

**Calaveras Local Agency Formation Commission
Regular Meeting Minutes – Monday, May 15, 2017**

ITEM #3

1. **Call to Order/Pledge of Allegiance/Roll Call** – Order was called by Chair Folendorf at 6:02 p.m., on Monday, May 15, 2017, in the Calaveras County Board of Supervisors Chambers, County Administrative Center, San Andreas, California.

Commissioners Present

Amanda Folendorf, Chair, City Member
Dennis Mills, County Member Alt.
Anita Paque, Public Member
John Lavaroni, Special District Member
Linda Hermann, City Member
Jon Dashner, Special District Member Alt.

Commissioners Absent

Gary Tofanelli, County Member
Tony Tyrrell, Special District Member
Susan Rudolph, City Member Alt.
Michael Oliveira, Vice Chair, Cnty.Mem.
Roark Weber, Public Member Alt.

Staff Present

John Benoit, Executive Officer
Nancy Mees, LAFCO Clerk

Others Present

2. **Election of Chair and Vice-Chair. Bylaw Section 4.6(a) calls for the election of the Chair and Vice-Chair at the May meeting.**

- a) *Elect a chair from the County Category.*

MOTION by Commissioner Mills to nominate Commissioner Oliveira as Chair, second by Commissioner Lavaroni. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

- b) *Elect a Vice Chair from the Public Member Category.*

MOTION by Commissioner Lavaroni to nominate Commissioner Paque as Vice-Chair, second by Commissioner Mills. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

As Commissioner Oliveira was absent, Commissioner Paque assumed the position of Chair for the remainder of the meeting.

3. **Approval of Agenda:** **MOTION** by Commissioner Dashner to approve the Agenda as presented, second by Commissioner Hermann. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.
4. **Consider Minutes from the April 17, 2017, LAFCo meeting:** **MOTION** by Commissioner Folendorf to approve the Minutes as presented, second by Commissioner Lavaroni. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

5. **Consent Agenda: Review and Authorize Claims for April 2017: MOTION** by Commissioner Dashner to approve Claims for April 2017 as presented, second by Commissioner Lavaroni. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

6. **Public Hearing Regarding the Final 2017-2018 LAFCo Budget.**

Executive Officer Benoit reported that the recommended Final Budget is the same as was presented at the April 2017 meeting. He noted that, although he has since learned that the cost of insurance will be going up ten percent, he has left the budget as it was and will use the Contingency Fund to cover the extra insurance cost.

Executive Officer Benoit also commented that the Reserve Fund had been down to \$70,000, but he is increasing it to \$75,000 for the coming year. The Reserve Fund had gone down due to the previous Water and Wastewater MSRs, which are expensive to prepare, and he wanted to increase the Reserve Fund because those same MSRs are now due for review this next fiscal year. Due to the rising costs of operations and litigation, he would eventually like to increase the Reserve Fund to \$100,000.

Executive Officer Benoit finished by stating that CALAFCO dues went up this year, and some of the operating expenses have increased.

There was no public comment.

MOTION by Commissioner Hermann to approve Resolution 2017-0004 adopting the Final Budget for Fiscal Year 2017-2018 as presented, second by Commissioner Dashner. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

7. **WORKSHOP – Calaveras Water District Sphere of Influence.**

- a) *Review the Executive Officer's report, review draft and provide comments from Commissioners and the public (report handed out at the April 17, 2017, meeting and posted on the LAFCo website: www.calaveraslafco.org.)*

Executive Officer Benoit commented that upon starting this SOI, CCWD did not have any maps of its service areas, so the first step was getting some maps made. Once the maps were done, he asked CCWD what areas they thought they might serve in the future. This was added to the maps, of which there are four: one for the planning sphere, one for the water spheres, one for the wastewater spheres, and one for the irrigation water spheres. They also show excluded areas covered by other districts. The proposal up for conversation in this workshop is the adoption of those four spheres.

Commissioner Mills asked Mr. Dave Eggerton, who was in the audience and is General Manager of CCWD, if they had any issues with these spheres. Mr. Eggerton replied that, although it is good to specify the various spheres, it must be remembered that the planning sphere is county-wide. He also wants to make sure that any information regarding what LAFCO does with respect to these spheres gets to the CCWD board. He also added that there may be some areas that could

be added to the irrigation water maps as possible future areas of service.

Commissioner Mills then asked if the formation of the GSA will affect CCWD. After Mr. Eggerton's response, Commissioner Paque clarified the question by asking if CCWD is one of the agencies that will be part of the GSA basin. Mr. Eggerton said that, although CCWD will be at the table for GSA discussions, it is really the county that will be representing Calaveras in the GSA. But he added that it might be good to add some information about the GSA and groundwater issues into the water sphere. Commissioner Mills commented that he just wanted to be sure that neither CCWD nor the county would be confined in their GSA work by the approval of these spheres.

