

Calaveras Local Agency Formation Commission

Regular Meeting Agenda

Monday – November 18, 2019 – 6:00 p.m.

**Calaveras County Board of Supervisors Chambers
County Administrative Center
San Andreas**

6:00 PM Regular LAFCo Meeting Items:

1. Call to Order/Pledge of Allegiance/Roll Call

Commissioners

John Lavaroni, Special District Member, Chair
Alvin Broglio, City Member, Vice-Chair
Joseph Oliveira, City Member
Gary Tofanelli, County Member
Merita Callaway, County Member
Tony Tyrrell, Special District Member
Anita Paque, Public Member

Roark Weber, Public Member Alt.
Dennis Mills, County Member Alt.
Jon Dashner, Special Dist. Member Alt.
Amanda Folendorf, City Member Alt

Staff:

John Benoit, Executive Officer
Nancy Mees, LAFCO Clerk
Michael Colantuono, LAFCO Counsel

2. Approval of Agenda (Deletions/Additions)

3. Consider minutes of September 16, 2019

a. Approve September 16, 2019 LAFCo Minutes

4. Consent Agenda:

a. Review and Authorize Claims for September and October 2019

5. Correspondence:

Public Hearing:

6. **Public Hearing regarding the Service Review (MSR) and Sphere of Influence (SOI) update for the Calaveras Public Utility District (CPUD)**
 - a. *Receive Executive Officer's report and conduct public hearing regarding the MSR and SOI for the CPUD.*
 - b. *Consider LAFCo Resolution 2019-0007 adopting a Municipal Service Review for the Calaveras Public Utility District*
 - c. *Consider LAFCo Resolution 2019-0008 adopting a Sphere of Influence for the Calaveras Public Utility District*

7. **Workshop #2 regarding draft updated Policies, Standards and Procedures**

(Commissioners are asked to bring the copy of the Draft Policies, Standards and Procedures previously handed out)

 - a. *Continued Workshop regarding Policies, Standards and Procedures and conduct second workshop.*

8. **Discussion of proposed encroachment onto Hallas Road and whether or not annexation to CSA 12 (Golden Hills) would be required.**
 - a. *Provide Determination and Direction to staff*

9. **Discussion and information regarding the CALAFCo Annual Conference in Sacramento (October 29th – November 1st, 2019)**

10. **Set regular meeting schedule for 2020**
 - a. *Approve regular meeting schedule for Calaveras LAFCo for 2020*

11. **Executive Officer' s report**
 - a. *Saddle Creek CSD is now Copper Valley CSD*

12. **Commissioners Reports**

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

13. 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 were on the agenda, public comment was 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.

14. NEXT LAFCO MEETING IS: January 27, 2020 - 6:00 PM San Andreas (per bylaws: the LAFCo meeting is to be on January 27th 2020 since January 20th is Martin Luther King Day)

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.

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

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 will be available on the Calaveras LAFCO website as noted below to the extent practicable and subject to staff's ability to post the documents prior to the meeting.

Accessibility

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 Calaveras 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 at (209) 754-6511

LAFCO Webpage: www.calaveraslafco.org

Email LAFCO at: j.benoit4@icloud.com

Calaveras Local Agency Formation Commission Regular Meeting Minutes – Monday, September 16, 2019

- 1. **Call to Order/Pledge of Allegiance/Roll Call** – Order was called by Chair Lavaroni at 6:01 p.m., on Monday, September 16, 2019, in the Calaveras County Board of Supervisors Chambers, County Administrative Center, San Andreas, California.

Commissioners Present

John Lavaroni, Chair, Special Dist. Mem.
 Alvin Broglio, Vice Chair, City Member
 Anita Paque, Chair, Public Member
 Gary Tofanelli, County Member
 Joseph Oliveira, City Member
 Dennis Mills, County Member Alt.
 Jon Dashner, Special Dist. Mem. Alt.
 Roark Weber, Public Member Alt.

Commissioners Absent

Merita Callaway, County Member
 Amanda Folendorf, City Member Alt.
 Tony Tyrrell, Special Dist. Member

Staff Present

John Benoit, Executive Officer
 Nancy Mees, LAFCO Clerk

Others Present

- 2. **Approval of Agenda:**

MOTION by Commissioner Tofanelli to approve the Agenda, second by Commissioner Broglio. Motion passed 7 yes, 0 no, 0 abstention, 0 absent.

- 3. **Item 3 inadvertently left off Agenda.**

- 4. **Consider Minutes from the July 15, 2019, LAFCo meeting:**

Clerk Mees pointed out two typographical errors in the July Minutes: (1) in Agenda Item 7 the words “to be deleted from page 3 of the letter” should be added to the end of sentence three of the first paragraph; and (2) in Agenda Item 15 the word “be” should be inserted between the words “will” and “approving” in sentence two.

MOTION by Commissioner Oliveira to approve the Minutes as amended, second by Commissioner Paque. Motion passed 6 yes, 0 no, 1 abstention, 0 absent.

