

CALAVERAS LAFCO

Calaveras Local Agency Formation Commission

Agenda

**THE CALAVERAS COUNTY BOARD OF SUPERVISOR'S ROOM
891 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA**

Regular Meeting Agenda

Monday – January 22, 2024 – 6:00 p.m.

In person meeting: Required for all Commissioners.

The complete agenda, including backup materials and materials related to items on this Agenda submitted to the Commission after distribution of the Agenda Packet, is available for public inspection on the Calaveras LAFCo website. Agenda materials are also available on the Calaveras LAFCO website at www.calaveraslafco.org

If members of the public wish to participate via Zoom you may do so.

John Benoit is inviting you to a scheduled Zoom meeting.

Topic: Calaveras LAFCo

Time: Jan 22, 2024 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86377639338?pwd=aG1aR0dsMnBSVEd4QVp6c0pIbzJIQT09>

Meeting ID: 863 7763 9338

Passcode: 978629

One tap mobile

+16694449171,,86377639338#,,,,*978629# US

+16699006833,,86377639338#,,,,*978629# US (San Jose)

Find your local number: <https://us02web.zoom.us/j/kun05TehJ>

LAFCO Office Located at: P.O. Box 2694 Granite Bay, CA 95746

Telephone: 707 592-7528

Email j.benoit4@icloud.com

6:00 PM Regular LAFCo Meeting Items:

Commissioners

Alternate Commissioners

Kirk Smith, Special District Member, Chair
Isabel Moncada, City Member, Vice Chair

Ralph Copeland, Public Member Alt.

Jennifer Herndon, City Member
Amanda Folendorf, County Member
Jack Garamendi, County Member
Tony Tyrrell, Special District Member
Anita Paque, Public Member

Alvin Broglio, City Member Alt.
Jon Dashner, Special Dist. Member Alt.
Gary Tofenalli, County Member Alt

Staff:

John Benoit, Executive Officer
Diane Severud, LAFCO Clerk
Michael Colantuono, LAFCO Counsel

1. 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.

2. Consider minutes of November 20, 2023

a. *Approve November 20, 2023 LAFCo Minutes*

3. Consent Agenda:

a. Review and Authorize Claims for November and December 2023

4. Correspondence:

Public Hearing:

5. Hearing regarding the Service Review (MSR) and Sphere of Influence (SOI) for the Calaveras Resource Conservation District

- a. *Receive Executive Officer's report*
- b. *Consider LAFCo Resolution 2024-0001 adopting a MSR for services provided by the Calaveras RCD*
- c. *Consider LAFCo Resolution 2024-0002 adopting a Sphere of Influence for the Calaveras County RCD*

6. Retirement of Executive Officer Effective around June 30, 2024

LAFCO Office Located at: P.O. Box 2694 Granite Bay, CA 95746

Telephone: 707 592-7528

Email j.benoit4@icloud.com

- a) *Receive Report from the Executive Officer and recommendation of the Ad Hoc Recruitment Committee.*
- b) *Review Ad Hoc Committee's recommendation and begin recruitment.*

8. Executive Officer' s report

- a. *Upcoming Projects*
- b. *City of Angels Camp MSR and SOI*
- c. *700 forms due April 2, 2024*

9. 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

10. NEXT LAFCO MEETING will be: January 22, 2024 - 6:00 PM in San Andreas

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 COUNTY
LOCAL AGENCY FORMATION COMMISSION
MINUTES
NOVEMBER 20, 2023

Commissioners Present:

Kirk Smith, Special District Member, Chair
Jennifer Herndon, City Member
Amanda Folendorf, County Member
Jack Garamendi, County Member
Tony Tyrrell, Special District Member
Anita Paque, Public Member
Alvin Broglio, City Member Alternate
Jon Dashner, Special Dist. Member Alternate

Staff Present:

John Benoit, Executive Officer
Diane Severud, LAFCO Clerk

Zoom Attendees:

Ralph Copeland
Jennifer Larsen
Holly Philpott
Robin Glanville

Chair Smith opened the meeting at 6:00 PM

1. Public Comment.
There were no comments.

2. Approval of September 18, 2023 Minutes.

Motion: Tyrrell
Second: Herndon
Ayes: Smith, Herndon, Folendorf, Garamendi, Tyrrell and Paque
Nays: None
Abstain: Broglio

THE MINUTES OF THE SEPTEMBER 18, 2023 MEETING WERE APPROVED.

