

Calaveras Local Agency Formation Commission

Regular Meeting Agenda

MONDAY – January 27, 2014 – 6:00 p.m.
at the

**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

Bert Sobon, City Member
Jack Lynch, Chair City Member
Merita Callaway, Vice-Chair County Member
Darren Spellman, County Member
Tony Tyrrell, Special District Member
John Lavaroni, Special District Member
Anita Paque, Public Member

Paul Stein, Public Member Alt.
Debbie Ponte, County Member Alt.
Stuart Raggio, City Member Alt.
Don Young, Special Dist. Member Alt.
Staff:
John Benoit, Executive Officer
Karon Knuist, LAFCO Clerk
Michael Colantuono, LAFCO Counsel

2. Approval of Agenda (Deletions/Additions)

3. Approval of Minutes for November 18, 2013 and December 16, 2013

4. 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 Chairman 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.

5. Consent Agenda:

- a. Review and Authorize Claims for December 2013

PUBLIC HEARING - Sphere of Influence for the Calaveras Consolidated Fire Protection District

6. Review Sphere of Influence update report, conduct public hearing and consider adoption of the Sphere of Influence for the Calaveras Consolidated Fire Protection District.

- a. *Receive Executive Officer's report and conduct Public Hearing and consider Resolution 2014-0001 approving the Establishment of a Sphere of Influence for the Calaveras Consolidated Fire Protection District.*

PUBLIC HEARING – Service Review for the Mokelumne Hill Fire Protection District

7. Review update information provided by the Mokelumne Hill Fire Protection District and Consider Resolution 2014-0002 adopting a Service Review for the Mokelumne Hill Fire Protection District.

- a. *Receive Executive Officer's report, review information provided by the Mokelumne Hill Fire Protection District, conduct Public Hearing and consider Resolution 2014-0002 approving a Municipal Service Review.*

8. Consider and Adopt Regular Meeting Schedule for 2014

- a. *Consider and Adopt Regular Meeting Schedule for 2014*

9. Executive Officer's report

- a) *Sphere of Influence for remaining Fire Agencies*
- b) *700 Forms due April 1st, 2014*
- c) *LAFCO Finances*

10. 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

11. Adjourn to next regular meeting of February 24, 2014

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 submitted to the Commission after distribution of the agenda area available for review for public inspection in the Calaveras Co. Administrative office located at the County Administrative Center, 891 Mountain Ranch Road, San Andreas CA. [such documents are also 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

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 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: johnbenoit@surewest.net

CALAVERAS LOCAL AGENCY FORMATION COMMISSION

MINUTES

November 18, 2013

Call to order: The meeting was called to order by chair, Jack Lynch who then led the group in the pledge. In attendance were Bert Sobon, Jack Lynch, Merita Callaway, Darren Spellman, Tony Tyrrell, John Lavaroni, Anita Paque and Executive Director, John Benoit.

Approval of Agenda: The agenda was approved on a motion by Tyrrell/2nd by Callaway. Passes 7-0.

Minutes: The minutes of September 16, 2013, were approved on a motion by Lavaroni/2nd by Tyrrell. Passes 6-0-1 absent. (Tyrrell was absent)

Public Comment: None.

Consent Agenda: The Commissioners authorized the payment of \$7836.07. Motion by Tyrrell/2nd by Lavaroni. Passes 7-0.

Workshop – S.O.I. for the Calaveras Public Utility District

Donna Letterman from CPUD spoke to the Commission. A map included showed the boundary of the existing sphere and it is felt CPUD would be most able to serve water to that area. January 27, 2014 date was set for a public hearing in this matter. Motion by Paque/2nd by Tyrrell. Passes 7-0.

Rosenburg Rules of Order: John showed a presentation of the Rosenburg Rules on the screen. Calloway made a motion that we pass Resolution 2013-2008 amending the by-laws to use Rosenburg's Rules of Order rather than Robert's Rules of Order. The Resolution would add the words "as a guide" And item #2 would add the words "as a guide". #4 was changed to read: All previously adopted ByLaws are hereby repealed in favor of this amendment 2nd by Paque Passes 7-0,

Conduct workshop regarding Records Retention and consider adopting A Records Retention policy.

Tyrell made a motion to approve Resolution 2013-0009 requiring that we keep or retain certain records. This will be a more specific rules for the amount of time we keep certain records. 2nd by Anita Paque. Passes 7-0.

Review Proposed Polict Language regarding Disadvantaged Unincorporated Communities. (DUCS)

There was much discussion by the Commissioners then the decision to bring this back in the form of a Resolution and they will deliberate it at that time.