5. Consent Agenda:

MOTION by Commissioner Paque to approve the Consent Agenda and Claims for July and August 2019 as presented, second by Commissioner Broglio. Motion passed 7 yes, 0 no, 0 abstention, 0 absent.

6. Correspondence:

Executive Officer Benoit stated that there was no correspondence other than the letter from CALAFCO which will be discussed under Item 10.

7. Item 7 inadvertently left off Agenda.

WORKSHOPS:

8. Workshop regarding the Service Review and Sphere update for the Calaveras Public Utility District (CPUD)

Receive Executive Officer's report and conduct workshop regarding the CPUD.

Executive Officer Benoit reported that he had received some additional documents on Friday from CPUD that will require some edits to the Draft MSR. In addition, based on census data, CPUD did not qualify as a Disadvantaged Community, but current survey information shows that there are actually enough people in the District who are under the Disadvantaged income threshold, that CPUD does in fact qualify as a Disadvantaged Community. This designation will allow them to apply for certain grant moneys, and the DUC section of the MSR will also have to be amended. Another item that will have to be edited is the statement that there is a birthing unit in the District.

Mr. Benoit stated that the District has adequate water supply and infrastructure, has a capital improvement plan, performs annual audits, cooperates and communicates with other agencies, has a sound investment program, has no problem recruiting and maintaining a five-member board, and does have a website. Therefore, overall CPUD is doing well as a District. He added that its sphere would remain unchanged.

Commissioner Mills asked what the definition of vacant is in the phrase "vacant housing." Donna Leatherman, District Manager, responded from the audience that it just means that the residence, for various reasons, is not currently occupied. In response to a further question from Commissioner Mills, she reported they have received a new water rate rating.

Executive Benoit concluded by saying he would have a revised version of the MSR for the next meeting, but it would just be updating information in the MSR and would not result in any different findings.

9. Workshop #1 regarding draft updated Policies, Standards and Procedures

Introduction of revised Policies, Standards and Procedures and conduct first workshop.

Executive Officer Benoit stated that every LAFCo is required to adopt Policies and Procedures, and then follow them. Calaveras LAFCo adopted its current Policies in 2009, so it is time to revisit them as there have been many changes due to legislation passed since that time. He then reviewed sections 1.1-2.13 of the Draft Policies, Standards and Procedures, explaining, giving examples, and making comments. Mr. Benoit said he will start with section 2.14, which begins a long section on ag land, at the November meeting.

Commissioner Roark asked what is meant by “environmental justice.” Commissioner Paque responded that there is new legislation being written which will be redefining that term. Mr. Benoit added that he would try to find the wording of that legislation for the November meeting. (Later in this meeting, Commissioner Paque noted that she had found it is in AB 1628 and that it is on its way to the Governor’s desk for signing.)

10. Review CALAFCO Memo regarding CALAFCO Membership Dues and provide direction to LAFCo’s voting delegate.

Executive Officer Benoit reported that CALAFCO has been struggling to keep up with other similar organizations with respect to its dues structure. Prior to this, they have been using a three-tier structure: rural, suburban and urban counties. He then reviewed the current proposed structure.

Mr. Benoit explained that CALAFCO has been largely dependent on its income from conferences, which is not reliable. Therefore, they want to shift to being able to rely on membership dues for a more stable source of income. He added that CALAFCO does provide a lot of assistance in obtaining favorable legislation for LAFCOs and helping to kill or amend unfavorable legislation, as a result having saved local LAFCOs a lot of money.

Since every LAFCO benefits, they decided each LAFCO should pay a base amount of \$1,000. This, however, only totals \$80,000 of the \$300,000 in expenses budgeted for this next year. Therefore, each LAFCO is being charged an additional per capita amount up to a maximum population threshold of 700,000. CALAFCO wishes to retain all 58 counties as members if possible (without putting an inordinate cost burden on any one county) because it gives them substantial credibility of support when they approach the state on legislation.

Commissioner Oliveira asked what will happen if CALAFCO later needs more than \$300,00 in income. Commissioner Paque responded that the CALAFCO board has left themselves the discretion to adjust the base rate, per capita percentage, or population threshold upward if necessary. In answer to the question of what the larger counties think of this plan, she replied that four of the large southern California counties are on the board and they voted in agreement with the new structure.

Commissioner Tofanelli asked how dues are collected, and Executive Officer Benoit said each LAFCO receives an invoice every January. Chair Lavaroni added that the membership dues are included in the budget each year.

An informal vote was taken one by one of each Commissioner and all voted yes to the proposed dues structure. The Commission directed voting delegate Commissioner Tyrrell to vote yes at the conference.

11. Executive Officer's Report

California Cemetery Alliance

Executive Officer Benoit reported that he was a speaker at the Alliance's most recent conference, which consisted mostly of people from northern California. He explained to them what LAFCO is and what its authority is with respect to cemetery districts. As a side note, Mr. Benoit added that there is also a Cemetery Association in the State.