3. Consent Agenda: Authorize Claims for September and October 2023.

Motion: Paque

Second: Tyrell

Ayes: Smith, Herndon, Folendorf, Garamendi, Tyrell and Paque

Nays: None

THE CONSENT AGENDA WAS APPROVED.

4. Correspondence.

Mr. Benoit reported that a letter was received from the State Controller's Office regarding the inactive status of CSA 6. Also received was a letter from CSDA explaining the benefits of membership, Leadership Class information and a Board Member Handbook.

5. Workshop regarding the Service Review (MSR) and Sphere of Influence (SOI) for the Calaveras Resource Conservation District.

- a. Receive Executive Officer's Report

Mr. Benoit reported the District was formed in 2016, which required a vote of the electorate to establish. It encompasses all of Calaveras County, except for a small portion along the Mokelumne River. He was impressed with how they are doing in the areas of revenue generation and grants, focusing on forestry, water, economic development, etc. The District now has a coordinator and is beginning to gain its footing in the county. The operating budget is approximately \$200,000 and revenue (pass through) is approximately \$2.8 million. This MSR is different than other special districts, as they do not receive and funding from taxes.

6. Discussion of the CaLAFCO Annual Conference in Monterey.

Comments were made regarding the different format of the workshops, the networking opportunities and a look forward at where LAFCOs will be moving in the future. There were many different perspectives regarding code section 56133 and the definitions of exemptions. Also included was information regarding recent donations to veterans and schools by local Veterans Districts. There wasn't any programming associated with agriculture and the hope that it will be included in future conferences. Commissioner Paque thanked the Commission for nominating her for Volunteer of the Year and announced that she had been given the award, as well as being re-elected to the CaLAFCO Board.

7. Retirement of Executive Officer Effective Approximately June 30, 2024.
 - a. Mr. Benoit asked that an Ad Hoc Committee be formed to establish a plan for moving forward. He added that he would like to see Ms. Severud considered as part of the recruitment process.
 - b. Commissioners Paque, Folendorf and Herndon volunteered to be on the committee. Mr. Benoit stated that he would like to meet with them one hour prior to the January 22, 2024 meeting and opined that an independent contractor situation would be best for this parttime position, as the Commission doesn't have enough funding to hire an employee.

8. Executive Officer' s Report

- a. Upcoming Projects
Mr. Benoit reported that he is currently working with Jessica Self of UPUD regarding an annexation and the application associated with the process. He added that he is waiting for the City of angels to submit their MSR.
- b. LAFCO Regular Meeting Schedule for 2024.
Mr. Benoit mentioned that the proposed 2024 regular meeting schedule was included in the agenda packet.

Motion: Paque

Second: Tyrell

Ayes: Smith, Herndon, Folendorf, Garamendi, Tyrell and Paque

Nayes: None

THE 2024 REGULAR MEETING SCHEDULE WAS APPROVED.

9. Commissioners Reports

Commissioner Herndon reported that the vacant seat on the City Council was filled by the Council by appointing Michael Chimente.

Chair Smith adjourned the meeting at 6:36 PM.

NEXT LAFCO MEETING: January 22, 2024 - 6:00 PM in San Andreas

DATE APPROVED:

Kirk Smith, Chair

CALAVERAS LAFCO

LAFCO CLAIM AUTHORIZATION FORM

for

November and December 2023

Authorize payment of the following claims:

FY 2023-2024 Expenses

Sept 18, 2023	Commissioner Stipends 11.20.23	\$ 800.00
December 1, 2023	Staff Svcs November 2023	\$ 3,917.26
Jan 1, 2024	Staff Svcs December 2023	\$ 3,486.36
Dec 1, 2023	CSDA Dues Renewal for 2024	\$ 500.00
	TOTAL	\$ 8,703.62

DATED: January 22, 2024

APPROVED: January 22, 2024

Kirk Smith, Chair or Isabel Moncada, Vice-Chair
Calaveras Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

