

Modoc Local Agency Formation Commission

REGULAR MEETING AGENDA

Website: www.modoclafco.org

TUESDAY JUNE 9, 2020 – 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

Alternate Members

Cheryl Nelson, City Member
Ned Coe, Vice-Chair, County Member
Richard Read, Chair Public Member
Mark Steffek, City Member
Kathie Rhoads, County Member
LAFCO Staff
John Benoit, Executive Officer
Scott Browne, LAFCO Counsel
Macey Binning, Clerk

Marie Neer, Public Member Alt.
Geri Byrne, County Member Alt.
Vacant, City Member Alt

2. Approval of the Agenda (Additions and Deletions)

3. Election of Chair and Vice Chair for Fiscal Year 2020-2021

- a) *Election of Chair*
- b) *Election of Vice Chair*

4. Correspondence:

- a) Resignation letter from Richard Read

5. Consider Minutes for the April 14, 2020 LAFCo meeting

- a. *Approve minutes from the April 14, 2020 LAFCo Meeting*

6. Public Comment

This is the time set aside for citizens to address the Commission on any item of interest to the public that is within the subject matter jurisdiction of the Commission. For items that are on the agenda, public comment will be heard when the item is discussed. If your comments concern an item that is noted as a public hearing, please address the Commission after the public hearing is opened for public testimony. The Chair reserves the right to limit each speaker to three (3) minutes. Please understand that by law, the Commission cannot make decisions on matters not on the agenda.

7. Authorize payment of claims

- a. *Authorize payment of claims for April 2019 and May 2020*

8. PUBLIC HEARING: 2020-2021 FINAL LAFCo Budget

- a. *Consider report of the Executive Officer and conduct Public Hearing*
- b. *Consider Resolution 2020-0002 adopting a final budget for 2020-2021*

9. Pest Abatement Districts MSR and SOI (Lookout and Stronghold)

(please have your copies of the Pest Abatement Districts MSR and SOI available)

- a. *Receive Executive Officer's Report and Conduct Public Hearing*
- b. *Consider Resolution 2020-0003 adopting a Service Review for the Lookout and Stronghold Pest Abatement Districts.*
- c. *Consider Resolution 2020-0004 adopting a Sphere of Influence for the Lookout and Stronghold Pest Abatement Districts.*

10. PUBLIC HEARING: Policy, Standards and Procedures Update

- a) *Hold public hearing and consider Resolution 2020-0005 adopting Updated Policies and Procedures for Modoc LAFCo*

11. Executive Officer's Report:

12. Commissioner Reports - Discussion

This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters.

13. Adjourn to the next regular meeting on August 11, 2020

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

ITEM 4

May 8, 2020

Dear John Benoit

I'm writing to give my formal notice that I'll be resigning my role as Public Member for Modoc County LAFCO on June 30, 2020.

I'm grateful for the opportunities I've been provided working on the Modoc LAFCO for the past four years. It has been an educational experience to work with a great team and learn the work LAFCO does.

Please let me know if I can be of any assistance in finding another public member. Thank you for your guidance during my service.

Sincerely,



Richard Read

Local Agency Formation Commission of Modoc County
Special Meeting Minutes
April 14, 2020

1. Call to order / Pledge of Allegiance

Pursuant to the Governor's Executive Order N-25-20 and N-29-20 dated March 12, 2020 and March 17, 2020, Local Agency Formation Commission of Modoc County Vice-Chair Coe called the special meeting to order at 4:10 p.m. via teleconference. Commissioner Coe, Commissioner Rhoads, Commissioner Steffek, and Commissioner Nelson were present. Commissioner Byrne, and Commissioner Neer were absent. Public attending 0. Chair Read attended at 4:13 p.m.

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

Pledge of Allegiance.

