incorporated area consisting of 1,884 acres in the City of Alturas included together will be the boundary of the Subsidiary District is attached hereto and made a part hereof as **Exhibits A and B**; and

WHEREAS, the Modoc Local Agency Formation Commission (“LAFCO”) is the agency with jurisdiction over such reorganizations within Modoc County (“County”); and

WHEREAS, a notice of intent to adopt this Resolution of Application has not been given pursuant to Government Code Section 56654; and

WHEREAS, it is desired to provide that all costs incurred to complete the reorganization included but not limited to Modoc LAFCo and Modoc County, unless waived, will be borne by the City of Alturas.

WHEREAS, The City acknowledges sewer collection bills are not referenced to the assessor’s parcel layer and therefore State Board of Equalization filings are not required; and

WHEREAS, a public meeting to consider this resolution was held on March 16, 2021, by the City Council of the City of Alturas; and

WHEREAS, the principal reasons for the proposed reorganization are as follows:

1. The City Council has determined that the proposed reorganization will promote the general health, safety and welfare of the community.
2. The City Council and District have determined that the reorganization is in the best interests of both the City of Alturas and the Daphnedale Community Services District and will lead to more efficient provision of sewer services.
3. The City Council has determined that the creation of a subsidiary district will benefit public safety.
4. Currently providing sewer collection services within the territory, the City Council has determined that the City is the best service provider for sewer services within the City Limits and the Daphnedale CSD territory.

WHEREAS, the following agency or agencies would be affected by the proposed jurisdictional changes:

<u>Agency</u>	<u>Nature of Change</u>
City of Alturas	Changing the City's sewer department to a City municipal sewer district and assume responsibility for services provided by the Daphnedale CSD
Daphnedale CSD	Dissolution of the CSD

WHEREAS, the City Council has complied with the requirements of the California Environmental Quality Act (the "CEQA"), Public Resources Code Section 21000 *et seq.*, the CEQA Guidelines, Cal. Code Regs, tit. 14, Section 15000 *et seq.*, and the City Council considered the proposed formation and dissolution and has determined this reorganization to be exempt from CEQA since the dissolution of the DCSD and formation of the subsidiary district consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised (Categorical Exemption Class 20 CEQA Guidelines section 15320).

WHEREAS, all existing City and DCSD assets will become the assets of the new subsidiary district.

WHEREAS, the District shall be called the "City of Alturas Municipal Sewer District".

WHEREAS, on March 16, 2021, the City Council held a duly noticed meeting and took public testimony for the initiation of the dissolution of the DCSD and formation of a City Subsidiary District; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ALTURAS DOES HEREBY RESOLVE:

1. Recitals. That the foregoing recitals and findings are true and correct.
2. Findings of Fact. The City Council hereby finds and determines the following facts related to the proposed reorganization:
 - A. The City-DCSD reorganization conforms with the policies and guidelines of the *City of Alturas General Plan* and the *Alturas Municipal Code*.
 - B. The Project site is located contiguous to the City of Alturas boundary and less than 30% of the subsidiary district will be unincorporated , as required by Modoc LAFCO policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
 - C. The proposed reorganization boundary represents a logical location of the Subsidiary District Boundaries.
3. Adoption and Approval. That this Resolution of Application is hereby adopted and approved and the Local Agency Formation Commission of Modoc County is hereby requested to take proceedings for the reorganization including the dissolution of the DCSD and formation of the City of Alturas Municipal Sewer District, as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
4. Authorization to City Public Works Director. That City staff is hereby directed to prepare all such documents as may be required to facilitate the dissolution of the Daphnedale CSD and formation of a City Subsidiary District and the City Public Works Director is hereby authorized to execute such documents, if required.
5. Notification. That the City Council shall be furnished with copies of the report by the LAFCo Executive Officer.
6. Effective Date. This Resolution shall be effective immediately.

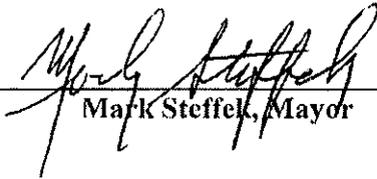
PASSED AND ADOPTED by the City Council of the City of Alturas at a regular special meeting held on the 16th day of March, 2021, by the following vote:

AYES: Cheryl Nelson, Loni Lewis, Kelly Crosby, Samantha Wood, and Mark Steffek

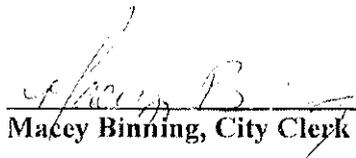
NOES: None

ABSENT: None

ABSTAIN: None


Mark Steffel, Mayor

ATTEST:


Macey Binning, City Clerk

EXHIBITS

A: Plan for Services

B: Annexation Geographic Description and Map

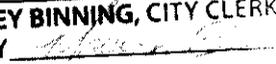
STATE OF CALIFORNIA
COUNTY OF MODOC...
CITY OF ALTURAS
I, MACEY BINNING, CITY CLERK, DO HERBY CERTIFY
THAT THIS IS A FULL, TRUE AND CORECT COPY OF
THE ORIGINAL DOCUMENT ON FILE IN MY OFFICE.
WITNESS MY HAND AND OFFICIAL SEAL THIS
____ DAY OF _____ 20____
MACEY BINNING, CITY CLERK
BY 

EXHIBIT A

PLAN FOR PROVIDING SERVICES

in Connection with the

Formation of the City of Alturas Municipal Sewer District

The Proposed Formation will provide services to the subject territory as outlined below:

1. *Enumerate and describe the services to be extended to the affected territory.*

This formation is for the provision of wastewater collection and treatment services within the bounds of the Subsidiary District

2. *Specify the level and range of those services.*

Services to be provided are wastewater collection and treatment and related services

3. *Indicate when those services can feasibly be extended to the affected territory.*

Services are already being provided within the area being proposed to be within the district.