State Water Resources Control Board and SB 200

Executive Officer Benoit reported that he also spoke at a State Water Resources Control Board's meeting. He explained that the primary initiative of the Board is to insure safe reliable drinking water to everyone in the state. SB 200 will provide \$130 million in grants to DUCs to enable them to provide safe water. Chair Lavaroni commented that that amount of money won't even touch the problem of providing safe water to every DUC that needs it. Mr. Benoit replied that money will only go to districts that actually apply for the money, and the problem is that there are many small, poor districts that need better water but who won't even be able to put a grant request together.

County Service Areas

Executive Officer Benoit stated that there is a landowner who wants to use a portion of CSA 8's roads even though his property is not in the CSA. Mr. Benoit believes he should annex into the CSA, but there are others who don't believe that is necessary. He added that his personal opinion is the county road CSAs should convert to PRDs so that LAFCo does not need to be involved in these issues. Besides, LAFCo can't enforce road encroachment situations. Commissioner Mills said the problem is getting enough people to sit on the boards if they were districts. Commissioner Roark added that, in this particular situation, many people believe the roads in question are public roads so don't think there is an issue. Mr. Benoit concluded by saying the various parties are going to have get together to discuss what is going to happen.

12. Commissioner Reports

There were no Commissioner reports.

13. Public Comment:

There was no public comment.

14. Adjournment:

Meeting was adjourned at 7:35 p.m. The next regular meeting will be Monday, November 18, 2019, at 6:00 p.m., in San Andreas.

Minutes submitted by Nancy Mees.

DATED:

APPROVED:

John Lavaroni, Chair, or Alvin Broglio,
Vice Chair, Calaveras Local Agency
Formation

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CALAVERAS LAFCO

LAFCO CLAIM AUTHORIZATION FORM

for

September and October 2019

Authorize payment of the following claims:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
FY 2019-2020 Expenses:		
Sept 16, 2019	Commission meeting stipends	\$ 400.00
Oct 1, 2019	Staff Svcs and Expenses Sept 19	\$ 4,905.81
Nov 1, 2019	Staff Svcs and Expenses Oct 19	\$ 3,548.28
Oct 16, 2019	Valley Springs News CPUD SOI MSR	\$ 11.97

TOTAL:	\$ \$8,866.06
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DATED: November 18, 2019

APPROVED: November 18, 2019

John Lavaroni, Chair or Alvin Broglio, Vice-Chair
Calaveras Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

Item	Account Number	Comm Stipends	Insurance	Communications	Memberships	GenOfficeExp	Postage	copies	MSR	SOI	Ex. OFF. Svcs	City Fin Charg
	Total Budgeted	62001	62050	62051	62052	62053	62054	62055	62057	62058	62059	62060
Calafco dues 19-20		\$ 3,300.00	\$ 1,807.05	\$ 800.00	\$ 1,078.00	\$ 350.00	\$ 500.00	\$ 1,500.00	\$ 25,000.00	\$ 20,000.00	\$ 45,000.00	\$ 3,600.00
SDRMA Insurance 19-20			\$ 1,380.00		\$ 1,075.00							
Staff Svcs July 2019												
Calafco Conf. registrations												
Staff Svcs Aug 2019												
July 15, 2019 Comm Meeting Stipends												
Staff Svcs September 2019												
Valley Springs News MSR-SOI CPUD												
Sept 16, 2019 comm meeting stipends												
Staff Svcs October 2019												
Merita C CALAFCO conf exp												
Tony T Calafco Conf Exp												
John D conf reimb												
Anita P Conf reimb												
19-02 Appolloosa Road CSD Detach												

TOTAL EXPENDED	\$ (850.00)	\$ 1,380.00	\$ (175.78)	\$ 1,075.00	\$ (30.00)	\$ (25.35)	\$ (326.55)	\$ (3,500.00)	\$ (2,100.00)	\$ (10,875.00)	\$ -
TOTAL REMAINING	\$ 2,450.00	\$ 3,187.05	\$ 624.22	\$ 2,153.00	\$ 320.00	\$ 474.65	\$ 1,173.75	\$ 21,500.00	\$ 17,900.00	\$ 34,125.00	\$ 3,600.00

This California firefighter nearly died. Then voters laid him off — in fight for lower taxes

By Ryan Sabalow, Published in the Sacramento Bee November 4, 2019

GARDEN VALLEY

Firefighter Scott Wager was battling a wildfire in rural El Dorado County this summer when he and his partner were unexpectedly surrounded by roaring flames and flying embers.

Wager and Capt. Chris Schwegler ran to their engine and got inside. The truck wouldn't move. The cab filled with thick black smoke as it began to catch fire. Wager's thoughts turned to his fiance and the baby girl she's carrying.

"I thought about other firefighters that had been in that situation before that didn't make it out," he said, fighting back tears. "And I thought this was my time. I thought this was the end."

Wager and Schwegler survived the fire — they ran through flames to a nearby field — but Wager's job with the Garden Valley Fire Protection District did not.

After leaving the hospital, Wager learned a tax assessment to raise money for his rural fire department had failed. Layoffs were coming. Wagner's own neighbors had voted it down; the votes were counted even as he was risking his life.