2. Approval of the Agenda (Additions and Deletions)

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

3. Correspondence-None

4. Consider Minutes from the February 11, 2020 LAFCo Meeting

Motion made by Commissioner Rhoads to approve the February 11, 2020 minutes; seconded by Commissioner Nelson. In favor were Commissioners Rhoads, Steffek, Nelson and Coe.
Motion passed unanimous

5. Public Comment – None

6. Authorize payment of Claims for February 2020 and March 2020

Commissioner Rhoads made the motion to authorize payment of claims for February 2020 and March 2020; seconded by Commissioner Steffek. In favor were Commissioners Rhoads, Steffek, Nelson and Coe.
Motion passed unanimous

At 4:13 pm Chair Read was able to attend teleconference. Vice Chair Coe turned the meeting over to Chair Read.

7. Public Hearing: 2020-2021 LAFCo Budget

Public Hearing was opened by Chair Read at 4:15 P.M.

No comments were presented to Commissioners.

Public Hearing was closed at 4:17 P.M.

Commissioner Rhoads made the motion to adopt **Resolution 2020-0001** adopting the proposed budget for 2020-2021; seconded by Commissioner Coe. In favor were Commissioners Rhoads, Steffek, Nelson, Coe and Chair Read.

Motion passed unanimous

8. Pest Abatement Districts MSR and SOI (Lookout and Stronghold)

Due to technical difficulties Executive Officer Benoit was no longer on the teleconference.

Commissioners reviewed the draft of the Municipal Service Review (MSR) and Sphere of Influence (SOI) for the Pest Abatement Districts Lookout and Stronghold. They found the documents unclear and hard to follow. The Commissioners would like to propose changes to the documents so it is easier to follow.

Commissioner Nelson made the motion to postpone this item until the June 9, 2020 LAFCo Meeting; seconded by Commissioner Rhoads. In favor were Commissioners Rhoads, Steffek, Nelson, Coe and Chair Read.

Motion passed unanimous

9. Public Hearing: Policies, Standards, and Procedures Update

Public Hearing was noted to continue to June 9, 2020 LAFCo Meeting. No action was required.

10. Executive Officer's Report -None

11. Commissioner Reports – None

There being no further business to come before the Commission. Motion made by Commissioner Coe to adjourn at 4:20 p.m.; seconded by Commissioner Rhoads. In favor were Commissioners Rhoads, Steffek, Nelson, Coe and Chair Read.

Motion passed unanimous

Modoc Local Agency Formation Commission

ITEM 7

CLAIMS

for

April 2020 - May 2020

Authorize the following Claims for FY 2019-2020

May 1, 2020	Staff Svcs and Expenses April 2020	\$ 2,514.48
June 1, 2020	Staff Svcs and Expenses May 2020	\$ 2,072.10
Apr 14, 2020	Meeting stipend 4.14.20	\$ 500.00

TOTAL: \$ 5,086.58

DATED: June 9, 2020

APPROVED: June 9, 2020

**Richard Read, Chair Modoc Local Agency
Formation Commission**

Attest:

**John Benoit
Executive Officer**

Modoc LAFCO
Expenditures and Revenue
FY 2019-2020

Item	Account Number	File Scanning Night	Memberships 4420	Copies 4210	Postage 4211	Communications 4221	Office Exp. 4210	Counsel 4008	Staff Svcs 4704	Clerk Costs 4004
Total Budgeted 2019-2020		\$ 3,000.00	\$ 1,077.00	\$ 1,200.00	\$ 300.00	\$ 1,000.00	\$ (10.00)	\$ 2,000.00	\$ 36,000.00	\$ 720.00
Calatco Dues 19-20			\$ (1,075.00)							
Payroll Aug 27, 2019					(0.51)	(82.02)	(10.00)		(3,060.00)	
Conf Registration M. Steffek						(76.31)			(2,727.50)	(120.00)
Staff Svcs August 2019						(87.07)	(15.00)		(3,060.00)	
Staff Svcs September 2019										
Modoc Record LFHCD MSR and SOI										
PAYROLL Oct 22, 2019										
Staff SVCS October 2019				\$ (45.00)	(50.00)	(86.08)			(2,000.00)	(120.00)
Mark Steffek Calatco Conf. Reimb 2019				\$ (10.00)		(79.28)			(2,040.00)	
Staff Svcs November 2019										
Payroll December 10, 2019										
Staff Svcs December 2019				\$ (15.00)	(1.50)	(78.75)			(3,325.00)	(120.00)
Staff Svcs January 2020						(78.21)	(75.00)		(1,572.50)	
Alluras Council Chambers Facility Usage										
Payroll Feb 11, 2020										
Staff Svcs Feb 2020				\$ (15.00)		(79.10)			(3,367.50)	(120.00)
Staff Svcs March 2020						(80.15)			(1,912.50)	
Modoc Record Prop. Bud. Policies and Pest abate										
Staff Svcs April 2020						(99.48)			(2,295.00)	(120.00)
Payroll April 14, 2020										
Staff Svcs May 2020				\$ (15.00)	(0.50)	(59.10)			(1,997.50)	