4. *Indicate any improvements or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.*

None

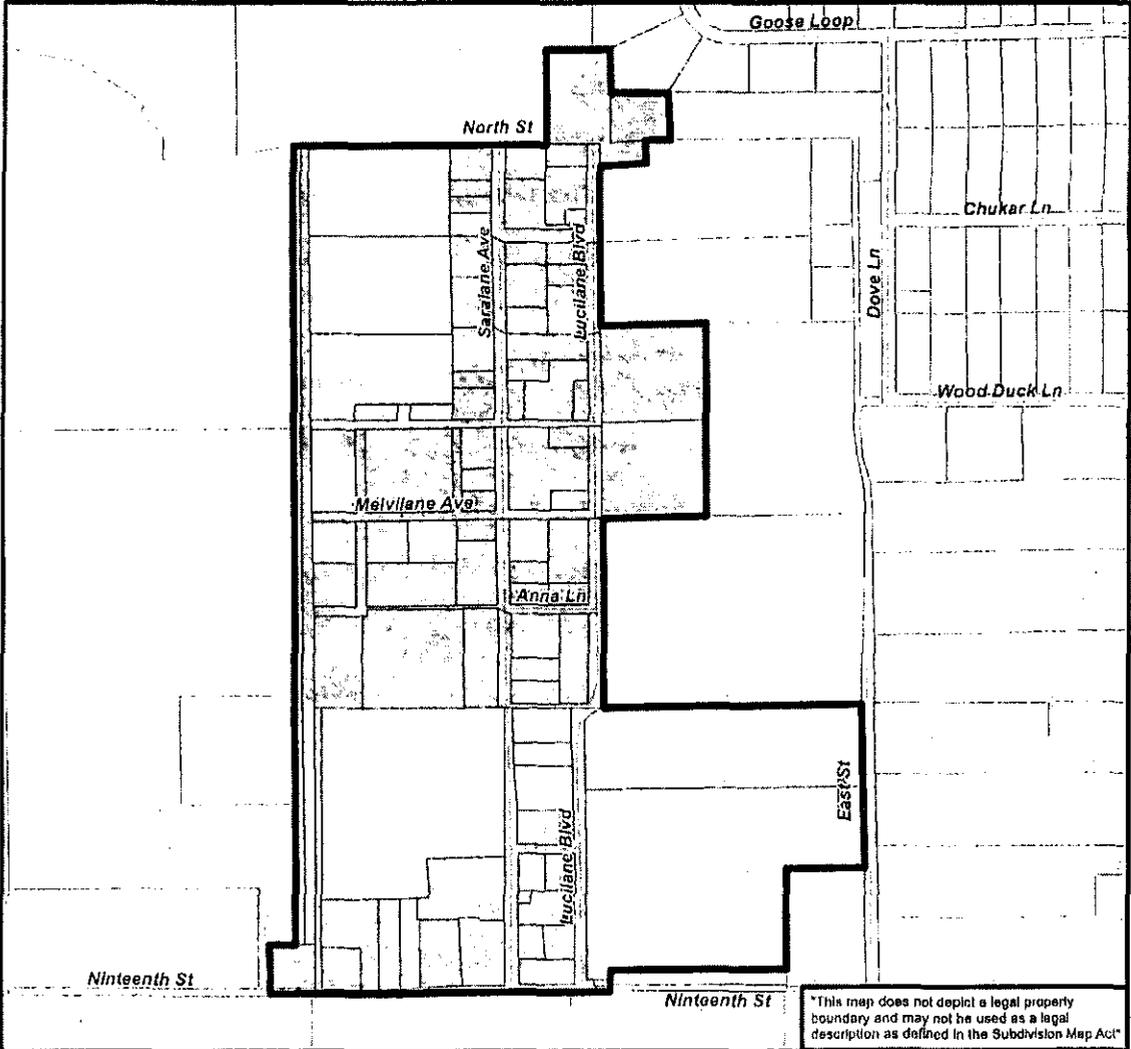
5. *Provide information about how each of those services will be financed.*

Services are and will be financed through direct district billing.

MODOC LOCAL AGENCY FORMATION COMMISSION DAPHNEDEALE COMMUNITY SERVICES DISTRICT

Range 12 East

Township 42 North



This map does not depict a legal property boundary and may not be used as a legal description as defined in the Subdivision Map Act

	<p>Modoc County</p>	<p>Legend</p> <ul style="list-style-type: none"> Highways Parcels Sectional Grid (MOB&M) Daphnedale Community Services District 173.45 Acres Daphnedale Community Services District Boundary and Sphere Of Influence 	<p style="text-align: center;">Daphnedale Community Services District Sphere of Influence</p> <p style="text-align: center;"><i>Modoc LAFCo Resolution: 2012-0001</i></p> <p style="text-align: center;"><i>Adopted: April 10, 2012</i></p> <p style="font-size: small;">Source: Modoc LAFCo Map Created 9/28/2020</p>
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NOTICE OF EXEMPTION

TO: County Clerk
County of Modoc
Alturas, CA

FROM: Modoc LAFCO
P.O. Box 2694
Granite Bay, CA 95746

PROJECT TITLE: Dissolution of the Daphnedale CSD and Formation of the City of Alturas Municipal Sewer District

PROJECT LOCATION: North of 19th Street between a line extended north of Juniper Street and East Street north of Alturas and the entire incorporated territory within the City of Alturas

DESCRIPTION OF PROJECT:
The proposed project would involve the Dissolution of the Daphnedale CSD and Formation of the City of Alturas Municipal Sewer District to provide wastewater services coterminous with the existing city and district boundaries together

NAME OF PUBLIC AGENCY APPROVING PROJECT:
Modoc Local Agency Formation Commission

NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT:
Modoc Local Agency Formation Commission

EXEMPT STATUS:
Class 1, Existing Boundaries and Class 20 Categorical Exemption, "Changes in Organization of Local Agencies," CEQA Guidelines Section 15301 & 15320 and the General Rule Exemption.

