

Modoc Local Agency Formation Commission

REGULAR MEETING AGENDA

Website: www.modoclafco.org

TUESDAY October 13, 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, Chair, County Member
_____, 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

Marie Neer, Public Member Alt.
Geri Byrne, County Member Alt.
Yolanda Lewis, City Member Alt

2. Approval of the Agenda (Additions and Deletions)

3. Appoint Public Member and Public Member Alternate to serve for a term ending in May 2024

- a. *Interview, as necessary and appoint a Public Member and a Public Member Alternate to serve terms ending in May 2024.*

4. Correspondence: Calafco Elections 2020

5. Consider Minutes for the August 11th, 2020 LAFCo meeting

- a. *Approve minutes from the August 11th, 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 August 2020 and September 2020*

8. Daphnedale CSD

- a) *Hold discussion, review information request and authorize staff to mail the information request to the District.*

9. Consolidation of Districts vs. Establishment of a Joint Powers Authority (JPA)

- a) *Review a recent case study from Calaveras County establishing a Joint Powers Authority*

10. Executive Officer's Report:

- a) *Fee updates - 2007*
- b) *Application Forms – 2014*
- c) *Records Retention Policy - 201*

11. Commissioner Reports - Discussion

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

12. Adjourn to the next regular meeting on December 15, 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

**OPENING FOR A CITIZEN TO SERVE AS THE PUBLIC MEMBER OR
ALTERNATE ON
THE LAFCO COMMISSION**

The Modoc Local Agency Formation Commission (LAFCO) has an opening for one Modoc County citizen to serve on LAFCO as a Public Member or Alternate to fill terms ending in May 2024. The current public member alternate may be appointed as the regular public member. LAFCO is a distinct agency created by state legislation to ensure that changes in governmental organization occur in a manner, which provides efficient, quality services and preserves open space and agricultural land resources. LAFCO is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 in its decisions regarding annexations, incorporations, reorganizations, and other changes of local government. LAFCO's webpage is: www.modoclafco.org

LAFCO meets every other month at the City Council chambers or as otherwise necessary in Alturas.

The appointment is for a Public Member or Public Member Alternate who resides anywhere within Modoc County including the Alturas city limits to sit as public members on the Commission. No officer or employee of the county or the city or district within Modoc County is allowed to sit as a Public Member on the Commission. LAFCO's Public Members, as are all other Commissioners, are paid a meeting stipend and is required to file an annual Statement of Economic Interest.

If you are interested, we invite you to send a letter or email describing your background and reasons for wanting to become the selected Public Member or Alternate to serve on the Modoc Local Agency Formation Commission no later than Friday October 9th 2020. If you have any questions, please do not hesitate to call John Benoit, Executive Officer at (530) 233-9625 or email j.benoit4@icloud.com Please mail your letter of interest describing your background to Modoc LAFCO, P.O. Box 2694 Granite Bay, CA 95746 or preferably email a letter of interest to j.benoit4@icloud.com Applicants will be invited to the October 13th, 2020 LAFCO meeting at 4:00 p.m. for an interview with the Commission at the Alturas City Council Chambers, 200 North Street in Alturas. Selection will take place following the interviews.

Dated: September 9, 2020

Modoc LAFCO
John Benoit
EXECUTIVE OFFICER

**Marie Neer
P. O. Box 1705
Alturas, California 96101**

16 September 2020

John Benoit, EO
Modoc County LAFCo

Dear John,

Please accept this document as my letter of interest in reapplying for the Member at Large position on the Modoc County LAFCo Board of Directors.

Sincerely,

Marie Neer



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October 3, 2020

TO Regional Representatives and Member LAFCos

FROM Shiva Frentzen, Committee Chair
CALAFCO Election Committee

RE **Election Committee Report for 2020 CALAFCO Board Elections**

In accordance with the CALAFCO Bylaws and Nomination and Election Procedures, the CALAFCO Election Committee has solicited nominations for the regional election of the eight open Director positions on the CALAFCO Board of Directors. The elections will be conducted by e-ballot given there is no in-person Conference this year due to the pandemic.

Attached is a list of the candidates nominated within each of the four regions (Central, Coastal, Northern and Southern) for their respective city, county, special district and public member seats. All terms are two years.

It is imperative that all member LAFCos in good standing not only provide CALAFCO their voting delegate and email contact address by the time this report is distributed, but also return the ballot by the deadline of 4:00 p.m. October 21, 2020. No late ballots will be accepted.

The CALAFCO Election Committee has confirmed that all nominations were complete and received by the final filing date of September 22, 2020 at 5:00 p.m. We received nominations for all vacant seats.

The CALAFCO Election Committee is meeting virtually on Thursday, October 22, 2020 at 9:00 a.m. to count the ballots and certify the election. This meeting will be open to all member LAFCos in good standing and the agenda and meeting access information will be posted on the CALAFCO website in the Members section at www.calafco.org.