Total Expenditures to date	\$ 2.00	\$ (1,075.00)	\$ (100.00)	\$ (62.51)	\$ (905.55)	\$ (100.00)	\$ (100.00)	\$ 2,000.00	\$ (27,367.50)	\$ (500.00)
Total Budget Remaining	\$ 2,998.00	\$ 1,107.00	\$ 1,100.00	\$ 247.49	\$ 114.45	\$ (100.00)	\$ (100.00)	\$ 2,000.00	\$ 8,642.50	\$ 120.00

unaudited	July 1, 2019 City Fund Carryover	\$ 21,378.94	\$ 21,378.94
	19-20 Actual City/Co. Contributions		
	FY 2019-2020 City Anticipated Funds Transf	\$ 23,433.35	\$ 46,866.70
	2019-2020 County-City Funds anticipated	\$ 23,433.35	\$ 44,812.29
	Funds received		
	REVENUE FOR PROJECTS		
	Interest		
	Anticipated Funds received	\$ (39,108.61)	
	Less Expenditures	\$ 5,703.68	
	Actual Cash Balance		

Modoc LAFCo
Expenditures and Revenue
FY 2019-2020

Notice and Public	Trans & Travel	MSR/SOL Invoices	Commissiover	Stipends/000	TOTAL	Contingency
\$ 600.00	\$ 500.00	\$ 10,500.00	\$ 4,800.00	\$ 61,897.00	\$ (1,075.00)	\$ 6,169.70
					\$ (3,152.53)	
	\$ (520.00)		\$ (600.00)		\$ (600.00)	
		\$ (2,000.00)			\$ (520.00)	
					\$ (4,923.81)	
					\$ (3,162.07)	
\$ (72.00)					\$ (72.00)	\$ (8,157.88)
			\$ (600.00)		\$ (600.00)	
	\$ (92.00)	\$ (1,920.00)			\$ (4,313.08)	
	\$ (602.55)				\$ (602.55)	
					\$ (2,129.28)	\$ (7,644.91)
			\$ (400.00)		\$ (400.00)	
					\$ (3,540.25)	
		\$ (1,062.50)			\$ (2,713.21)	
					\$ (75.00)	\$ (6,728.46)
			\$ (500.00)		\$ (500.00)	
					\$ (3,961.60)	
					\$ (1,992.65)	
\$ (69.00)					\$ (69.00)	\$ (6,143.25)
					\$ (2,514.48)	
			\$ (500.00)		\$ (500.00)	\$ (5,086.68)
					\$ (2,072.10)	

\$ (451.00)	\$ (1,214.55)	\$ (4,382.80)	\$ (2,500.00)	\$ (25,105.81)	\$ (25,105.81)	
\$ 459.00	\$ (714.55)	\$ 5,517.50	\$ 2,200.00	\$ 22,588.39	\$ (39,108.61)	

MODOC LAFCO

EXECUTIVE OFFICER'S REPORT

June 9, 2020

TO: Local Agency Formation Commission
FROM: John Benoit, Executive Officer
RE: Final Budget for FY 2020-2021

I provided a "recommended" budget at the April 13, 2020 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 2019-2020:

Carryover is proposed to be \$ 20,000.