REASONS WHY PROJECT IS EXEMPT:
The proposed project involves a transfer of management of the Daphnedale wastewater collection function to a newly formed City subsidiary district whereby the City's wastewater functions will be managed by a City subsidiary district instead of the City. CEQA Guidelines Section 15301 and 15320 consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised. There is no change to the service area boundary. The Commission also finds there is no evidence in the record that an unusual circumstance exists with respect to the Dissolution of the Daphnedale CSD and the Formation of the City of Alturas Municipal Sewer District.

CONTACT PERSON:
John Benoit
LAFCO Executive Officer

TELEPHONE NUMBER:
(530) 233-9625

By: _____

Date: June 8, 2021

Resolution # 2021-0003

MODOC LOCAL AGENCY FORMATION COMMISSION

A Resolution Making Determinations and Approving the Dissolution of the Daphnedale Community Services District

WHEREAS, On March 3rd, 2021 by unanimous vote of the Daphnedale CSD Board of Directors requested the City of Alturas to initiate Dissolution and formation of a City Subsidiary District for sewer services; and

WHEREAS A Resolution of application (Resolution 2021-15) initiating the Dissolution of the Daphnedale Community Services District and concurrent formation of a City of Alturas Subsidiary District was adopted by the City of Alturas City Council on March 16, 2021 and was filed with the Executive Officer of the Modoc Local Agency Formation Commission pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 *et seq* of the Government Code); and

WHEREAS, Daphnedale CSD and the City of Alturas both support the dissolution and city subsidiary district formation; and

WHEREAS, the Executive Officer has provided notice of this hearing as described under Government Code Sections 56151 through 56159; and

WHEREAS, the Executive Officer reviewed the application and determined its completeness within 30 days of their submission and prepared and filed his report with this Commission at least five-days prior to the regularly scheduled meeting during which this application is to be considered; and

WHEREAS, this Commission has considered the application, the report of the Executive Officer, the applicable General Plan, and each of the factors required by Government Code Section 56668 to be considered in the review of a proposal; and

WHEREAS, it is desired that the proposed dissolution of the Daphnedale CSD be subject to terms and conditions as follows:

1. The Daphnedale CSD – The Daphnedale CSD and the City of Alturas shall agree to defend, indemnify, and hold harmless the Modoc Local Agency Formation Commission and its agents, officers and employees from any claim, action or proceeding against the Commission or its agents, officers, and employees; including all costs, attorney's fees, expenses and liabilities incurred in the defense of such claim. Action, or proceeding to attack, set aside, or void the approval or determinations of this Commission concerning this change of organization. The Modoc Local Agency Formation Commission shall promptly notify the applicant of any such claim, action, or proceeding and be entitled to representation by counsel of its choosing.

WHEREAS, all interested parties, the public and proponents of the proposal were heard at a

public hearing held on June 8, 2021.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED by the Modoc Local Agency Formation Commission as follows:

1. The foregoing recitals are true and correct.
2. Said change of organization territory is found to be inhabited.
3. Further protest proceedings are waived and the Commission orders the 173.45-acre more or less dissolution of the Daphnedale Community Services District pursuant to Part 4 of Division 3 of the California Government Code commencing with Section 57000. No affected agency has objected in writing to the waiver of conducting authority proceedings. Notice was provided to the registered voters and landowners within the Daphnedale CSD and no written protest or objection has been received by LAFCo prior to the conclusion of the public hearing. Therefore, The Commission does hereby approve and authorize the conducting authority to dissolve territory described in Exhibits "A" and "B", as amended thereby dissolving the Daphnedale Community Services District without notice and election.
4. In reviewing this application, the Commission finds that all of the services provided by Daphnedale Community Services will be provided by the City of Alturas Municipal Sewer District, a City subsidiary district upon completion of the LAFCo proceedings.
5. The City of Alturas Municipal Sewer District, a subsidiary district of the City of Alturas shall be formed concurrently with this dissolution and shall be the successor agency to all matters pertaining to the Daphnedale Community Services District.
6. In reviewing this application, this Commission has considered each of the factors required by Government Code Section 56668 and LAFCO's policies.
7. The Commission hereby adopts the Notice of Exemption included as part of the Executive Officer's report for this dissolution.
8. The subject proposal is assigned the following short form designation: Dissolution of the Daphnedale Community Services District (LAFCo File 2021-0001).
9. The Executive Officer of this Commission is instructed to mail or email a certified copy of this resolution to those persons so indicated on the application and as required by Government Code Section 56882.
10. The application for the Dissolution of the Daphnedale Community Services District (LAFCO 2021-0001) is hereby approved subject to the terms and conditions herein.
11. Upon the effective date of this dissolution control of all assets, all monies or funds including cash on hand and monies due but uncollected, and all property, real and personal, of the dissolved district is vested with the City of Alturas Municipal Sewer District as provided for in Government Code section 57457.

12. This dissolution shall not take effect until all conditions included in LAFCo Resolution 2021-0004 (Formation of the City of Alturas Municipal Sewer District) have been satisfied and a concurrent Certificate of Completion has been recorded by LAFCo.
13. The authority of the Daphnedale Community Services District to provide wastewater Collection services is hereby transferred to the City of Alturas Municipal Sewer District entirely, and the City of Alturas Municipal Sewer District is hereby designated as the "successor agency" to the Daphnedale Community Services District with respect to such sewer services. The City of Alturas Municipal Sewer District shall succeed to all licenses, permits and authorities and all obligations and responsibilities of the sewer services within the Daphnedale Community Services District.
14. The Executive Officer is directed to record a Certificate of Completion for this proposal upon completion of all proceedings and compliance with the terms and conditions in this resolution as well as Resolution 2021-0004 the formation of the Daphnedale Community Services District.
15. Completion of proceedings shall be concluded within one year after adoption date of this resolution. If the proceedings are not concluded within one year after passage of this resolution, all proceedings shall be terminated unless extended by the LAFCo Commission.