Wager's story may be uncommonly dramatic, but the rejection of the fire tax is hardly unusual, even as wildfires have raged through California year after year, like the ones this fall that burned the vineyards of Sonoma County and threatened celebrity mansions in Brentwood.

Since last year's devastating Camp Fire, lawmakers in Sacramento allocated \$918 million for fire protection. Little of that money made its way to rural fire departments. They have struggled for years with inadequate staffing and lack of equipment, but voters in the fire-prone, rural communities remain reluctant to raise their own taxes to pay for them.

Ballot initiatives to raise taxes for struggling local fire departments like the one in Garden Valley are approved only about half the time.

The vote in El Dorado County also serves as a stark reminder that California is a divided state, despite its reputation as a liberal bastion. Many in the state's foothill regions remain staunchly conservative and convinced that higher taxes won't solve their problems. This, despite living in areas destined to burn — surrounded by dry, brittle forests.

"People don't like to vote a tax upon themselves," said Shasta Lake Mayor Greg Watkins, whose Shasta County community rejected two parcel taxes to fund its local fire department in 2018, including a vote just three months after a wildfire burned more than a thousand homes in neighboring Redding. "There's a reluctance. You've got to have a pressing need."

Watkins was among the hundreds of Shasta Lake residents evacuated during the Carr Fire in 2018. To him, higher taxes wouldn't have made any difference when the Camp Fire destroyed the similarly wooded north state community of Paradise last year, killing 85 people in a matter of hours.

“There isn't anything that would have stopped that,” he said. “More firefighters would not have stopped the Camp Fire.”

WHY DO FIRE TAXES FAIL?

The story of why struggling, small fire districts need a super-majority of residents to raise taxes on themselves dates back to California's anti-tax movement of the 1970s.

In 1978, voters approved Proposition 13, the state's landmark property tax law. The constitutional amendment set a 1 percent cap on the amount local governments could collect from the assessed value of a home and land, and restricted increases to 2 percent a year. Another constitutional amendment passed by voters in 1996, Proposition 218, typically requires the approval of two-thirds of voters to pass special taxes to fund local agencies.

It's a daunting threshold.

Across California between 2002 and 2018, 151 parcel tax increases went before voters to fund fire and emergency medical services. Seventy-seven of them didn't pass, a 51 percent failure rate, according to the [California Local Government Finance Almanac](#). During the same period, counties, cities and special districts passed parcel taxes to fund things like roads, libraries, hospitals and parks 54 percent of the time.

The fire-tax rejections often come in communities that have wildfire risks comparable to Paradise, which lost 10,000 homes a year ago to the state's most destructive wildfire. For instance, voters in rural El Dorado County — home to some of the largest fires to ignite in California in recent decades — soundly rejected a parcel tax this year.

In late August, 62 percent of voters in the El Dorado County Fire Protection District, voted “no” for Measure B, which would have levied a \$96 a year parcel tax on property owners. The \$2.6 million that tax would have generated annually would have gone to fund additional firefighting positions to serve communities such as Apple Hill, Coloma, Placerville, Pollock Pines and Shingle Springs.

The locally influential Taxpayer Association of El Dorado County opposed the measure, saying it lacked oversight, financial safeguards and the money could be misspent in the future.

“While we don't doubt the sincerity of today's fire district leaders, an unrestricted pot of money will tempt future officials,” Bill George, the association's president, wrote before the vote in a column in the local newspaper, The Mountain Democrat.

Fire district leaders acknowledge it's a tough sell to raise taxes in conservative, rural areas where residents already feel as though they're being taxed to death by California's urban Democrats who substantially

outnumber them. Along with skewing conservative, north state counties tend to have higher rates of retirees living on fixed incomes.

In the north state foothills, it's common to see green and yellow State of Jefferson flags along the roads. Those signs and symbols represent a decades-old effort by activists to secede and form their own state made up of conservative southern Oregon and north-state counties.

These same regions protested when former Gov. Jerry Brown imposed an annual fee of up to \$153 for each habitable building on nearly 800,000 rural properties to pay for the state's firefighting agency. The fee was suspended in 2017 as part of a deal to extend the state's cap-and-trade climate program.

"The homeowners in those areas have been bombarded with special taxes," said Steve Kovacs, chief of the Scotts Valley Fire District and president of the Fire Districts Association of California. "Every two years at the major election cycles, there's something or several items on the state ballot that's raising taxes, or local initiatives that are raising taxes."

"You're competing with the city. You're competing with the county. You're competing with the state. You're competing with the Legislature, and you're competing with the voters. You're competing with the schools."

'THE ULTIMATE SACRIFICE'

In 2015, the Shasta Lake Fire Protection District, which has 10 employees, sent lay off notices to three firefighters and couldn't fill another open position. The department later received a two-year federal grant that allowed the agency to stay fully staffed, but the grant expires in February.

The two failed parcel taxes would have prevented the firefighters from being laid off, district officials said.