CITY AND COUNTY COST SHARE:

The City and County Cost share is proposed to be \$24,897.50 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 \$36,000 for these items. This translates into \$3,000.00 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 Monterey, October 21-23, 2020 and the annual Staff Workshop to be in Orange County (note the 2020 Calafco staff workshop was cancelled).

Municipal Service Reviews/Sphere of Influence Updates The Commission recommended in its proposed budget \$10,500.00 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 2020-2021 Final Budget. A budget justification report for FY 2020-2021 was prepared by staff for the adopted proposed budget in April 2020.
- b. Adopt LAFCO Resolution 2020-0002 adopting a Final Budget.

Resolution 2020-0002
of the
Modoc Local Agency Formation Commission
Modoc County, California

Resolution of the Modoc Local Agency Formation Commission

Adopting a Final Budget for 2020-2021

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 2020-2021 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 2020-2021 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 2019-2020 budget to establish a contingency fund and to prepare Municipal Service Reviews and Sphere of Influence updates in the amounts specified on the attached 2020-2021 final budget.

PASSED AND ADOPTED by the Modoc Local Agency Formation Commission at a regular meeting of said Commission held on June 9th, 2020 by the following roll call vote:

AYES: -

NOES: -

ABSTAINS: -

ABSENT: -

Signed and approved by me after its passage this 9th day of June, 2020

Richard Read
Chair, Modoc LAFCO

Attest:

John Benoit, Executive Officer
Modoc LAFCO

OBJECT LEVEL/ ACCOUNT	FY 2016-2017 FINAL BUDGET	FY 2017-2018 FINAL BUDGET	FY 2018-2019 FINAL BUDGET	FY 2019-2020 FINAL BUDGET	FY 2020-2021 PROPOSED BUDGET	FY 2020-2021 FINAL BUDGET
EXPENDITURES						
4003 Commissioner Stipends	\$ 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	\$ 1,130.00
4210 Office Expense - Printing	\$ 1,000.00	\$ 800.00	\$ 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
4221 COMMUNICATIONS	\$ 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
4004 Professional Svcs. - Executive Officer	\$ 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
4380 Publications/Legal Notices	\$ 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
4430 Transportation & Travel	\$ 2,000.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 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	\$ 10,500.00
Total Services & Supplies	\$ 69,740.00	\$ 61,519.00	\$ 61,546.00	\$ 61,697.00	\$ 63,450.00	\$ 63,450.00
4922 CONTINGENCY	\$ 6,974.00	\$ 6,151.90	\$ 6,154.60	\$ 6,169.70	\$ 6,345.00	\$ 6,345.00
TOTAL LAFCO BUDGET	\$ 76,714.00	\$ 67,670.90	\$ 67,700.60	\$ 67,866.70	\$ 69,795.00	\$ 69,795.00
REVENUES						
CARRYOVER	\$ 36,000.00	\$ 25,000.00	\$ 23,000.00	\$ 21,000.00	\$ 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	\$ 24,897.50
3060 County Share - LAFCO Cost	\$ 20,357.00	\$ 21,335.45	\$ 22,350.30	\$ 23,433.35	\$ 24,897.50	\$ 24,897.50
Total Due from Other Gov'ts.						
TOTAL REVENUES	\$ 76,714.00	\$ 67,670.90	\$ 67,700.60	\$ 67,866.70	\$ 69,795.00	\$ 69,795.00

**Resolution 2020-0003 of the
Modoc Local Agency Formation Commission
In
Modoc County, California**

Approving a Municipal Service Review of Services Provided by the Lookout and Stronghold pest abatement districts in Modoc County and Adopting Written Determinations Thereon

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission ("LAFCO") adopt and periodically review Sphere of Influence Plans for all agencies in its jurisdiction; and,

WHEREAS, California Government Code Section 56430 requires that a LAFCO conduct a review of the municipal services provided by and within an agency prior to updating and adopting its Sphere of Influence Plan; and,