PASSED AND ADOPTED at a regular meeting of the Local Agency Formation Commission of the County of Modoc, State of California, on the 8th day of June 2021 by the following vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

Ned Coe, CHAIR
MODOC LOCAL AGENCY
FORMATION COMMISSION

ATTEST:

JOHN BENOIT
Executive Officer

Exhibit A

DESCRIPTION
FOR
DAPHINEDALE DISTRICT

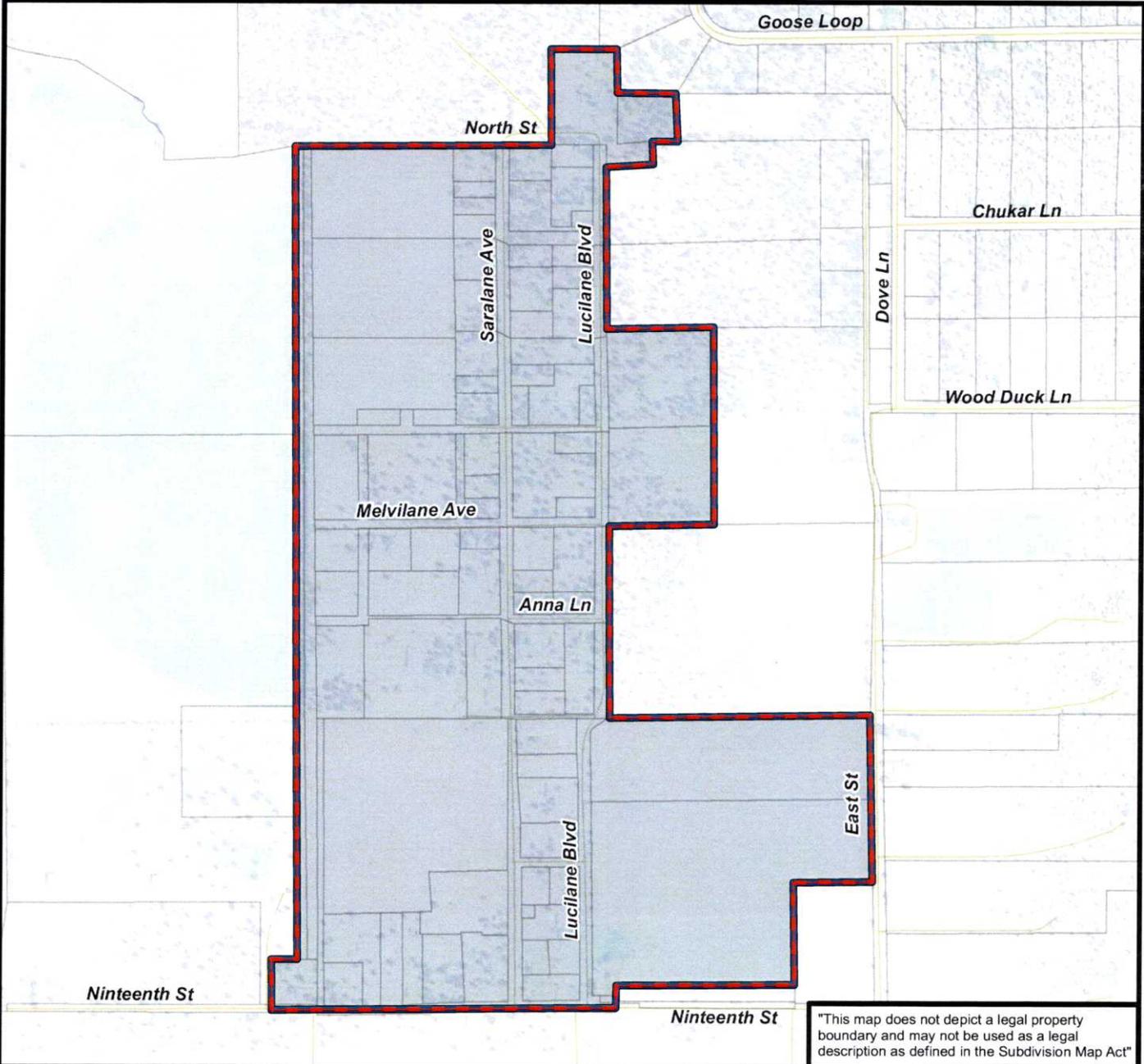
Beginning at the SE corner of Section 2, Township 42 North, Range 12 East, thence west along the south line of said Section 2 a distance of 1520 feet more or less; thence northerly a distance of 238.67 feet to the NW corner of the property described in the deed to Porter recorded June 5, 1969, Book 206, Page 741, Official Records of Modoc County; thence easterly along the N boundary of said parcel a distance of 111.7 feet; thence northerly, parallel to the W boundary of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of Section 2 to the N boundary of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 2; thence easterly along said boundary to a point that is 225 feet west of the NE corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2; thence northerly 400 feet; thence easterly 305 feet; thence southerly 200 feet; thence easterly 240 feet; thence southerly 200 feet; thence westerly 111± feet; thence southerly 104.37 feet; thence westerly 208.75 feet to the east boundary of Section 2; thence south along said east boundary 747.63 feet to the NW corner of the property described in the deed to Elliott, recorded March 27, 1973 in Book 222, Page 941, Official Records of Modoc County; thence east 484 feet; thence south 900 feet; thence west 484 feet to the east boundary of Section 2; thence south along said boundary to the NW corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1; thence easterly 1205 feet more or less to the boundary of County Road No. 79; thence southerly along said county road a distance of 761 feet more or less to the NE corner of the property described in the deed to Driscoll recorded March 28, 1973 in Book 222, Page 955, Official Records of Modoc County; thence westerly along the N boundary of said property 363.65 feet; thence southerly along the W boundary of said property 459 feet to the N boundary of the property described in the deed to Bennett recorded October 24, 1966, Book 199, Page 464, Official Records of Modoc County; thence westerly along said boundary 841± feet to the E boundary of Section 2; thence south along said boundary 100± feet to the point of beginning.

