

# Modoc Local Agency Formation Commission

## REGULAR MEETING AGENDA

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

Tuesday October 9, 2018 – 4:00 PM

City Council Chambers  
Alturas City Hall  
200 North Street, Alturas, CA 96101

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

Commissioners

Alternate Members

Jim Irvin, City Member, Chair  
Geri Byrne, County Member , Vice Chair  
Vacant, Public Member  
Mark Steffek, City Member  
Kathie Rhoads, County Member  
LAFCO Staff  
John Benoit, Executive Officer  
Scott Browne, LAFCO Counsel  
Jackie Froeming, Clerk

Richard Read, Public Member Alt.  
David Allan, County Member Alt.  
Cheryl Nelson, City Member Alt

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

**3. Selection of the Public Member and Public Member Alternate for a term expiring in May 2022**

- a. *Select Public Member*
- b. *Select Public Member Alternate*

**4. Correspondence**

**5. Consider Minutes for the August 14<sup>th</sup>, 2018 LAFCo meeting**

- a. *Approve minutes from the August 14<sup>th</sup> 2018 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 for August 2018 and September 2018**

- a. *Authorize payment of claims for August 2018 and September 2018.*

**Public Hearing**

**8. Public Hearing regarding an update to LAFCo's Conflict of Interest Code**

- a. *Conduct public hearing*  
b. *Consider Resolution 2018-0004 adopting an updated Conflict of Interest Code.*

**Action Items:**

**9. Status of the Daphnedale CSD dissolution and consider the repeal of LAFCo Resolution 2018-0001.**

- a. *Consider repeal of LAFCo initiated resolution 2018-0001 calling for LAFCo to initiate proceedings for the dissolution of the Daphnedale CSD as a quorum of the Board of Directors has been established.*

**10. Continued discussion and update regarding the Surprise Valley Healthcare District and consider directing staff to prepare a MSR for services provided by the Surprise Valley Hospital (Healthcare) District as well as a Sphere of Influence Update.**

- a. *Hold discussion and direct staff to initiate a Service Review (MSR) and an Update to the Sphere of Influence for the Surprise Valley Healthcare District*

**11. Update regarding the Lassen Modoc Flood Control and Water Conservation District (LMCFCWCD– Service Review (MSR) and Sphere of Influence (SOI)**

- a. *Review Lassen LAFCo Memo regarding changes to the LMCFCWCD MSR and SOI and provide comments to Lassen LAFCo (Lassen County being the principal County) regarding this MSR.*

**12. Discussion regarding the Calafco Annual Conference October 2-5, 2018**

**13. Hold discussion and review LAFCo's legislative Intent (Gov Code Section 56001)**

**14. Executive Officer's Report:**

- a. *2018 Ethics Training November 9<sup>th</sup> at 3:00-5:00 PM at the Veterans Hall 500 S. Main Street, Alturas CA*  
b. *Willow Ranch and Davis Creek Cemetery and Fire Districts*  
c. *AB 2258 (vetoed LAFCo Funding), SB 606 (water), AB 1668 (water), AB 2019 (Healthcare Districts), & SB 929 (websites for Districts)*

## 15. 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.*

## 16. Adjourn to the next regular meeting 4:00 PM on December 11, 2018

*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 203 W. 4<sup>th</sup> Street, Alturas CA. [such documents are also available on the Modoc LAFCO website ([www.modoc.lafco.ca.gov](http://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](mailto:j.benoit4@icloud.com) Copies of reports to the extent feasible are located on the LAFCO webpage at: [www.modoclafco.org](http://www.modoclafco.org)