WHEREAS, the Sphere of Influence Plan is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO; and,

WHEREAS, on October 23, 2007, the Commission adopted its Policies, Standards and Procedures including policies related to Municipal Service Reviews (MSRs) and Spheres of Influence and updated these policies on April 14, 2009; 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 for services provided in the Lookout and Stronghold pest abatement districts service area, including approval of the report and adoption of the written determinations contained therein; and,

WHEREAS, the Commission hereby determines that the hearing draft of the Municipal Service Review for services provided by and within the Lookout and Stronghold pest abatement districts and written determinations contained therein will provide information for updating the Sphere of Influence of the Lookout and Stronghold pest abatement districts, and is otherwise consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities; and,

WHEREAS, in making this determination, the Commission has considered the documentation on file in this matter; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

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

- 1) The Municipal Service Review of services provided in the Lookout and Stronghold pest abatement districts, attached hereto as Exhibits A and B, are approved and the written determinations presented in the Municipal Service Review report are hereby adopted.
- 2) The Lookout and Stronghold pest abatement districts currently provide pest abatement services as authorized in the Health and Safety Code. All other services authorized in the Health and Safety Code shall not be allowed until the District seeks permission from LAFCO to perform said service.

- 3) LAFCO staff is further ordered to proceed as appropriate with update to the Sphere of Influence Plans for the Lookout and Stronghold pest abatement districts.
- 4) LAFCO staff is further ordered to forward copies of this resolution containing the adopted Municipal Service Review to the Lookout and Stronghold pest abatement districts.

The foregoing resolution was duly passed by the Modoc Local Agency Formation Commission at a special meeting held on June 9, 2020, by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this 9th day of June 2020

Richard Read, Chair
Modoc Local Agency Formation Commission

Attest:

John Benoit, Executive Officer
Modoc Local Agency Formation Commission

Resolution No. 2020-0004

MODOC LOCAL AGENCY FORMATION COMMISSION

*A Resolution Making Determinations and Approving a Sphere of Influence Update for the
Lookout and Stronghold Pest Abatement Districts*

WHEREAS, Government Code Section 56425 requires each Local Agency Formation Commission to adopt and periodically review and update a sphere of influence for each local governmental agency within its jurisdiction; and

WHEREAS, the Modoc Local Agency Formation Commission, in compliance with the aforementioned requirement, is providing a "plan for the probable physical boundaries and service area" for the Lookout and Stronghold Pest Abatement Districts; and

WHEREAS, the Commission has set the hearing date of April 14th & June 9th, 2020 for the update of the sphere of influence for the Lookout and Stronghold Pest Abatement Districts and has noticed this hearing at the times and as otherwise prescribed by Government Code Section 56427; and

WHEREAS, the Commission has heard and adopted a Municipal Services Review of services provided by the Lookout and Stronghold Pest Abatement Districts in accordance with Gov. Code section 56430; and

WHEREAS, the Commission has reviewed and considered the proposed Sphere of Influence update report and the proposed Sphere of Influence Update Maps which are attached hereto and incorporated herein; and

WHEREAS, Modoc LAFCO prepared and a notice of exemption for such action; and

WHEREAS, the Commission has considered those factors determined by it to be relevant to the proposed sphere of influence update, including, but not limited to, those factors specified in Government Code Section 56425, et seq., and has heard from interested parties and considered requests for amendment and/or revision of the proposed updated sphere boundary, if any;

NOW, THEREFORE, BE IT RESOLVED that the Modoc Local Agency Formation Commission does hereby find and determine as follows:

1. That the proposed sphere of influence update with respect to the Lookout and Stronghold Pest Abatement Districts complies with the provisions of Government Code Section 56000, et seq.
2. That no significant protests have been received regarding the establishment of this Sphere of Influence update.
3. That, pursuant to Government Code Section 56425, the Commission makes and adopts those determinations set forth in the Sphere of Influence Study are attached hereto as Exhibits "A" and "B" and incorporated herein.