EXHIBIT A

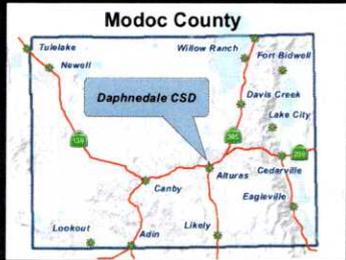
MODOC LOCAL AGENCY FORMATION COMMISSION DAPHNEDEALE COMMUNITY SERVICES DISTRICT

Range 12 East

Township 42 North



"This map does not depict a legal property boundary and may not be used as a legal description as defined in the Subdivision Map Act"



<ul style="list-style-type: none"> Daphnedale Community Services District 173.45 Acres Daphnedale Community Services District Boundary and Sphere Of Influence 	
<p>Daphnedale Community Services District Sphere of Influence Modoc LAFCo Resolution: 2012-0001 Adopted: April 10, 2012</p>	
Source: Modoc LAFCo	Map Created 9/28/2020

**Resolution 2021-0004
of the
Modoc Local Agency Formation Commission**

Making Determinations and Approving the Formation of the City of Alturas Municipal Sewer District for wastewater services as a subsidiary district.

WHEREAS, a Resolution of Application (Resolution 2021-15) initiating the formation of the A City of Alturas Subsidiary District and dissolution of the Daphnedale Community Services District, has been adopted by the City of Alturas City Council and the Daphnedale CSD thereby initiating the formation of the City of Alturas Municipal Sewer District and dissolution of the Daphnedale Community Services District, has been adopted by the City of Alturas pursuant to the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Government Code Section 56000 has been filed with the Executive Officer of the Local Agency Formation Commission of Modoc County, California; and said application complied with all the requirements of law and the Commission; and,

WHEREAS, the proceedings for this formation are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 *et seq.* of the Government Code; and

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission upon said application; and

WHEREAS, the Executive Officer has reviewed the application and has prepared a report including staff recommendations thereon within the time required by law and has furnished copies of said report to the Commission and to all other persons required by law to receive it; and

WHEREAS, at a public hearing held June 8, 2021, the Commission considered the proposal and the report of the Executive Officer; the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56668; and all other relevant evidence and information presented at said hearing, including the comments of all interested parties desiring to be heard;

NOW, THEREFORE, the Modoc Local Agency Formation Commission determines, resolves and orders the following:

1. The proposal is approved, subject to conducting authority proceedings for the formation of the subsidiary district.
2. The territory comprises approximately 173.45 unincorporated acres more or less plus all territory (1845-acres more or less) located in the City of Alturas. The proposed district area is found to be inhabited.
3. Modoc LAFCO shall be the conducting authority for this change of organization.
4. The change of organization is assigned the following distinctive short-term designation:

“City of Alturas Municipal Sewer District —Formation (LAFCo file 2021-0001)”

5. The Commission hereby affirms that this application is exempt from the California Environmental Quality Act pursuant to section 15301 Class 1 existing facilities, Section 15320 of the CEQA Guidelines (Class 20) as the proposal would not result in any change in services previously provided. Section 15061 b (3) whereby this activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Since this proposal is replacing a previous service with a new public entity, there is no possibility that this activity may have a significant effect on the environment. The Commission hereby adopts a Notice of Exemption for this formation.
6. The proposal is consistent with the spheres of influence of all affected agencies. No duplication wastewater services will occur.
7. The Commission adopts the determinations regarding consistency with LAFCO Policies contained in the staff report for this project and incorporates them by reference herein.
8. The proposal includes all the territory within the boundaries as shown in Exhibit “A” Proposed City of Alturas Municipal Sewer District Map and Exhibit “B” Geographic Description for the City of Alturas Municipal Sewer District.
9. The effective date of formation shall be upon the recordation of the Certificate of Completion, which shall be concurrent with the dissolution of the Daphnedale CSD
10. The district shall provide wastewater collection, treatment and related services.
11. LAFCO will adopt a sphere of influence for the district following completion of a Municipal Services Review for the services to be provided by the City of Alturas Municipal Sewer District. LAFCO hereby adopts a provisional Sphere of Influence coterminous with the district’s boundaries.
12. As stated in the LAFCO Staff Report of June 8, 2021 the amount of base and incremental property tax transferred to the new district from the Modoc County General Fund pursuant to Section 56842 of the California Government Code shall be zero.
14. Approval of this formation is conditioned upon the City of Alturas’s obligation to defend, indemnify, and hold harmless the Modoc Local Agency Formation Commission and its agents, officers and employees from any claim, action or proceeding against the Commission or its agents, officers, and employees; including all costs, attorney’s fees, expenses and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, or void the approval or determinations of this Commission concerning this formation. The Modoc Local Agency Formation Commission shall promptly notify the applicant of any such claim, action, or proceeding and be entitled to representation by counsel of its choosing.
15. No filing with the State Board of Equalization is required since revenue collected for the City of Alturas Municipal Sewer District is paid by user fee and not referenced to the Assessor’s parcel layer.

16. The City of Alturas Municipal Sewer District shall be the successor agency for the dissolved Daphnedale CSD and shall have all rights to any and all assets including funds and fixed assets upon the recording of the Certificate of Completion.
17. The City Council of the City of Alturas shall be the ex-officio Board of Directors for the City of Alturas Municipal Sewer District and act on all matters before the district.
18. The City of Alturas Municipal Sewer District shall be funded by user fees adopted per City ordinance for wastewater collection and treatment services. The City of Alturas may extend previously authorized taxes, fees and assessments within the newly created City of Alturas Municipal Sewer District.
19. The Executive Officer is hereby directed to transmit a certified copy of this resolution to each affected agency, as provided in G.C. Section 56853 including the Modoc County Clerk and Modoc Co. Board of Supervisors, the City of Alturas and the Daphnedale Community Services District.
20. The Executive Officer is directed to concurrently record a Certificate of Completion for this formation proposal along with the dissolution of the Daphnedale CSD upon completion of all proceedings.
21. The City of Alturas is advised to meet with the County Auditor and the Daphnedale CSD to review and transfer fixed assets and cash prior to recordation of the Certificate of Completion and to secure insurance for the operation of the Subsidiary District.
22. Completion of proceedings shall be concluded within one-year after adoption of this resolution. If the proceedings are not concluded within one year after passage of this resolution or if the majority of the votes cast is against the district formation, all proceedings shall be terminated.