As he chopped wood outside his Shasta Lake home on a recent afternoon, Bert Linfestey said he voted for the second tax, but not the first. He said he was confused by the first measure because he assumed the money would go to the city's general fund to pay for things like sculptures or other unnecessary city projects.

But he voted "yes" the second time, once he learned the district was separate from the city and the money would fund fire protection.

"You can kind of see where we're at," he said, gesturing to the dry, brush-covered hillsides behind his home. "A fire comes through here, they're our first line of defense."

In the brown, oak-covered Sierra foothills of Garden Valley, Sarah Fennell cited similar reasons for why she supported the tax increase that would have kept Wager, the firefighter who nearly burned to death, employed. She knows any day during the summer and fall her community is vulnerable to a wildfire.

The local fire department, while small, helps keep her safe, she said.

“I think we should support our local firefighters to help us to survive,” she said, standing outside her home down a quiet dirt road not far from the station.

But 54 percent of her neighboring property owners didn’t share her views.

“They’re already overpaid, and they’re burning their fire trucks parking too close to fires,” said one man, who declined to give his name before driving away in a tan pickup.

The assessment would have levied an additional \$71 to \$182 annual fee on each parcel in the district. The \$400,000 in revenue would have allowed the district to keep two firefighters on duty 24 hours a day, said Chief Clive Savacool.

With the three layoffs pending, the district is in talks to consolidate with neighboring fire departments to save costs, Savacool said.

Wager, who is still working until the funds run out, is sending out job applications.

For him, the worst part of his ordeal was learning that his neighbors didn’t think his more than 10 years of service was worth paying for.

“The day after I laid my life on the line and almost made the ultimate sacrifice for this community,” he said, “I was told that my services were no longer needed... (And it) was worth less than 50 cents a day to this community.”

STRUGGLING RURAL FIRE DEPARTMENTS

For much of California’s modern history, small rural fire departments were almost entirely staffed by volunteers.

A year after voters passed Proposition 13, the California Legislature passed a law that essentially froze in place the share each local government collected from property taxes. Having volunteers on staff kept rural fire departments’ expenses low, so their piece of the local tax pie was relatively small.

Over the decades, though, the responsibilities expected of local fire districts have grown, and their share of local tax revenues hasn’t kept pace.

Volunteer firefighters are now required to have the same level of training as a full-time employee. With fewer people willing to jump the hurdles necessary to respond to medical and fire calls, it’s meant small fire agencies are more reliant on full-time employees.

The Legislature began redirecting money from fire departments to schools starting in the early 1990s, said Kovacs, the president of the state fire districts association. Add on California’s intensive and expensive

requirements for running a local government — pension obligations, administrative duties, bookkeeping and legal costs — and many small fire departments struggle to make ends meet.

When small rural fire districts face inevitable budget shortfalls, their options are limited by propositions 13 and 218. Short of cutting services, disbanding or consolidating with other fire companies, they can seek limited local, state, federal funds or grants, or they can go to local voters and hope 66 percent of them agree to raise their property taxes.

Proposition 218 does allow for local governments to attempt a complicated process to raise taxes for what are known as “special benefit” assessments, which required mere majority approval.

That’s what Garden Valley’s fire department tried and failed to pass even with the lower threshold.

“Proposition 13 was the answer at that time and has been very, very good for the taxpayer. There’s no doubt,” Kovacs said. “But it has hurt the fire service in the state of California. We can no longer continue to do business with that type of a tax formula with all of the regulations and requirements that are put on us through those mandates from the federal, state and local level.”

But modifying Proposition 13 to increase revenue for local governments has time and again proven to be a non-starter. The same goes for changing Proposition 218.

Every few years, efforts have failed to modify the state’s Constitution to shrink the two-thirds voter requirement for parcel tax measures down to 55 percent, a threshold that many meet even as they fail to pass. That included an effort in the Legislature this year to approve language that would go before voters to modify the state’s constitution to adopt 55 percent to approve local taxes.

The bill, authored by Assemblywoman Cecilia Aguiar-Curry, D-Winters, failed to advance off the Assembly floor, though it could come up for another vote next year. Its sponsors include building trades and the California Professional Firefighters unions.

Aguiar-Curry acknowledged she has some work to do to convince moderate Democrats in vulnerable swing districts to vote for a measure that could make it easier to raise taxes on their constituents.

“It’s a lot to do with brand new legislators that are frightened to take a tough vote, and (who are) being threatened by their community,” she said. “I gave them a pass this time, but next time I’m going to be a little more vocal, saying, ‘You were voted in. You’ve got to take some risks. And this is what your job is.’”

BUILDING TRUST WITH VOTERS

Not every fire district fails at getting voters to raise their taxes.

Voters in at least three Northern California fire districts approved parcel tax measures to pass this year. Two were in the Placer County communities of Foresthill and Placer Hills. One of the measures passed after two

attempts failed the previous two years. The measures prevented a fire station from closing and allowed another to reopen, said Kirk Kushen, who serves as chief of both fire districts.