4. The Commission has reviewed and adopts a Notice of Exemption prepared for this Sphere of Influence update and makes a specific finding that there is no substantial evidence in light of the whole record before Modoc Local Agency Formation Commission that this Sphere Update for the Lookout and Stronghold Pest Abatement Districts may have a significant adverse effect on the environment.

5. Pursuant to Government Code Section 56425 (i) the Lookout and Stronghold Pest Abatement Districts are authorized to provide pest abatement services within the territory set forth in Exhibits "A" and "B". Other services this Districts may provide as stated in its enabling legislation shall require LAFCO approval prior to the service being provided.

6. That the Sphere of Influence Update Reports, Executive Officer's Report, and Map for the Lookout and Stronghold Pest Abatement Districts updated Sphere are hereby adopted and approved as set forth in Exhibits "A" and "B".

The foregoing resolution was duly passed by the Modoc Local Agency Formation Commission at a regular meeting held on June 9, 2020, by the following roll call vote:

Ayes:
Noes:
Abstain:
Absent:

Signed and approved by me after its passage this 9th day of June 2020.

Richard Read, Chair: Modoc LAFCO

Attest:

John Benoit, Executive Officer
MODOC LOCAL AGENCY FORMATION COMMISSION,

Exhibit A

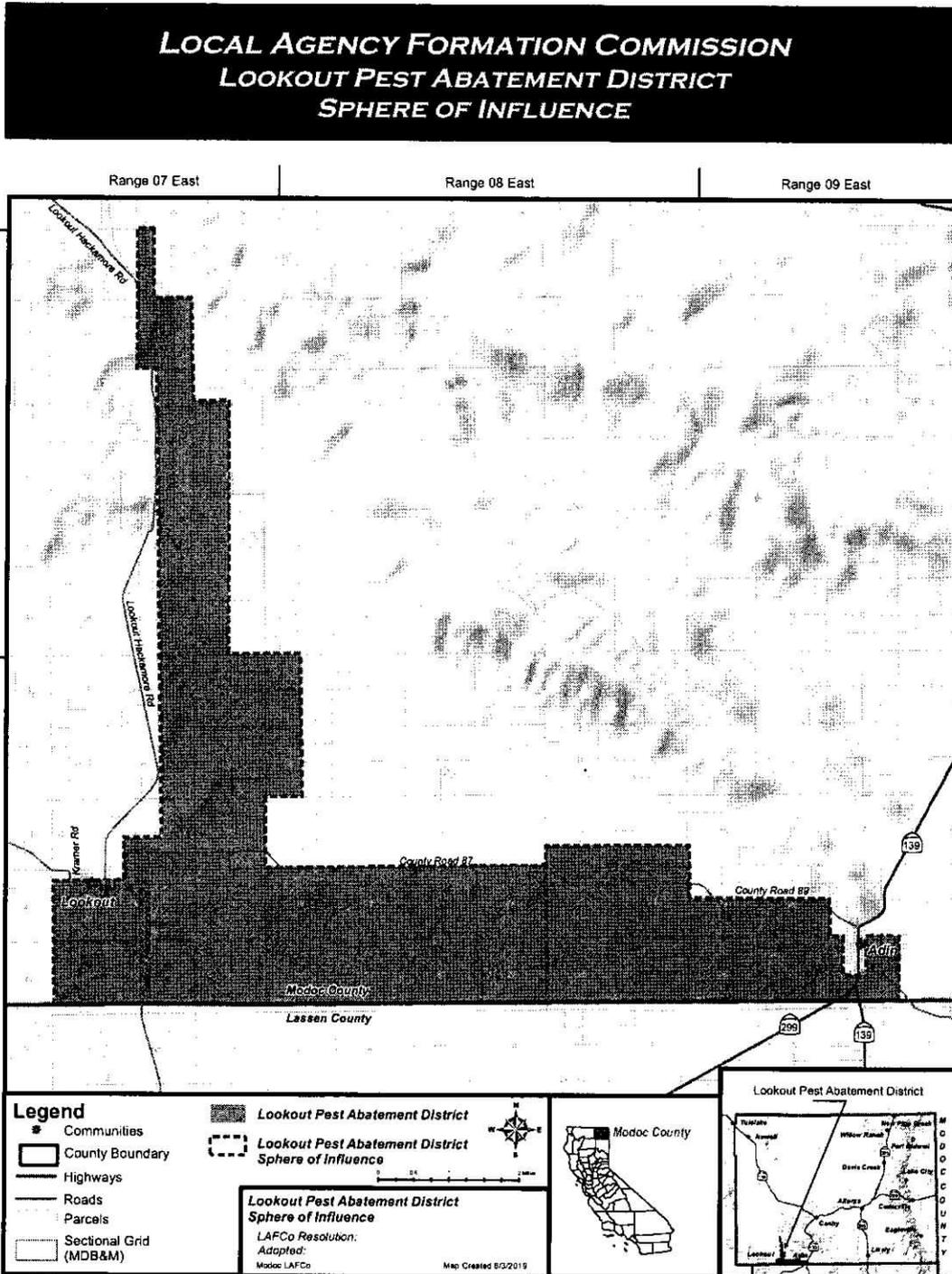
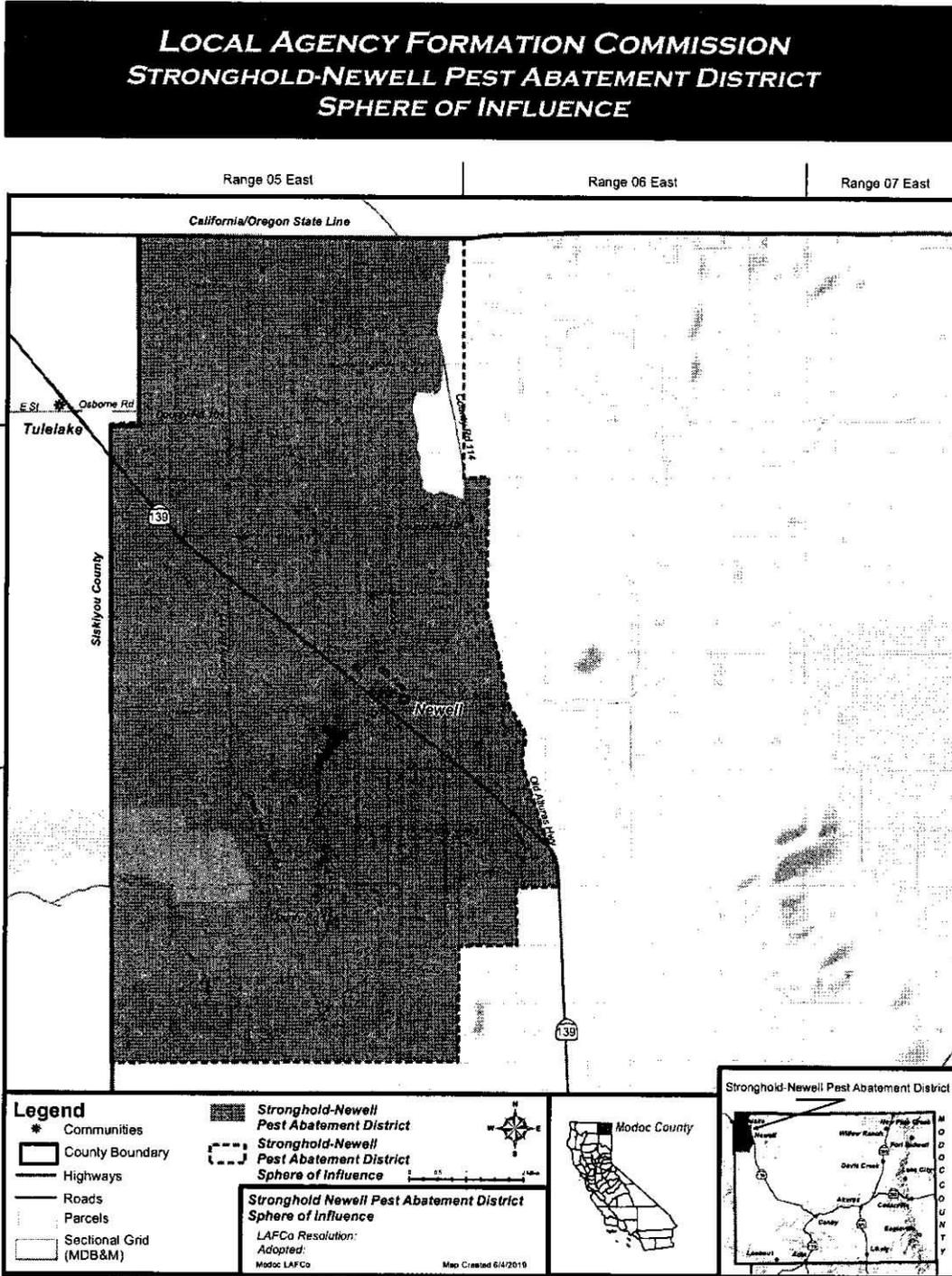