The Modoc Local Agency Formation Commission at a regular meeting held on June 8, 2021 by the following roll call vote, duly passed the foregoing resolution:

Ayes:

Noes:

Abstains:

Absent:

Signed and approved by me after its passage this eighth day of June 2021.

Ned Coe, Chair
Modoc LAFCO

Attest:

John Benoit, Executive Officer

Modoc LAFCO Res. 2021-0004
City of Alturas Municipal Sewer District Formation
June 8, 2021

EXHIBIT A

DESCRIPTION

MODOC LAFCO FILE 2021-0001

FORMATION OF THE CITY OF ALTURAS MUNICIPAL SEWER DISTRICT

AREA "A"

**ALL THE TERRITORY LYING WITHIN THE EXTERIOR BOUNDARIES OF THE
INCORPORATED CITY OF ALTURAS, MODOC COUNTY, CALIFORNIA**

TOGETHER WITH

AREA "B"

SEE DESCRIPTION OF AREA B ON NEXT PAGE

AREA B
DESCRIPTION

City of Alturas Municipal Sewer District

Beginning at the SE corner of Section 2, Township 42 North, Range 12 East, thence west along the south line of said Section 2 a distance of 1520 feet more or less; thence northerly a distance of 238.67 feet to the NW corner of the property described in the deed to Porter recorded June 5, 1969, Book 206, Page 741, Official Records of Modoc County; thence easterly along the N boundary of said parcel a distance of 111.7 feet; thence northerly, parallel to the W boundary of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of Section 2 to the N boundary of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 2; thence easterly along said boundary to a point that is 225 feet west of the NE corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2; thence northerly 400 feet; thence easterly 305 feet; thence southerly 200 feet; thence easterly 240 feet; thence southerly 200 feet; thence westerly 111± feet; thence southerly 104.37 feet; thence westerly 208.75 feet to the east boundary of Section 2; thence south along said east boundary 747.63 feet to the NW corner of the property described in the deed to Elliott, recorded March 27, 1973 in Book 222, Page 941, Official Records of Modoc County; thence east 484 feet; thence south 900 feet; thence west 484 feet to the east boundary of Section 2; thence south along said boundary to the NW corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1; thence easterly 1205 feet more or less to the boundary of County Road No. 79; thence southerly along said county road a distance of 761 feet more or less to the NE corner of the property described in the deed to Driscoll recorded March 28, 1973 in Book 222, Page 955, Official Records of Modoc County; thence westerly along the N boundary of said property 363.65 feet; thence southerly along the W boundary of said property 459 feet to the N boundary of the property described in the deed to Bennett recorded October 24, 1966, Book 199, Page 464, Official Records of Modoc County; thence westerly along said boundary 841± feet to the E boundary of Section 2; thence south along said boundary 100± feet to the point of beginning.