Copies of the nomination forms and resumes of all candidates within your region are attached and are posted on the CALAFCO website in the Members section at www.calafco.org. A copy of each regional nomination packet will also be sent to the voting delegates electronically with their e-ballot.

cc: CALAFCO Board of Directors

NOMINATIONS FOR THE 2020 BOARD OF DIRECTORS ELECTIONS

Seat	Nominee	LAFCo
NORTHERN REGION		
City	Blake Inscore*	Del Norte
Public	Josh Susman*	Nevada
CENTRAL REGION		
County	Daron McDaniel	Merced
District	Gay Jones*	Sacramento
	Michael Saunders	El Dorado
COASTAL REGION		
County	Chris Lopez	Monterey
	Linda Parks	Ventura
District	Marshall Ochylski	San Luis Obispo
	Michael McGill*	Contra Costa
	Rachel Lather-Hidalgo	Santa Cruz
SOUTHERN REGION		
City	Cheryl Brothers*	Orange
Public	Derek McGregor	Orange
	David West*	Imperial

* incumbent

Local Agency Formation Commission of Modoc County
Meeting Minutes
August 11, 2020

1. Call to order / Pledge of Allegiance

Vice Chair Steffek called the meeting to order at 4:06 p.m. in City Council Chambers at 200 W. North Street in Alturas, CA. Commissioner Rhoads, Commissioner Lewis, and Commissioner Neer were present. Commissioner Coe arrived to the meeting at 4:20 p.m. Commissioner Nelson and Commissioner Byrne were absent. Public attending 0.

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

Pledge of Allegiance.

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, Lewis, Neer and Steffek.

Motion passed unanimous

3. Correspondence

Executive Officer Benoit reported that the Commissioners were provided the updated certificate of insurance in their packet. Executive Officer Benoit did not receive any other correspondences to present to the Commissioners.

4. Consider Minutes from the June 9, 2020 LAFCo meeting

Commissioner Rhoads made the motion to approve the June 9, 2020 LAFCo meeting minutes; seconded by Commissioner Neer. In favor were Commissioners Rhoads, Lewis, Neer and Steffek.

Motion passed unanimous

5. Public Comment – None

6. Authorize payment of Claims for June 2020 and July 2020

Commissioner Rhoads made the motion to authorize the payment claims for June 2020 and July 2020; seconded by Commissioner Neer. In favor were Commissioners Rhoads, Lewis, Neer and Steffek.

Motion passed unanimous

7. Daphnedale CSD

Commissioner Steffek requested Executive Officer John Benoit to add Daphnedale Service District to the LAFCo agenda. Mr. Steffek is concerned since there has not been any communication from Daphnedale Service District, nor has there been any effort to become compliant with service district requirements. Currently Daphnedale is delinquent to the City of Alturas of approximately \$60,000 for sewer service fees. Mr. Steffek contacted the Modoc Auditor and discovered the Daphnedale has received at least three payment from the Auditors office. However, the City has not received a payment since June, 2019. In this discussion Mr. Steffek would like to know how to move forward to resolve these issues.

Executive Officer Benoit responds either the County or City will need to take responsibility. Which is not favorable to either. Mr. Benoit suggests that a CSD can be taken over by Modoc County Board. However, Mr. Benoit has the impression that Modoc County Board is not interested in proceeding in that direction. Mr. Benoit also suggests the City could annex Daphnedale into the City limits. However, again Mr. Benoit believes that the City is not interested in proceeding in that direction either. Plus, the residents of the Daphnedale Service District could protest being annexed in the City limits. Mr. Benoit informs the Commissioners they could also consider making the Daphnedale Service District into a subsidiary district of the City. Mr. Benoit also believes if the Daphnedale Service District could constitute a board then they City could have a contract to manage the service district which could be reimbursed.

Commissioner Rhoads inquires if Daphnedale became a subsidiary to the City would the City be able to raise the rates?

Executive Officer Benoit replies that the City would need to conduct the Prop 218 process since it is sewer rates. The process consists of a 45-day notice, and holding a protest hearing at City Hall which is not an election process. However, if they receive a sufficient number of protests it will become an election for landowners that are in that district.

Commissioner Rhoads inquires if Daphnedale became a subsidiary would the delinquent amount of \$60,000 be considered for repayment to the City.

Executive Officer Benoit confirms that it would. Mr. Benoit explains the same time that the Daphnedale District is being dissolved, LAFCo can direct the County to wrap up the affairs of the Daphnedale Service District. Which means the \$60,000 would be given to the City.

Commissioner Steffek inquires how to proceed to take action for dissolution of the Daphnedale Service District.

Executive Officer Benoit informs Commissioner Steffek that LAFCo can initiate the dissolution for the City. Mr. Benoit would need review the protest proceedings. However, he believes it is 25% vote. Normally it is a 10% vote. Mr. Benoit recommends this need to be contingent upon approval of Prop 218 process.

Commissioner Steffek wonders who would take over the District.