Another was in the community of Lakeport, which was evacuated last year during the Mendocino Complex of fires. At 459,123 acres, it was the largest fire in California's modern history.

The voters in Lake County, one of the poorest in California, agreed to raise their taxes by an overwhelming 74 percent margin to keep firefighters from being laid off because "they love their fire department," and the fire protection and the medical services it provides, said Don Davidson, director of the Lakeport Fire District.

"I don't like taxes either. I'm just like the next guy," Davidson said. "But we don't mind paying taxes, so long as they see what their money's going to. So long as it's guaranteed to go to that, you know? Some of these gas taxes we're paying and stuff, you know up here in Lake County, we don't see that money."

Michael Coleman, a fiscal policy advisor who runs the California Local Government Finance Almanac, said the fire districts that tend to be more successful at getting local taxes passed are the ones that have the best relationships with their communities, so voters know their money will be well spent.

"The way these things get passed is people go down to the firehouse for the bean feed or the barbecue, and they get to know the firefighters," Coleman said. "One of the things about local government is that when you're close to the services, and they affect you directly, that kind of connection can build a better understanding and trust and convince people."

Resolution 2019-0007

of the

Calaveras Local Agency Formation Commission

Approving a Service Review of Domestic and Irrigation Water Services Provided by the Murphy's Sanitary District and Adopting Written Determinations Thereon

WHEREAS, California Government Code Section 56425 requires that the 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 LAFCO conduct a review of the municipal services provided by and within an agency prior to updating or 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, the Commission adopted guidelines for conducting Municipal Service Reviews (MSRs) included in its Policies, Standards and Procedures adopted on August 17, 2009, which applies to this MSR for water services provided by the Calaveras Public Utility District; 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 the MSR, including approval of the report and adoption of the written determinations contained therein; and,

WHEREAS, the Commission hereby determines that the Service Review for both domestic and irrigation water services provided by the Calaveras Public Utility District and written determinations contained therein will provide information for updating the Sphere of Influence for the District, 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, the Commission has heard all interested parties desiring to be heard and has considered the report by the Executive Officer and all other relevant evidence and information presented at said hearing;

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

- 1) The Municipal Service Review for services provided by the Calaveras Public Utility District, attached hereto as Exhibit A, is approved and the written determinations presented in the Municipal Service Review report are hereby adopted.
- 2) LAFCO staff is further ordered to forward copies of this resolution containing the adopted Municipal Service Review to the Calaveras Public Utility District.

The foregoing resolution was duly passed by the Calaveras Local Agency Formation Commission at a regular meeting held on November 18, 2019 by the following roll call vote:

Ayes:

Noes:

Abstain:

Absent:

Signed and approved by me after its passage this 18th day of November 2019.

John Lavaroni, Chair or Alvin Broglio, Vice Chair
Calaveras LAFCO

Attest:

John Benoit, Executive Officer
CALAVERAS LOCAL AGENCY FORMATION COMMISSION

Resolution No. 2019-0008

CALAVERAS LOCAL AGENCY FORMATION COMMISSION

A Resolution Making Determinations and Approving a Sphere of Influence Update for the Calaveras Public Utility District

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 Calaveras Local Agency Formation Commission, in compliance with the aforementioned requirement, is providing a “plan for the probable physical boundaries and service area” for the Calaveras Public Utility District; and

WHEREAS, the Commission has set the hearing date of November 18, 2019 for the update of the sphere of influence for the Calaveras Public Utility District and has noticed this hearing at the times and as otherwise prescribed by Government Code Section 56150, *et seq.*; and

WHEREAS, the Commission has heard and adopted a Municipal Services Review of services provided by the Calaveras Public Utility District in accordance with Gov. Code section 56430; and

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

WHEREAS, Calaveras LAFCO prepared a notice of exemption for such action since the sphere of influence reflects no change in the territory currently being served by the district; and

WHEREAS, the Commission has considered those factors determined by it to be relevant to this 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 Calaveras Local Agency Formation Commission does hereby find and determine as follows:

1. That the proposed sphere of influence update with respect to the Calaveras Public Utility District 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. The Calaveras Public Utility District is authorized to provide domestic and irrigation water services within its boundaries.
4. That, pursuant to Government Code Section 56425, the Commission makes and adopts those determinations set forth in the Sphere of Influence Study attached hereto and incorporated herein as set forth in *Attachment A*.

5. That pursuant to the California Environmental Quality Act, the Commission adopts a Notice of Exemption (*Exhibit B*) under Class 20 since the proposed project involves a sphere of influence update where the Sphere of Influence of the Calaveras Public Utility District will not change as a result of this update.
6. That the Sphere of Influence Update Report, Executive Officer's Report, and Map for the Calaveras Public Utility District are hereby adopted and approved as set forth in *Exhibit "A"*.