EXHIBIT A

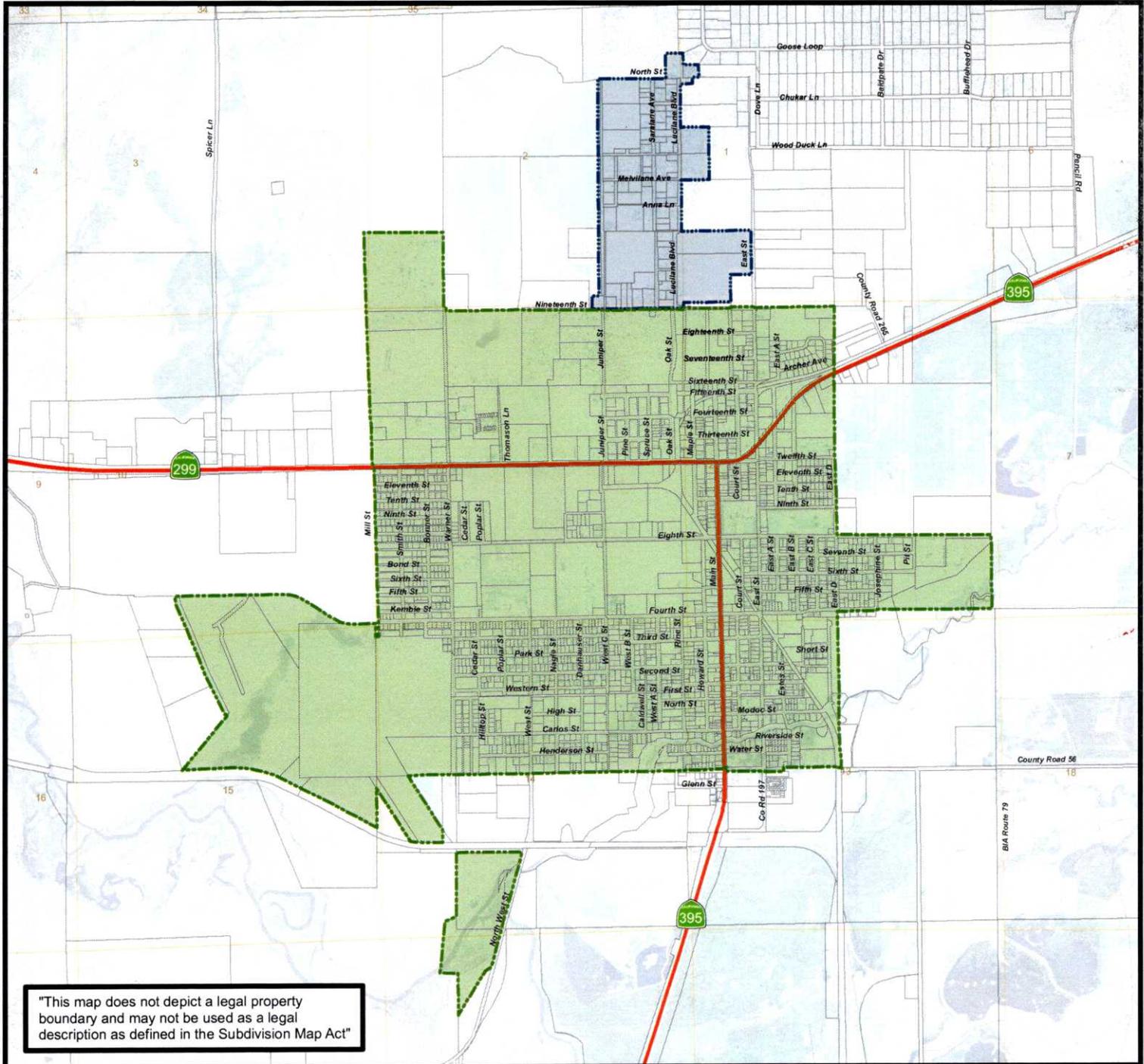
MODOC LOCAL AGENCY FORMATION COMMISSION

CITY OF ALTURAS MUNICIPAL SEWER DISTRICT

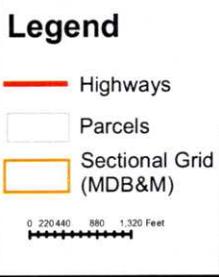
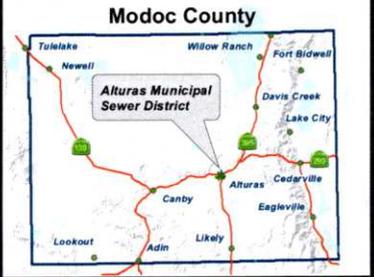
Range 12 East

Range 13 East

Township 42 North



"This map does not depict a legal property boundary and may not be used as a legal description as defined in the Subdivision Map Act"



City of Alturas Boundary
1844.84 Acres

Daphnedale Community Services District
173.45 Acres



City of Alturas Municipal Sewer District
 Modoc LAFCo Resolution:
 Adopted:
 Source: Modoc LAFCo
 Map Created 3/11/2021



MODOC LAFCO

EXECUTIVE OFFICER'S REPORT

June 8, 2021

TO: Local Agency Formation Commission
FROM: John Benoit, Executive Officer
RE: Final Budget for FY 2021-2022

I provided a "recommended" budget at the April 13, 2021 meeting, which was adopted. A Budget Justification Report was prepared for that Budget Hearing. Please refer the Budget Justification Report for information on each of the items below.

CARRY OVER FROM FY 2020-2021:

Carryover is proposed to be \$ 20,000.

CITY AND COUNTY COST SHARE:

The City and County Cost share is proposed to be \$25,998.05 each, which is slightly higher than last year.

SUMMARY OF EXPENSES:

Commissioner Stipends The Commission has budgeted \$4,800 for Commissioner and Alternate stipends. This includes six meeting per year. According to Resolution 2009-0005, stipends will be paid for each Commissioner and Alternate who attends LAFCO meetings.

Liability Insurance There is nothing in the Budget since the County does not charge LAFCo for this item.

Memberships The Commission recommended in its proposed budget \$1,130.00 for CALAFCo dues.

Communications This is proposed to be \$1,000.00 for general communications for phone, internet and fax.

Office Expenses/Printing: The Commission recommended in its proposed budget \$1,200.00 Depending upon LAFCO activity this could be augmented by an increased appropriation from unanticipated revenue.

Postage This is proposed to be \$300.00 for public notices and mailings, the same as this year.

Legal Services The Commission recommended in its proposed budget \$2,000.00 for this item. LAFCO Counsel attends LAFCO meetings as requested by the Commission. It is anticipated if budget augmentations are needed in this category, additional appropriation would come from unanticipated revenue.

Staff Services: Executive Officer and Clerk: The Commission recommended in its proposed budget \$36,720 for these items. This translates into \$3,120.00 per month for LAFCO administration/clerk services. Notwithstanding a very complex reorganization or incorporation project for Modoc LAFCO, this amount should cover LAFCO administration. Complex projects should be fee supported thereby increasing revenue to LAFCO. It is anticipated if budget augmentations are needed in this category, additional appropriation would come from unanticipated revenue.

Legal Notices/Publications The Commission recommended in its proposed budget \$600.00 for legal notices. Given the cost of legal advertising and the projected workload this amount remains reasonable.

Special Dept. Expense – File Scanning and Management The proposed budget contained \$3,000 for the effort of scanning LAFCo files for public access and reduction of storage need.

Transportation/Mileage/Training/Conferences The Commission sent one person to the Calafco Annual Conference this year. Staff normally goes to the staff workshop and annual conference and one Commissioner to the annual conference.. This budget includes \$2,200.00, which is enough to send one commissioner to the Calafco Annual Conference in Newport Beach, October 6-9, 2021 and the annual Staff Workshop to be in Orange County in the spring (note the 2020 Calafco staff workshop was cancelled).

Municipal Service Reviews/Sphere of Influence Updates The Commission recommended in its proposed budget \$12,500.00 for this effort, which would cover additional costs of preparing Reviews/Sphere Updates as required by the LAFCO Act. This amount is not be adequate to prepare one or two non-controversial reviews. Funds may be augmented from the Executive Officer Services category for this item, depending upon the workload. A portion of the Sphere of Influence updates is mapping. As expected, MSR's and SOI's updates are required as determined necessary.