Mr. Benoit informs Commissioner Steffek if the City initiates the dissolution then the City Council would be taking over the District. Which would give the City control over the accounts. However, someone will need to be the successor agency. Mr. Benoit suggests it could be the County if they are willing to take it. Mr. Benoit questions why go through that when the Modoc County Board can assume the Board of the CSD. Since Daphnedale has chronic failure to requisite of a 5-member board which Mr. Benoit knows that is not the pleasure of Modoc County Board.

After discussion Executive Officer Benoit suggests the best way to proceed is for the City Council to meet and decide what the City Council would like to do on this matter.

Commissioner Steffek asks Executive Officer Benoit if he could be present at the next City Council meeting.

This agenda item has been tabled until the City Council meets and discusses the direction they would like to proceed to resolve this issue.

At 4:20 pm Chair Coe was able to attend the meeting. Vice Chair Steffek turned the meeting over to Chair Coe.

8. Biennial Conflict of Interest Code Review

Executive Officer Benoit informs Commissioner the Biennial Conflict of Interest Code is to be reviewed. In 2018 the Modoc LAFCo updated their Conflict of Interest Code. Mr. Benoit's recommendation would be to select no amendment is required and authorize Mr. Benoit to submit the form to the County Clerk.

Commissioner Neer made the motion after reviewing the 2020 Biennial Notice to select no amendment is required and authorize Mr. Benoit to submit the form to the County Clerk.; seconded by Commissioner Steffek. In favor were Commissioners Rhoads, Lewis, Neer, Steffek, and Coe.

Motion passed unanimous

9. Letter of Opposition to SB 414

Executive Officer Benoit recommends to the Modoc LAFCo to oppose SB 414. The reason for this is in June 25, 2019 this bill was amended in the Assembly and became a two-year bill. However, since then they've made 108 amendments to SB 414. Their intention is to resubmit this Senate Bill. This Senate Bill would take authority away from LAFCo to form districts. This would create a California small system water authority which would be a district. LAFCo would give it statutory mandatory duties and would not be compensated for their efforts. Which could potentially cost the City and County if was proposed in Modoc County. Mr. Benoit believes this a later reiteration of SB 88 which would give the State Board authority to merge districts without going through LAFCo.

Chair Coe expanded that he researched this senate bill on the legislative search and saw that it died in appropriations over a year ago. However. Mr. Coe knows there is no such thing as death in the legislature.

Commissioner Steffek made the motion to authorize the Chair to sign a letter opposing SB 414 to the Chair of the Assembly Appropriations Committee and Senate Member Anna Caballero.; seconded by Commissioner Lewis. In favor were Commissioners Rhoads, Lewis, Neer, Steffek, and Coe.

Motion passed unanimous

10. Election for 2020-2021 Calafco Board of Directors

Executive Officer Benoit explained to the Commissioners that CALAFCo was divided into four districts, the Northern District consists of twenty-one Counties. Within the twenty-one Counties is

a representative for a Public Member, County Member, and a City Member to be nominated. The Modoc County LAFCo does not need to take any action if there is no one willing to be nominated to represent the Northern District. Mr. Benoit would like for the Chair to attend and vote at the virtual CALAFCo Northern District members on behalf of Modoc LAFCo.

Chair Coe inquires if any Commissioners would like to be nominated for the Northern District.

Commissioners were not interested.

Commissioner Rhoads made the motion to authorize the Chair to vote for CALAFCo Northern District members on behalf of Modoc LAFCo.; seconded by Commissioner Neer. In favor were Commissioners Rhoads, Lewis, Neer, Steffek, and Coe.

Motion passed unanimous

11. Executive Officer's Report

Executive Officer Benoit reports if the Commissioners are considering dissolving the Daphnedale Service District, before LAFCo can take action an MSR needs to be completed for the district or prepare a report which states findings of why this district should be dissolved.

12. Commissioner Reports – None

There being no further business to come before the Commission. Motion made by Commissioner Rhoads to adjourn at 5:00 p.m.; seconded by Commissioner Neer. In favor were Commissioners Rhoads, Neer, Lewis, Steffek and Coe.

Motion passed unanimous

Modoc Local Agency Formation Commission

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CLAIMS

for

August 2020 - September 2020

Authorize Claims for FY 2020-2021

Sept 1, 2020	Staff Svcs and Expenses August 2020	\$ 3,624.97
June 9, 2020	Meeting stipend 6.9.20	\$ 500.00
October 1, 2020	Staff Svcs and Expenses Sept 2020	\$ 2,587.37
Sept 15, 2020	Modoc Record Legal notice PM recruitment	\$ 102.00
Aug 11, 2020	Commissioner Stipend August 11, 2020	\$ 500.00
	TOTAL:	\$ 6,814.34

DATED: October 13, 2020

APPROVED: October 13, 2020

**Ned Coe, Chair Modoc Local Agency Formation
Commission**

Attest:

**John Benoit
Executive Officer**

Modoc LAFCo
Expenditures and Revenue
FY 2020-2021

Item Account Number	FFS Scanning 4210	Memberships 4420	copies 4210	postage 4211	Communications 4231	Office Exp 4210	Counsel 4009	staff Svcs 4604	Clark Costs 4008
Total Budgeted 2020-2021	\$ 3,000.00	\$ 1,130.00	\$ 1,200.00	\$ 300.00	\$ 1,000.00	\$	\$ 2,000.00	\$ 36,000.00	\$ 720.00
Calafco Dues 20-21	\$ (1,130.00)								
JB staff exp July 2020			\$ (10.00)	\$ (0.50)	\$ (79.45)			\$ (2,560.00)	
JB Staff exp August 2020			\$ (15.00)		\$ (79.97)			\$ (3,410.00)	\$ (120.00)
JB Staff exp September 2020			\$ (10.00)		\$ (83.07)			\$ (2,422.50)	
Modoc Record Pub Mem recruitment 9, 2020									
Total Expenditures to date	\$ -	\$ (1,130.00)	\$ (35.00)	\$ (0.50)	\$ (242.49)	\$ -	\$ -	\$ (6,382.50)	\$ (120.00)
Total Budget Remaining	\$ -	\$ -	\$ 1,165.00	\$ 299.50	\$ 757.51	\$ -	\$ 2,000.00	\$ 27,617.50	\$ 600.00

unaudited	July 1, 2020 City Fund Carryover	\$ 21,378.94	\$ 24,387.59
	20-21 Actual City/Co Contributions		
	FY 2020-21 City Anticipated Funds Transf	\$ 24,897.50	\$ 46,866.70
	2020-21 County-City Funds anticipated Funds received	\$ 24,897.50	\$ 46,866.70
	REVENUE FOR PROJECTS		
	Interest		
	Anticipated Funds received	\$ (10,064.29)	
	Less Expenditures	\$	\$ 14,303.30
	Actual Cash Balance	\$	\$

Modoc LAFCO
Expenditures and Revenue
FY 2020-2021

Item	Account Number	File Scanning Program	Memberships	copies	postage	Communications	Office Exp.	Counsel	staff Svcs	Chert Costs
		4420	4210	4211	4221	4210	4008	4004	4006	
Total Budgeted 2020-2021		\$ 3,000.00	\$ 1,130.00	\$ 1,200.00	\$ 300.00	\$ 1,000.00	\$	\$ 2,000.00	\$ 35,000.00	\$ 720.00
Catalco Dues 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										

Modoc Record Pub Mem recruitment 9, 2020

Total Expenditures to date		\$	\$ (1,130.00)	\$ (35.00)	\$ (0.50)	\$ (242.49)	\$	\$ 2,000.00	\$ (6,392.50)	\$ (120.00)
Total Budget Remaining		\$	\$	\$ 1,165.00	\$ 299.50	\$ 757.51	\$	\$	\$ 27,617.50	\$ 600.00

unaudited

July 1, 2020 City Fund Carryover \$ 21,376.94 \$ 24,387.59

20-21 Actual City/Co. Contributions \$

FY 2020-21 City Anticipated Funds Transf \$ 24,897.50

2020-21 County-City Funds anticipated \$24,897.50 \$ 46,866.70

Funds received

REVENUE FOR PROJECTS

Interest

Anticipated Funds received \$ (10,084.29)

Less Expenditures \$ 14,303.30

Actual Cash Balance



October 13, 2020

Daphnedale Community Services District
P.O. Box 1823
Alturas, CA 96101

RE: Municipal Service Reviews and Sphere of Influence Updates

Dear General Manager:

The Modoc Local Agency Formation Commission (LAFCO) is conducting a municipal service review update for local agencies under its jurisdiction, as required by Government Code §56430 and §56425. This update may be less of a burden on the agencies than the initial municipal service review conducted in 2010, because we will be using and updating all the information your agency provided to LAFCO in the first municipal services review. Attached is a copy of the 2010 MSR prepared for your agency.

A municipal service review is a means for identifying and addressing the relationship between regional issues, goals and objectives, and various service options. In accordance with the law, the review must address each of the following topics:

1. Growth and population projections for the affected area;
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the SOI (Required for Districts or Cities that provide domestic water, sewer or fire protection);
3. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies;
4. Financial ability of agencies to provide services;
5. Status of, and opportunities for shared facilities;
6. Accountability for community service needs, including governmental structure and operational efficiencies; and
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

We consider the preparation of service reviews to be a cooperative effort involving the staff of local agencies and LAFCO. In addition to responding to LAFCO requests for information as required under Government Code §56386, your agency may be contacted for an interview and asked to review a draft profile of your agency.