Review LAFCO's Procedural Guidelines and Policy for Municipal Service Reviews and S.O.I. and provide direction to staff regarding Additions and deletions.

The Commissioners were asked to review Section 3.3 and bring back questions or suggestions. Look at page 20 and 21. Consider adoption

Executive Officer's Report:

John received a flyer from the Planning Director. The update of the ' fire' Sphere Of Influence will begin.

Commissioner's Reports:

Darren Spellman will take a tour of the Utica Power Plant with Merita. He also took A tour of CCWD in LaContenta.

John Lavaroni received responses from Mokelumne Hill Fire Department.

Meeting adjourned

Respectfully submitted
Lucy Thein, clerk

Jack Lynch. Chairman

John Benoit, Executive Director

**Calaveras Local Agency Formation Commission
Minutes of Meeting
December 16, 2013**

**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 Present

Also Present

Bert Sobon, City Member

Jack Lynch, Chair City Member

Merita Callaway, Vice-Chair County Member

Darren Spellman, County Member

Anita Paque, Public Member

John Benoit, Executive Officer

2. Approval of Agenda (Deletions/Additions)

Correspondence received: Letter from SDRMA, MHFPD and resignation of Lucy Thein as the LAFCo Clerk. Moved by Commissioner Paque and approved on a 5 – 0 – 2 absent vote

3. Approval of Minutes to be approved at the next LAFCo meeting.

4. Public Comment

No public comment was received

5. Consent Agenda:

Commissioner Callaway moved to authorize payment of the November 2013 expenses in the amount of \$5,231.08, second by Commissioner Paque; motion carried.

6. Sphere of Influence for the Calaveras Public Utility District

J. Benoit presented the Sphere of Influence update report for the adoption of the Sphere of Influence for the Calaveras Public Utility District. The public hearing was opened at 6:10 pm. Commissioner Paque Spellman asked about the entire community of interest including the entire district SOI area; Commissioner Sobon wanted clarification regarding the population of the CPUD area since there were

inconsistencies in the population amount. No one spoke at the public hearing. The public hearing was closed at 6:11.

Commissioner Spellman asked about the potential surface water storage opportunities within the CPUD area should an application for funding be made and a discussion followed. A motion to adopt Resolution 2013-0011 approving a Sphere of Influence Update for the Calaveras Public Utility District was made by Commissioner Spellman and seconded by Commissioner Sobon, which was approved by a vote of 5 – 0 with Commissioners Tyrrell and Lavaroni absent.

7. A Public Hearing on the Proposed Policy Amendment regarding Disadvantaged Unincorporated Communities

Staff reviewed the proposed policy regarding Disadvantaged Unincorporated Communities (DUCS, which was discussed at the November 18th, 2013 LAFCo meeting); LAFCo needs to identify DUC's in its SOI's and MSR's, which may be different than other entities. The public hearing was opened at 6:21 pm to consider an amendment to LAFCo Policies, Standards and Procedures amendment. The public hearing was closed at 6:26 pm.

A motion to adopt Resolution 2013-0012 approving a policy regarding Disadvantaged Unincorporated Communities was made by Commissioner Spellman and seconded by Commissioner Paque, which was approved by a 5 – 0 – vote with Commissioners Tyrrell and Lavaroni absent

8. Executive Officer's report

- a) A public hearing on the Sphere of Influence for Calaveras Consolidated FPD will be placed on the next LAFCo agenda as a public hearing.
- b) Sphere of Influence for remaining Fire Agencies will take place in the early part of 2014.
- c) Service Review for Mokelumne Hill FPD - The Service Review for the MHFPD will be placed on the next LAFCo Agenda as a public hearing. Members of the MHFPD Board spoke about the document they provided to staff to correct mistakes previously made by LAFCo staff. Commissioner Paque and Executive Officer Benoit will review the information provided by the MHFPD.

9. Commissioners Reports

Commissioner Spellman spoke with residents in the Jenny Lind area regarding the formation of a CSD.

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 Meeting** - The next regular meeting date of January 20, 2014 is Martin Luther King Day so the next regular meeting date will be January 27, 2014.

CALAVERAS LAFCO

2014 Commission Regular Meeting Schedule

6:00 p.m.

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

January 27th

(Jan 20th is Martin Luther King Day)

February 24th

(Feb 17th is Presidents Day)

March 17th

April 21st

May 19th

June 16th

July 21st

August 18th

September 15th

October 20th

November 17th

December 15th

Regular meetings of the Commission are normally scheduled for the third Monday of every month at 6:00 p.m. in the Board of Supervisors' Chambers, 891 Mountain Ranch Road, San Andreas, California. In the event of a scheduled holiday, the regular meeting shall be held at the same time and place the following Monday. 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 Open Meeting Law, Government Code Section 54954 and applicable provisions of the LAFCO Act.