Recommendation:

- a. Review, discuss, amend, and consider the 2021-2022 Final Budget. A budget justification report for FY 2021-2022 was prepared by staff for the adopted proposed budget in April 2021.
- b. Adopt LAFCO Resolution 2021-0002 adopting a Final Budget.

Resolution 2021-0002
of the
Modoc Local Agency Formation Commission
Modoc County, California

Resolution of the Modoc Local Agency Formation Commission

Adopting a Final Budget for 2021-2022

WHEREAS, Modoc LAFCO is required by Government Code Section 56381(a) to adopt annually, following a noticed public hearing, a proposed budget by May 1st and a final budget by June 15th; and,

WHEREAS, the Commission has prepared a final budget for public review; and,

WHEREAS, the Executive Officer has given notice of hearing in the form and manner specified by law for adoption of both the proposed and final budget and upon the date, time and place specified in said notice of hearing, the Commission heard, discussed and considered all oral and written testimony submitted including, but not limited to, the approved budget priorities for Fiscal Year 2021-2022 and the Executive Officer's report and recommendations; and

WHEREAS, the Commission has considered the attached Final Budget in light of the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

NOW THEREFORE, the Modoc Local Agency Formation Commission does hereby determine, resolve, and order the following:

1. That Modoc LAFCO hereby adopts the attached final 2021-2022 budget (Attachment A).
2. Directs the Executive Officer to transmit the final budget to the Modoc County Auditor (Auditor) and all parties specified in Government Code Section 56381 (a) as promptly as possible.
3. The Commission hereby requests the Auditor to collect the funds in accordance with Government Code Section 56381 (c). In the event of non-payment of LAFCO funds by any entity subject to the LAFCO's apportionment, the Commission hereby requests and authorizes the Auditor to collect the funds from property tax revenues or any other revenue source and deposit the funds into the LAFCO account.
4. The Commission desires to use carryover funds remaining from the 2020-2021 budget to establish a contingency fund and to prepare Municipal Service Reviews and Sphere of Influence updates in the amounts specified on the attached 2021-2022 final budget.

PASSED AND ADOPTED by the Modoc Local Agency Formation Commission at a regular meeting of said Commission held on June 8th , 2021 by the following roll call vote:

AYES: -

NOES: -

ABSTAINS: -

ABSENT: -

Signed and approved by me after its passage this 8th day of June, 2021

Ned Coe
Chair, Modoc LAFCO

Attest:

John Benoit, Executive Officer
Modoc LAFCO

OBJECT LEVEL/ ACCOUNT	FY 2016-2017	FY 2017-2018	FY 2018-2019	FY 2019-2020	FY 2020-2021	FY 2021-2022	FY 2021-2022
	FINAL BUDGET	FINAL BUDGET	FINAL BUDGET	FINAL BUDGET	FINAL BUDGET	PROPOSED BUDGET	FINAL BUDGET
EXPENDITURES							
4003 Commissioner Stipends	\$ 4,800.00	\$ 4,800.00	\$ 4,800.00	\$ 4,800.00	\$ 4,800.00	\$ 4,800.00	\$ 4,800.00
4420 Memberships	\$ 840.00	\$ 899.00	\$ 926.00	\$ 1,077.00	\$ 1,130.00	\$ 1,131.00	\$ 1,131.00
4210 Office Expense - Printing	\$ 1,000.00	\$ 800.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00
4211 POSTAGE	\$ 500.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
4221 COMMUNICATIONS	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
OFFICE EXPENSES	\$ 400.00	\$ 400.00	\$ -	\$ -	\$ -	\$ -	\$ -
4008 Professional Svcs. - Legal Counsel	\$ 3,200.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
4004 Professional Svcs. - Executive Officer	\$ 36,000.00	\$ 36,000.00	\$ 36,000.00	\$ 36,000.00	\$ 36,000.00	\$ 36,000.00	\$ 36,000.00
4006 Professional Svcs. - Clerk Costs	\$ 900.00	\$ 720.00	\$ 720.00	\$ 720.00	\$ 720.00	\$ 720.00	\$ 720.00
4380 Publications/Legal Notices	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00
4225 Special Departmental Expense -File Scanning & Management	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
4430 Transportation & Travel	\$ 2,000.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 2,200.00	\$ 2,200.00	\$ 2,200.00
4454 MSR/SOI UPDATES	\$ 15,500.00	\$ 10,500.00	\$ 10,500.00	\$ 10,500.00	\$ 10,500.00	\$ 12,500.00	\$ 12,500.00
Total Services & Supplies	\$ 69,740.00	\$ 61,519.00	\$ 61,546.00	\$ 61,697.00	\$ 63,450.00	\$ 65,451.00	\$ 65,451.00
4922 CONTINGENCY	\$ 6,974.00	\$ 6,151.90	\$ 6,154.60	\$ 6,169.70	\$ 6,345.00	\$ 6,545.10	\$ 6,545.10
TOTAL LAFCO BUDGET	\$ 76,714.00	\$ 67,670.90	\$ 67,700.60	\$ 67,866.70	\$ 69,795.00	\$ 71,996.10	\$ 71,996.10
REVENUES							
CARRYOVER	\$ 36,000.00	\$ 25,000.00	\$ 23,000.00	\$ 21,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
Application Fees							
3060 City Share - LAFCO Cost	\$ 20,357.00	\$ 21,335.45	\$ 22,350.30	\$ 23,433.35	\$ 24,897.50	\$ 25,998.05	\$ 25,998.05
3060 County Share - LAFCO Cost	\$ 20,357.00	\$ 21,335.45	\$ 22,350.30	\$ 23,433.35	\$ 24,897.50	\$ 25,998.05	\$ 25,998.05
Total Due from Other Gov'ts.							
TOTAL REVENUES	\$ 76,714.00	\$ 67,670.90	\$ 67,700.60	\$ 67,866.70	\$ 69,795.00	\$ 71,996.10	\$ 71,996.10
GENERAL RESERVE							