Exhibit B



NOTICE OF EXEMPTION

TO: County Clerk
County of Modoc
Alturas, CA

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

PROJECT TITLE: Lookout and Stronghold Pest District – Sphere of Influence Update

PROJECT LOCATION: Pit River, Big Valley and Tule Lake Areas of Modoc County

DESCRIPTION OF PROJECT:

The proposed project would involve the update of Spheres of Influence. Said Spheres of Influence are coterminous with the existing district boundaries

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 20 Categorical Exemption, "Changes in Organization of Local Agencies," CEQA Guidelines Section 15320.

REASONS WHY PROJECT IS EXEMPT:

The proposed project involves an update of a Sphere of Influence for the Lookout and Stronghold Pest Abatement Districts. CEQA Guidelines Section 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 Sphere boundary. The Commission also finds there is no evidence in the record that an unusual circumstance exists with respect to this Sphere of Influence Update.

CONTACT PERSON:
John Benoit
LAFCO Executive Officer

TELEPHONE NUMBER:
(530) 233-9625

By: _____

Date: June 9, 2020

**Resolution 2020-0005
of the
Modoc Local Agency Formation Commission**

*A Resolution of the Modoc Local Agency Formation Commission
Amending and Updating its Policies, Standards and Procedures*

RESOLVED, the Modoc Local Agency Formation Commission in the County of Modoc, State of California, that

WHEREAS, policies, standards and procedures are necessary to guide the Modoc Local Agency Formation Commission in making determinations on future projects; and

WHEREAS, the Commission has reviewed, revised and updated the policies, standards and procedures previously adopted by Modoc LAFCo and subsequently amended; and

WHEREAS, the Commission has conducted a workshop regarding the proposed Policies, Standards and Procedures amendment and update; and

WHEREAS, this Commission called for and held a Public Hearing on the Policies, Standards and Procedures on April 14, 2020 and June 9th, 2020 and at the hearing, this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer.

NOW, THEREFORE, the Modoc Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

1. The attached updated Policies, Standards and Procedures shall guide the Commission in compliance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended.
2. All previously adopted Policies, Standards and Procedures and (or) conflicting LAFCO Policies, Standards and Procedures previously approved by the Commission are hereby repealed in favor of this update.

3. That the amended updated Policies, Standards and Procedures attached as Exhibit "A" are hereby adopted.

The foregoing resolution was offered at a Regular Meeting of the MODOC LOCAL AGENCY FORMATION COMMISSION on the 9th day of June 2020, and adopted by the following vote of the Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:

Richard Read, Chair
Modoc Local Agency Formation Commission

ATTEST:

John Benoit, Executive Officer
MODOC LOCAL AGENCY FORMATION COMMISSION,