LAFCO will be contacting your agency to collect information and occasionally ask clarifying questions throughout the service review process. Your agency is asked to

complete the attached Request for Information by December 15, 2020. Please send your responses directly to LAFCO. Responses may be emailed or mailed directly to:

Modoc LAFCO
P.O. Box 2694
Granite Bay, Ca 95746

Email: j.benoit4@icloud.com

Phone: 530.233.9625

LAFCO is sending a copy of this request for information to the mail on file for your agency. Please provide us with an email address for the designated LAFCO liaison of your agency, so that we may reduce postage and paper costs in the future.

If you have questions or need assistance completing this questionnaire, please contact John Benoit at 530.233.9625 or j.benoit4@icloud.com.

LAFCO sincerely is looking forward to collaborating with and learning more about your agency's needs through this process. We are open to any suggestions or comments you might have on service review process, forms or procedures.

Sincerely,

JOHN BENOIT
EXECUTIVE OFFICER

MODOC LAFCO

**Wastewater Collection Questionnaire
For Municipal Service Review**

Name/Title: Daphnedale CSD Service Review

Agency: Daphnedale CSD

Phone #/Email: _____

Date: _____

Note: This questionnaire does not allow sufficient space to answer most of the questions. Please provide the requested information on separate paper, being sure to correspond your numbered answers to the outline below. Thank you.

I. PERSONNEL

1. How many personnel in your agency?

Maintenance: _____

Level/Grade: _____

Engineering: _____

Administration: _____

2. List the specific qualifications of your water operators and financial staff.

3. Please provide a copy of your current organizational chart.

4. Do you provide 24-hour service?

5. What specific technical and safety training programs do you have for your employees?

6. What is your safety record?

7. Please provide a copy of your personnel rules or employee handbook.

8. Is your agency adequately staffed?

II. INFRASTRUCTURE AND CAPACITY

1. Has your agency developed a Master Plan or Facilities Plan? If yes, please indicate the date of adoption and any amendments to the plan. Are these plans current?
2. Are any facilities located in a Flood Zone, High Seismic Hazard Zone, etc?
3. Please indicate the most commonly occurring problem(s) with your wastewater collection system, i.e., leaks, odor problems, etc.
4. How many connections are on your system, specifying single-family, multi-family, commercial or industrial? Are there any standby services?
5. Do you have, or expect to receive, any Notices of Violation, Cease and Desist orders, or any other action by a regulatory agency.
8. How old is your infrastructure, and do you have any expansion projects currently proposed or underway.
9. Does your agency have any outstanding commitments for future service?
10. Do you serve anyone outside your district boundaries?
11. How much wastewater does your agency lose from leakage (I and I) resulting in a loss of capacity?

III. EQUIPMENT

1. Does your agency have all the equipment necessary to perform its function?
2. What is the age and/or condition of the equipment? Does it perform reliably? Does it meet industry standards?
3. What restrictions are there on the use or availability of any of your equipment at any time?
4. Do you share any equipment with other agencies?
5. Does your agency have a clearly stated needs and preference list?
6. Do you have a copy of your fixed assets and capital improvements list?

IV. SAFETY & ENVIRONMENT

1. Do you have an emergency response plan?
2. Do you have routine safety inspections?
3. Describe any applicable watershed or environmental concerns?
4. Do you have reciprocal emergency response agreements with other county or city agencies outside your service area?

V. FINANCIAL

1. Please list all agency revenue *sources* and *amounts*, such as new hook-up fees, taxes, service charges, grants, etc.
2. How are your rates established, i.e., Cost of Services Study, CPI index, etc?
3. Does your agency receive adequate funds to operate effectively and efficiently?
4. Please describe what your agency has in the way of contingency, emergency, and/or reserve funds?
5. Do you have any debt? Debt owed to whom? What is the total sum of your agency's debt?
6. Has your agency developed a Capital Improvements Plan/Program?
7. Define reserve capital water funds in terms of dollars needed for the next 5 years of capital outlay. If no growth occurs, how will you provide funding?
8. Who performs your financial transactions, the County Auditor, independent bookkeeper, or in-house financial department? Do these services include payroll and billing? Is it more cost effective to outsource these services?
9. Do you use a competitive bid process?
10. How is infrastructure associated with new development paid for?
11. Does your agency have a bond rating? What investment policies does your agency have?
12. Does your agency currently use any cost avoidance practices?
13. Does your agencies) services or facilities overlap those provided by other agencies?
14. Does your agency take advantage of pooled resources such as shared insurance?
15. Do you seek/use grants? If so, what grants do you currently have pending? Do you administer your own grants?
16. What do you believe is the most cost-effective manner in which to administer your service(s)?

VI. POPULATION AND GROWTH

1. Does your agency have or utilize population projections or do you rely on County population standards to predict future needs? Do you have a Master Plan and does it contain population projections?
2. Are you aware of the zoning and General Plan designations within your Sphere of Influence and do you utilize these in your population projections?
3. What are your population projections for the next 10 and 20 years?
4. Do you coordinate with the appropriate land use authority for new projects?