Resolution 2024-0001 of the

Calaveras Local Agency Formation Commission

Approving a Municipal Service Review of Services Provided by the Calaveras Resource Conservation District and Adopting Written Determinations Thereon

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

WHEREAS, California Government Code Section 56430 requires that a LAFCO conduct a review of the municipal services provided by and within an agency prior to updating 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 its Work Plan and included a schedule for initiation of Municipal Service Reviews (MSRs) and Spheres of Influence; and

WHEREAS, the Commission adopted Resolution 2020-0005 on July 20, 2020 containing policies and standards related to the preparation of MSRs, which applies to this MSR for services provided by the Calaveras Resource Conservation 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 services provided by the Calaveras Resource Conservation District, including approval of the report and adoption of the written determinations contained therein; and,

WHEREAS, the Commission hereby determines that the hearing draft of the Municipal Service Review for services provided by the Calaveras Resource Conservation District and written determinations contained therein will provide information for updating the Sphere of Influence for the Calaveras Resource Conservation 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, in making this determination, the Commission has considered the documentation on file in this matter; and,

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

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

- 1) The Municipal Service Review for Services provided by the Calaveras Resource Conservation 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 Resource Conservation District.

The foregoing resolution was duly passed by the Calaveras Local Agency Formation Commission at a regular meeting held on January 22, 2024, by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this 22nd day of January 2024

Kirk Smith, Chair, Calaveras LAFCo

Attest:

John Benoit, Executive Officer
CALAVERAS LOCAL AGENCY FORMATION COMMISSION,

Resolution No. 2024-0002

CALAVERAS LOCAL AGENCY FORMATION COMMISSION

A Resolution Making Determinations and Approving A Sphere of Influence Update for the Calaveras Resource Conservation 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 Resource Conservation District; and

WHEREAS, the Commission has set the initial hearing date of January 22, 2024 for the update of the Sphere of Influence for the Calaveras Resource Conservation District and has noticed this hearing at the times and as otherwise prescribed by Government Code Section 56427, *et seq.*; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the 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 Resource Conservation District complies with the provisions of Government Code Section 56000, *et seq.*
2. The Commission hereby adopts a Sphere of Influence coterminous with the Calaveras County Boundary with the exception of various parcels within the Mokelumne River Watershed.
3. That no significant protests have been received regarding the establishment of this Sphere of Influence update.
4. That, pursuant to Government Code Section 56425, the Commission makes and adopts those determinations set forth in the Sphere of Influence Study are attached hereto and incorporated herein.
5. The Commission has reviewed and adopts a Notice of Exemption (Exhibit B) prepared for this Sphere of Influence update and makes a specific finding that there is no substantial evidence in light of the whole record this Sphere of Influence may have a significant adverse effect on the environment.
6. Pursuant to Government Code Section 56425 (i) the Calaveras Resource Conservation District is authorized to provide resource conservation services within the territory set forth in Attachment “A”
7. That the Sphere of Influence Update Report, Executive Officer’s Report for the Calaveras Resource Conservation District’s updated Sphere is hereby adopted and approved as set forth in Attachment “A”.

The foregoing resolution was duly passed by the Calaveras Local Agency Formation Commission at a regular meeting held on January 22, 2024, by the following roll call vote:

Resource Conservation District Sphere of Influence 1
Calaveras LAFCO Resolution 2024-0002
January 22, 2024

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this 22nd day of January 2024.

Kirk Smith, Chair, Calaveras LAFCO

Attest:

John Benoit, Executive Officer
CALAVERAS LOCAL AGENCY FORMATION COMMISSION

NOTICE OF EXEMPTION

Exhibit B

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 RCD*
PROJECT LOCATION: Calaveras County

DESCRIPTION OF PROJECT:

The proposed project involves the determination of a Sphere of Influence Update for the Calaveras RCD

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 15061b (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 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 is only affirming existing functions of the RCD, 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 establishing this Sphere of Influence. There are no unusual circumstances regarding establishing a Sphere of Influence for the Calaveras Resource Conservation District

CONTACT PERSON:
John Benoit
LAFCO Executive Officer

TELEPHONE NUMBER:
(707) 592-7528

By: _____

Date: January 22, 2024