PASSED AND ADOPTED at a regular meeting of the Calaveras Local Agency Formation Commission, State of California, on the 18th day of November 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Lavaroni, Chair or Alvin Broglio, Vice-Chair
Calaveras Local Agency Formation Commission

Attest:

John Benoit, Executive Officer, Calaveras LAFCO

NOTICE OF EXEMPTION

TO: County Clerk
County of Calaveras
San Andreas, CA

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

PROJECT TITLE: Sphere of Influence Update: *Calaveras Public Utility District*

PROJECT LOCATION: Calaveras County: San Andreas, Paloma, Glencoe, Railroad Flat and Mokelumne Hill Area of Calaveras County

DESCRIPTION OF PROJECT:

The proposed project involves the determination of a Sphere of Influence Update for the Calaveras Public Utility District with the same boundary and services as currently exists.

NAME OF PUBLIC AGENCY APPROVING PROJECT:

Calaveras Local Agency Formation Commission

NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT:

Calaveras Local Agency Formation Commission

EXEMPT STATUS:

Class 20 Categorical Exemption, "Changes in Organization of Local Agencies," CEQA Guidelines Section 15320, Changes in Organization of Local Agencies and 15061 b (3) General Rule Exemption.

REASONS WHY THIS PROJECT IS EXEMPT:

This action is Exempt from the California Environmental Quality Act pursuant to Section 15320 of the CEQA Guidelines (Class 20) as the Sphere of Influence Update would not result in any change in services and 15061 b (3) whereby this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Since this Sphere of Influence Update is only affirming an existing function into an existing Sphere of Influence, there is no possibility that this action may have a significant effect on the environment since the services are already provided and no conditions have changed nor could be changed as a result of affirming the existing Sphere of Influence. There are no unusual circumstances regarding affirming the existing Sphere of Influence for the Calaveras Public Utility District