5. Please describe any development proposals within or around your jurisdiction of which you are aware.
6. How many commercial, residential and industrial connections do you have?
7. What are your agency's policies regarding influencing compact development, smart growth, and infill development in order to deliver more cost-effective services?
8. Do you consistently follow and/or comment on Environmental Reviews and development proposals?
9. What are your agency's strategies to assist in directing growth?

VII. STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

1. Does your agency recommend any existing or potential shared facility options or opportunities? Why?
2. Does your agency currently share any equipment or facilities with another service provider?
3. Do the facilities you have planned in the future duplicate any existing or proposed facilities of another service provider?
4. Does your agency have excess system capacity, or underutilized buildings?
5. Does your agency provide service outside of your district boundary?
6. Does your Agency share equipment, personnel, or infrastructure with any other entity(s)? If yes, how and what? If no, why not?
7. Do you share equipment and (or) personnel as part of any agreements? When do they expire?

VIII. GOVERNMENT SERVICE OPTIONS

1. Does your agency recommend any government structure options that could benefit service users?
2. Please describe any proposed or actual consolidations/reorganizations of your agency in the past 10 years.
3. Are there any pending service provider proposals for reorganizations or other boundary changes? Where? Why?
4. Have affected agencies considered consolidations or reorganizations during the past 10 years?
5. What are the issues in considering or not considering consolidations or reorganizations?
6. What type of government structure options, if any, could apply to, or positively impact, the services in question?

IX. GENERAL

1. How does your Agency stay in contact with the public, i.e., newsletters, workshops, websites, etc.?
2. Does your agency participate in regional, state or local water/wastewater forums? Are you a member of any Association or the California Special Districts Association?
3. What kind of complaints have you received from the public?
4. Do you provide input into proposed development?
5. Please describe your water/wastewater recycling or conservation programs. Please describe what area-wide water conservation programs in which you participate.
6. What applicable industry standards has your agency used or adopted? Do you meet those standards, including but not limited to number of personnel ratio to houses/area equipment?
7. Do you have any agreements for service with other agencies or private companies or individuals? What is the nature of these agreements?
8. When does your board meet?
9. Does the sizing of your infrastructure correspond to the planned land uses in and around your service area?
10. Is your level of services below, meet or exceed customer expectations?
11. What is an optimum minimum acceptable level of service for the services your agency provides?
12. Do you have any cost-avoidance measures to share with other service providers and LAFCO?
13. Does your agency have insurance? If so, what type and coverages do you have?
14. Has your agency prepared any income surveys in the past five years?

REQUEST FOR DOCUMENTS

Please provide the following documents (if available):

- Audit – Last three Audits
- Budget – Last three Budgets including detailed proposed and actual expenditures.
- Copies of Agendas and Minutes for the past 3 years
- Copies of 700 forms for current Board Members
- Copy of any licenses such as a permit to operate from the State/County
- Copy of recent environmental documents prepared for facility expansions
- Copy of district regulations and bylaws
- Copy of Utility Rates/connection fees/capital improvement fees and ordinances or resolutions
- Copy of a policy document, a mission statement, goals, etc.
- A map of your agency's service area and all facilities including wastewater conveyance facilities