A Special Meeting may be called for the conduct of Commission business by the Chair, or by written request signed by any three Commissioners. A special meeting shall be conducted pursuant to the Brown Act.

In the event the regular meeting location is not available, an alternate location shall be selected by the Executive Officer and identified on the agenda.

CALAVERAS LAFCO

LAFCO CLAIM AUTHORIZATION FORM

for

December 2013

Authorize payment of the following claims:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
FY 2013-2014 Expenses:		
Jan 1, 2014	Staff Svcs & Expenses –December 2013	\$ 4,630.29
Dec 14, 2013	City of Angels #0000122 Finances	\$ 900.00
Jan 3, 2014	Calaveras Enterprise CCFPDSOI&MokeHill MSR	\$ 40.50
TOTAL:		\$ 5,570.79

DATED: Jan 27, 2014

APPROVED: Jan 27, 2014

Jack Lynch, Chair or Merita Callaway, Vice-Chair
Calaveras Local Agency Formation

Attest:

John Benoit
Executive Officer

2013-2014 Expenditures

Calaveras LAFCO

City Fund 405 Dept 9001

Item	Account Number	Comm Stipends	Insurance	Communications	Memberships	GenOfficeExp	Postage	copies	Fire&EMS	SOI	W & WWSOI	Ex. OFF. Svcs	City Fin Chrg
		62001	62050	62051	62052	62053	62054	62055	62057	62058	62059	62060	
	Total Budgeted	\$ 6,600.00	\$ 1,716.04	\$ 800.00	\$ 758.00	\$ 500.00	\$ 500.00	\$ 2,000.00	\$ 18,000.00	\$ 25,000.00	\$ 42,500.00	\$ 3,600.00	
Calafco dues 13-14			\$ (1,691.04)		\$ (758.00)								
SORMA Insurance 13-14													
Calafco Conference registrations													
Colantuono # 25622													
Staff Svcs July 2013													
Comm Stipends July 15, 2013		\$ (350.00)		\$ (70.93)			\$ (10.92)	\$ (56.50)	\$ (1,956.25)		\$ (3,500.00)		
Staff Svcs Aug 2013													
Colantuono Billing # #25795				\$ (47.78)			\$ (21.96)	\$ (46.11)		\$ (1,462.50)	\$ (3,562.50)		
Paque Calafco Conf Reimbursement													
Tyrrell Calafco Conf Reimbursement													
Stein Calafco Conf Reimbursement													
Lynch Calafco Conf Reimbursement													
Comm Stipend Sept 16, 2013		\$ (300.00)											
JB Staff Svcs Sept 2013													
Calav Ent CalavRiverEst #26627				\$ (42.27)			\$ (45.84)	\$ (94.97)		\$ (1,237.50)	\$ (2,587.50)		
Darren Spellman Calafco Conf. Reimb													
Merita Callaway Conf. Reimb													
Staff Svcs Oct 2013				\$ (43.44)			\$ (6.60)	\$ (10.75)	\$ (2,062.50)		\$ (1,575.00)		
CPUD and Fire SOI's oct 2013													
Calaveras Enterprise Rancho Calav Est													
Comm Stipend Nov 2013		\$ (350.00)											
Staff Svcs November 2013				\$ (55.25)			\$ (24.96)	\$ (84.27)	\$ (1,537.50)		\$ (3,450.00)		
Calav Ent#27704 PSP and CPUD SOI													
Redeposit CK#65327 Paquefor6.17.13		\$ 50.00											
Comm Stipend Dec 16, 2013		\$ (250.00)											
Staff Svcs December 2013													
Angels Camp Inv 0000122 12.16.13				\$ (51.99)			\$ (19.34)	\$ (63.26)	\$ (2,000.00)		\$ (2,337.50)	\$ (900.00)	
Calav Enterprise CCFPD and Mokehill													

TOTAL EXPENDED	\$ (1,200.00)	\$ (3,691.04)	\$ (311.86)	\$ (758.00)	\$ 500.00	\$ 370.38	\$ 1,644.14	\$ 10,443.75	\$ 22,300.00	\$ 25,487.50	\$ 2,700.00
TOTAL REMAINING	\$ 5,400.00	\$ 25.00	\$ 488.34	\$ -	\$ 500.00	\$ 370.38	\$ 1,644.14	\$ 10,443.75	\$ 22,300.00	\$ 25,487.50	\$ 2,700.00

1/18/2014