CONTACT PERSON:
John Benoit
LAFCO Executive Officer

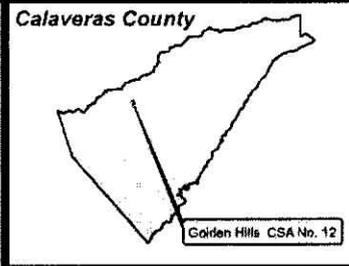
TELEPHONE NUMBER:
(707) 592-7528

By: _____

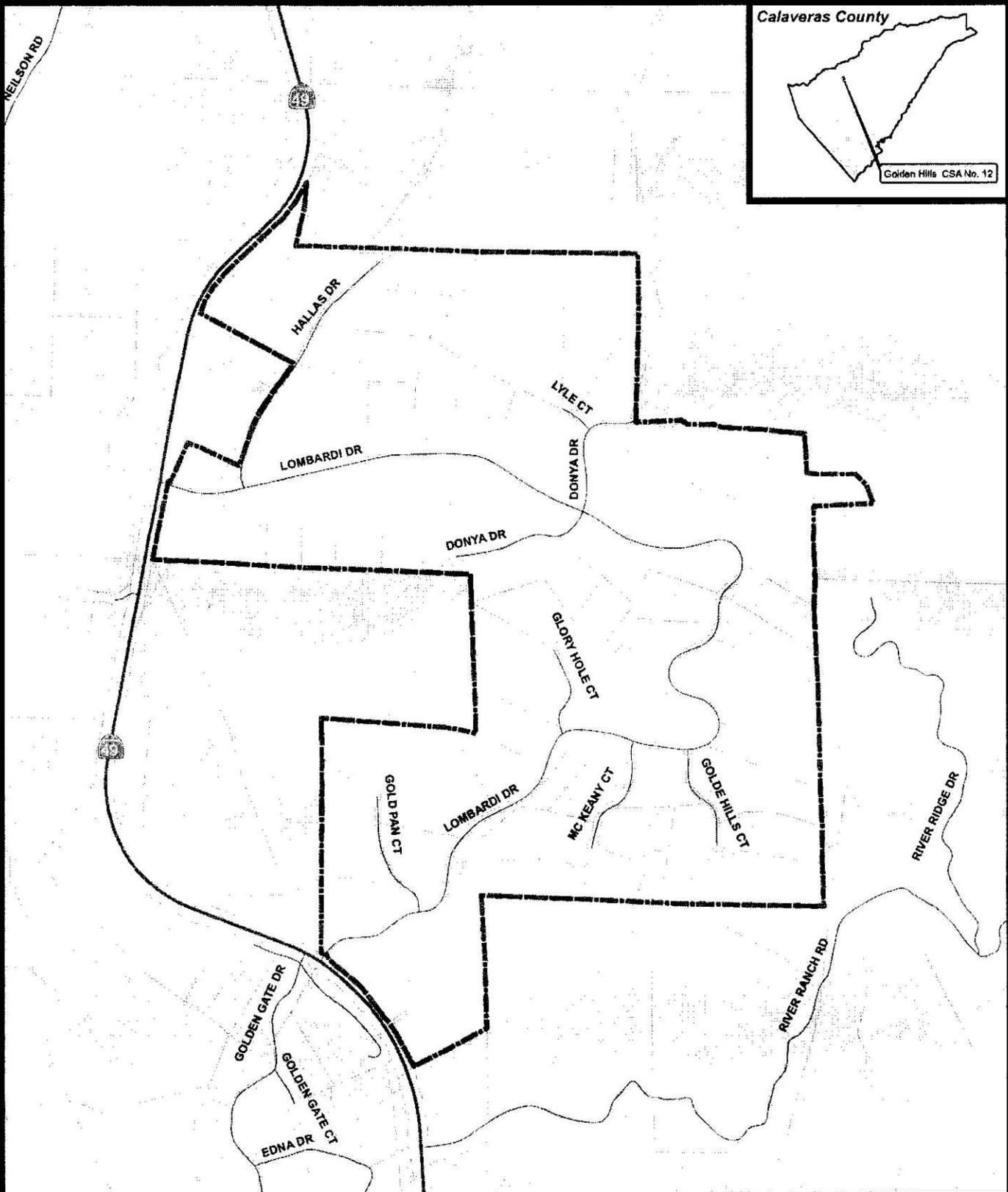
Date: November 18, 2019

Range 11 East

Range 12 East

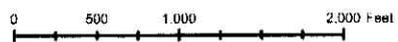


Township 5 North



LEGEND

- Highways
- Parcels
- Roads
- Towns
- Waterbodies
- Golden Hills CSA No. 12
- Golden Hills CSA No. 12 Coterminal Sphere of Influence



Golden Hills CSA No. 12
 Resolution:
 Adopted:
Golden Hills CSA No. 12
Sphere of Influence
 Resolution: 2016-0003
 Adopted: January 25, 2016
 Source: Calaveras County LAFCo Map Created 1/27/2016

CALAVERAS LAFCO

2020 Commission Regular Meeting Schedule

6:00 p.m.

Board of Supervisors Chambers, Government Center
891 Mountain Ranch Road
San Andreas, California

January 27th

*(note: January 20th
is Martin Luther King Day)*

July 20th

March 16th

September 21st

May 18th

November 16th

Unless otherwise provided by resolution of the Commission, regular meetings of the Commission are scheduled for the **third Monday** of every other month at 6:00 p.m. in the Board of Supervisors' Chambers, 891 Mountain Ranch Road, Government Center, San Andreas, California. **Regular meetings are scheduled during the months of January, March, May, July, September, and November. Alternate meeting months in which a LAFCo meeting may be scheduled are: February, April, June, August, October, and December.** In the event of a scheduled holiday, the regular meeting shall be held at the same place upon the first succeeding Monday which is not a holiday, commencing at the same hour, in which event all hearings, applications, petitions and other matters before the Commission are continued to the same hour of the next succeeding day which is not a holiday. The Commission may, at its own discretion, meet at a different time or place from time to time, provided that public notice of such time and place is given in accordance with the Ralph M. Brown Act, Government Code Section 54954 et seq. and applicable provisions of the LAFCo Act.

RESOLUTION 10-2019

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SADDLE CREEK COMMUNITY SERVICES DISTRICT CHANGING ITS NAME FROM THE SADDLE CREEK COMMUNITY SERVICES DISTRICT (SCCSD) TO THE COPPER VALLEY COMMUNITY SERVICES DISTRICT (CVCSO)

WHEREAS, Saddle Creek Community Services District was formed in 1995 by LAFCo Resolution 95-03 and pursuant to §56000 and 61000 et seq. of the California Government Code.

WHEREAS, The Saddle Creek Community Services District (SCCSD) provides road maintenance, storm drain maintenance, street lighting, landscaping of public areas, weed control and trail/fire break maintenance, mosquito abatement, and access gate control.

WHEREAS, It is the desire of the Board of Directors of the Saddle Creek Community Services District to Change the name of the district to the Copper Valley Community Services District.

NOW THEREFORE BE IT RESOLVED, as follows:

1. The name of the Saddle Creek Community Services District is hereby changed to the Copper Valley Community Services District effective upon passage of this resolution.
2. The General Manager is hereby authorized to sign any and all documents on behalf of the Copper Valley Community Services District including all financial and other documents for Calaveras County, is authorized to handle all affairs of the Copper Valley Community Services District, and to act on behalf of the Copper Valley Community Services District.
3. The Copper Valley Community Services District is the successor agency to the Saddle Creek Community Services District having identical powers and authorities as previously authorized.

PASSED AND ADOPTED by the Board of Directors of the Saddle Creek Community Services District on October 15, 2019 by the following vote:

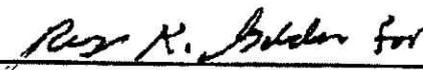
AYES: Vice President Roger Golden, Director Kenneth Albertson, Director Don Kurtz and Director Larry Hoffman

NOES:

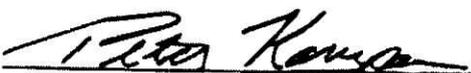
ABSTAIN:

ABSENT: Board President Darlene DeBaldo

ATTEST:



Darlene DeBaldo, CVCSO President



Attest: Peter Kampa, CVCSO Board Secretary Board of Directors