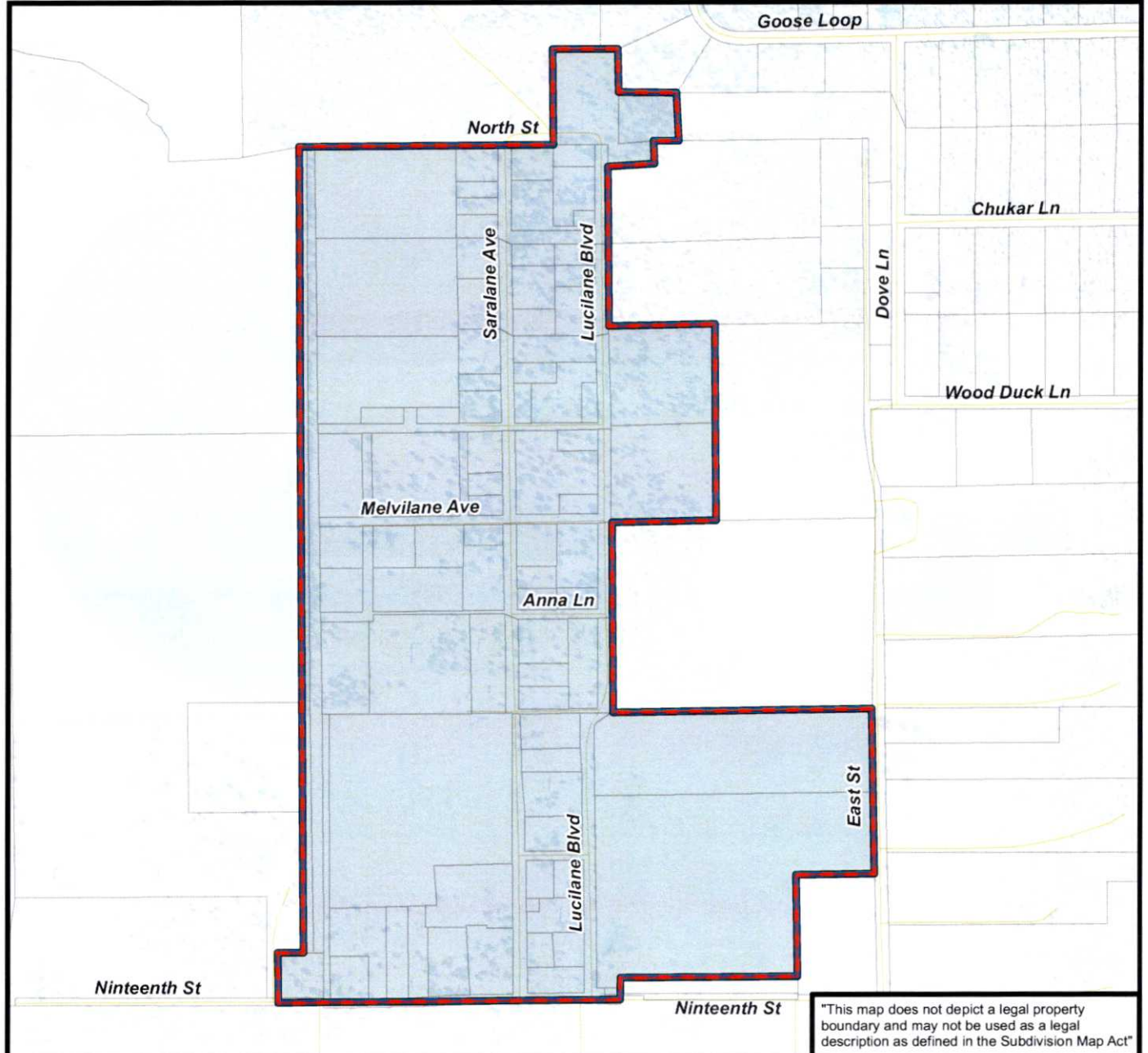
- Copy of your agency's latest current and approved WDR's or NPDES permits needed for operation and distribution
- Provide the most recent capital improvement plan, system master plan and regulatory permits outlining future priority projects.
- Provide a copy of any income surveys prepared for your agency in the past 5 years.

MODOC LOCAL AGENCY FORMATION COMMISSION

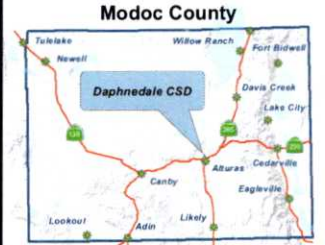
DAPHNEDALE COMMUNITY SERVICES DISTRICT

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"



Legend

- Daphnedale Community Services District
173.45 Acres
- Daphnedale Community Services District
Boundary and Sphere Of Influence

Daphnedale Community Services District Sphere of Influence
 Modoc LAFCo Resolution: 2012-0001
 Adopted: April 10, 2012
 Source: Modoc LAFCo
 Map Created 9/28/2020



JOINT POWERS AGREEMENT OF CALAVERAS COUNTY FIRE

This Joint Powers Agreement (the "Agreement") is made and entered into in the County of Calaveras, State of California, by and between the CALAVERAS CONSOLIDATED FIRE, ALTAVILLE-MELONES FIRE PROTECTION DISTRICT, CENTRAL CALAVERAS FIRE PROTECTION DISTRICT, COPPEROPOLIS FIRE PROTECTION DISTRICT, WEST POINT FIRE PROTECTION DISTRICT, EBBETTS PASS FIRE PROTECTION DISTRICT, MURPHYS FIRE PROTECTION DISTRICT, SAN ANDREAS FIRE PROTECTION DISTRICT AND MOKELUMNE HILL FIRE PROTECTION DISTRICT, fire protection districts formed and operating pursuant to the provisions of California Health and Safety Code Section 13800 et seq., and a political subdivision of the State of California (hereinafter "Calaveras County Fire Authority"), and together, the "Member Agencies"), and any other public agencies in the State of California who may hereafter execute this Joint Powers Agreement and become a Member Agency of this Authority pursuant to the provisions of California Government Code Section 6500 et seq.

RECITALS

WHEREAS, each of the Member Agencies who have executed this Agreement is a "public agency" as that term is defined in Section 6500 of the California Government Code; and

WHEREAS, California Government Code Section 6500 et seq. provides that two or more public agencies may by agreement jointly exercise any power common to the contracting parties; and

WHEREAS, each of the parties to this Agreement has the power to provide one or more of the following services to the public pursuant to the provisions of California Health and Safety Code Section 13800 et seq.:

- A. Fire protection services.
- B. Rescue services.
- C. Emergency medical services.
- D. Hazardous material emergency response services.
- E. Ambulance services, pursuant to Division 2.5 (commencing with Section 1797).
- F. Adoption and enforcement of a fire prevention code pursuant to HSC 13869 et. seq.
- G. Any other services relating to the protection of lives and property.

