

# Modoc Local Agency Formation Commission

## REGULAR MEETING AGENDA

Website: [www.modoclafco.org](http://www.modoclafco.org)

**TUESDAY**  
**October 11th, 2022**

City Council Chambers  
Alturas City Hall  
200 North Street, Alturas, CA 96101  
**4: 00 PM**

**This will be a Physical Meeting**  
**at the City Council Chambers in Alturas**  
**(A Zoom option is available for the public)**

*(All meeting materials are available on LAFCo's Website: [www.modoclafco.org](http://www.modoclafco.org))*

**In person meeting:** Required for all Commissioners. The Modoc LAFCO meeting will be open to in-person attendance. To remain in compliance with the state's public health guidance and CalOSHA COVID-19 Emergency Temporary Regulations [8 CCR §3205].

*Topic: MODOC LAFCo*

*Time: Oct 11, 2022 04:00 PM Pacific Time (US and Canada)*

*Join Zoom Meeting*

<https://us02web.zoom.us/j/86571856094?pwd=YWozeFIZRkxtSFByRzdJeUFyVVBCUT09>

*Meeting ID: 865 7185 6094*

*Passcode: 621368*

*One tap mobile*

*+16694449171,,86571856094#,,,,\*621368# US*

*+16699006833,,86571856094#,,,,\*621368# US (San Jose)*

*Dial by your location*

*+1 669 444 9171 US*

*+1 669 900 6833 US (San Jose)*

*Meeting ID: 865 7185 6094*

*Passcode: 621368*

*Find your local number: <https://us02web.zoom.us/u/kbATSZgfCX>*

**1. Call to order / Pledge of Allegiance**

Commissioners

Cheryl Nelson, Vice-Chair, City Member  
Ned Coe, County Member  
Marie Neer, Vice Chair Public Member  
Paul Minchella, City Member  
Kathie Rhoads, Chair, County Member

LAFCO Staff

John Benoit, Executive Officer  
Scott Browne, LAFCO Counsel  
Macey Binning, Clerk

Alternate Members

\_\_\_\_\_, Public Member Alt.  
Shane Starr, County Member Alt.  
Kelly Crosby, City Member Alt

**2. Approval of the Agenda (Additions and Deletions)**

**3. Correspondence:**

**4. Consider Minutes for the August 9, 2022 LAFCo meeting**

a. *Approve LAFCo minutes for the August 9, 2022 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. Consent Agenda**

- a. *Authorize payment of claims for August 2022 and September 2022*
- b. *Consider LAFCo Resolution 2022-0010 authorizing a remote teleconferencing meeting.*

**7. LAFCo Bylaws review and update**

a) *Review updated bylaws and consider Resolution 2022-0011 thereby updating LAFCo's Bylaws*

**8. LAFCo Per Diem rates for meals for Modoc LAFCo**

- a) Consider resolution 2022-0012 adopting per diem meal allowances during official LAFCo Business

**9. Biennial Review of LAFCo’s Conflict of Interest Code.**

- a) Review LAFCo’s Conflict of Interest Code
- b) Authorize the Executive Officer to sign the Biennial Conflict of Interest Code review form and transmit to the Code Reviewing Body.

**10. Executive Officer’s Report**

- a) Likely County Water - Update
- b) Canby CSD and Canby Fire
- c) SB 938 – Protest Proceedings

**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 13<sup>th</sup>, 2022**

*Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority Government Code Section 56325.1*

*The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.*

Public Comment

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be of interest to the public and within the Commission’s subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).

Public Hearings

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person’s input to a specified time. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

Agenda Materials

*Materials related to an item on this agenda submitted to the Commission after distribution of the agenda are available for review for public inspection in the Modoc County Planning Department office located at on 203 W. 4<sup>th</sup> 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) 619.5128 or by email at [j.benoit4@icloud.com](mailto:j.benoit4@icloud.com) Copies of reports to the extent feasible are located on the LAFCO webpage at: [www.modoclafco.or](http://www.modoclafco.or)