These services shall hereinafter be referred to as Fire and Life Safety Protection Services

WHEREAS, there is a need among the Member Agencies for coordinated planning, administration, operation and financing of the provision of Fire and Life Safety Protection Services for the benefit of the public within their respective jurisdictional boundaries in order to obtain the maximum public benefit from the expenditure of public funds by the Member Agencies for such services; and

WHEREAS, the Member Agencies find that consolidating the administration, planning, financing, and provision of Fire and Life Safety Protection Services within their respective jurisdictional boundaries will reduce the duplication of facilities, equipment, labor, administration, materials and supplies, planning, training, and provision of Fire and Life Safety Protection Services; and

WHEREAS, the Member Agencies find that the consolidation and coordination of the provision of Fire and Life Safety Protection Services will provide a higher level of service to the public for less cost that can be achieved by each Member Agency providing such services independently; and

WHEREAS, the Member Agencies desire to form a partnership based on these common goals and policies in order to increase the efficiency in the provision of Fire and Life Safety Protection Services to the public; and

WHEREAS, each of the Member Agencies which are parties to this Agreement desire to join together with other public agencies within Calaveras County who provide similar Fire and Life Safety Protection Services to collectively establish, operate, manage and administer such Fire and Life Safety Protection Services pursuant to the terms of this Agreement; and

WHEREAS, each of the Member Agencies which are parties to this Agreement find it to be to its mutual advantage and in the public benefit to jointly exercise some, any and all powers common to each of them including, but not limited to the provision of

- A. Fire protection services.
- B. Rescue services.
- C. Emergency medical services.
- D. Hazardous material emergency response services.
- E. Ambulance services, pursuant to Division 2.5 (commencing with Section 1797).
- F. Adoption and enforcement of a fire prevention code pursuant to HSC 13869 et. seq.
- G. Any other services relating to the protection of lives and property as permitted pursuant to the Joint Powers Act at California Government Code Section 6500 et seq.; and

WHEREAS, California Health and Safety Code Section 13861(j) authorizes fire protection districts to enter into joint powers agreements pursuant to Government Code Section 6500 et seq.; and

WHEREAS, California Government Code Section 6502 provides that it is not necessary for any power common to the Member Agencies executing this Agreement to be exercisable by each such Member Agency with respect to the geographical area in which such power is to be jointly exercised; and

WHEREAS, it is the desire of the Member Agencies which have executed this Agreement to enter into this Agreement to better define the existence, functions, manner and method of operations of this Joint Powers Authority, and to specify the manner in which a cooperative working relationship can be established to coordinate the efficient delivery of Fire and Life Safety Protection Services to members of the public within Calaveras County; and

WHEREAS, by execution of this Agreement, each Member Agency finds that it is to its mutual advantage and in the best interests of all the Member Agencies executing this Agreement to establish this Joint Powers Authority for the purposes specified herein.

NOW THEREFORE, for and in consideration of the execution of this Agreement by other Agencies, each of the parties hereto does hereby agree as follows:

SECTION 1: PURPOSE

It is the purpose of this Agreement to establish, pursuant to the Joint Exercise of Powers Act, an authority to be known as the CALAVERAS COUNTY FIRE SERVICES JOINT POWERS AUTHORITY (hereinafter the "Calaveras County Fire Authority") for and with the purpose of coordinating and consolidating the administration, operation, management and delivery of some, any and /or all the following Fire and Life Safety Protection Services:

- A. Fire protection services.
- B. Rescue services.
- C. Emergency medical services.
- D. Hazardous material emergency response services.
- E. Ambulance services, pursuant to Division 2.5 (commencing with Section 1797).
- F. Adoption and enforcement of a fire prevention code pursuant to HSC 13869 et. seq.
- G. Any other services relating to the protection of lives and property.

The Calaveras County Fire Authority believes these agreements and practices are for the benefit of the public within the respective jurisdictional boundaries of each Member Agency who executes this Agreement and becomes a Member Agency of the Authority. This Agreement is entered into by each Member Agency in order to jointly fund, administer, operate and manage the delivery of such services. It the further purpose of this Agreement to make more efficient use of the common powers of participating Member Agencies to provide such Fire and Life Safety Protection Services to the public in order to increase the efficiency of the delivery of such services and decrease the costs of providing such services to the public.

To achieve such purposes, the Authority and its participating Member Agencies who have executed this Agreement are hereby granted the authority to enter into agreements with themselves and other third parties that specifically govern and define their respective rights, obligations, duties and entitlements related to the planning, administration, operation, financing and delivery of such Fire and Life Safety Protection Services. These purposes shall be accomplished through a joint exercise of powers by said Member Agencies pursuant to the terms and conditions of this Agreement which