Commissioner Folendorf asked whether the problems in the Six Mile Village area are being addressed by CCWD. Mr. Eggerton responded that they were working with the City of Angels Camp on this issue. David Hanham, City Planner for Angels Camp, added that Six Mile Village is not in the city's sphere, but they are working with CCWD on serving this area. The City would also like a better understanding of the CCWD Planning Sphere because there is a lot they could do to help CCWD. They want to know if there should be more coordination between the two, or maybe the City should not be part of the Planning Sphere. Commissioner Lavaroni then asked why the City of Angels Camp is in the CCWD Planning Sphere. Executive Officer Benoit responded that the City is paying its share of the CCWD fund because the entire county is part of the Planning Sphere. If the City were removed from the sphere, it would be a signal that they should detach from CCWD. Mr. Hanham added that if the City did file to detach from the Planning Sphere, it might set a precedent for other entities. Mr. Benoit said that detachment would be something that the City Council would have to decide, but that if they did, although their special tax would disappear, the detachment would create a doughnut hole in the sphere. And that might compromise CCWD's work county-wide. Mr. Eggerton responded that a detachment could have a negative effect when CCWD and county water rights come up for review at the state level. Commissioner Paque said the City and CCWD need to talk and address these questions, and that that should occur

before the Planning Sphere approval hearing takes place. Mr. Eggerton agreed that they would like more time to work through these issues.

Commissioner Paque then suggested that if the spheres in the water, wastewater, and irrigation SOIs agree with what CCWD believes those spheres are, perhaps the Commission could move ahead on those spheres in the now and address the Planning Sphere later. After a comment by Commissioner Mills that the state prefers counties to be more regionalized than fractured, Commissioner. Paque asked if anything is being done with respect to a more regional approach. Mr. Eggerton replied that last year the legislature did pass a bill providing for a study by the US Bureau of Reclamation to see if any local benefits could be maximized

through the use of regional efforts with respect to water rights. Commissioner Paque asked if there had been any thought of multi-county coordination, such as through a JPA. Mr. Eggerton replied that that might be possible.

An audience member, Mr. Folendorf, commented that he agreed that it is a good idea to keep water issues county-wide as it prevents small, unsustainable projects from happening.

Commissioner Folendorf said that the City of Angels Camp, CCWD and LAFCo need to work together going forward, and that there needs to be more communication from CCWD.

- b) *Set public hearing date for June 19, 2017, or as soon thereafter as possible.*

MOTION by Commissioner Mills to set the Public Hearing for the Water, Wastewater, and Irrigation Water Spheres for June 19, 2017. There was some discussion as to whether the hearing should be postponed until all four spheres could be approved. Commissioner Mills rescinded his motion.

MOTION by Commissioner Dashner to set the Public Hearing for all four Spheres on July 17, 2017, second by Commissioner Mills. Motion passed 5 yes, 0 no, 1 absent, 1 abstention.

8. Letter regarding AB464, Gallagher, sent per section 5.11 LAFCo Bylaws, for the Assembly Local Government Committee.

Executive Officer Benoit reported that the letter of approval had been sent, and CALAFCO was waiting for Congresswoman Aguilar-Curry to give her support of the bill.

9. Discussion regarding Calaveras County's Agenda/Minutes Program moving into the future (Benoit and Mees).

Executive Officer Benoit reported that he and Clerk Mees were continuing to purge and scan LAFCo records from prior to 1984. Mr. Benoit and Clerk Mees then gave the

Commission some information regarding the benefits of using the County's Minutes/Agenda program. Mr. Benoit said the next step was to talk to County IT to find out how much they would charge LAFCo to see if it is financially feasible.

10. Executive Officer's Report.

Executive Officer Benoit commented that the Little Hoover Commission now wants to know why more healthcare districts aren't being dissolved. Commissioner Paque added that this issue has probably come up because there were numerous problems regarding healthcare districts last year, thus forcing the creation of legislation to solve those problems. She added that there is a new bill that would put more demands on healthcare districts to be open to the public, e.g., having websites that list their directors and contact information, and have their most recent audit, financial reports, and MSRs. Having a recent MSR, of course, means there is an added onus on LAFCOs to keep their MSRs up to date. The

State believes there should be fewer districts, and is bringing up legislation to encourage dissolution of inactive districts. They would also like to get rid of idle districts, but they are costlier to dissolve than inactive districts.

11. Commissioner Reports.

Commissioner Mills reported that the Special Districts Association is testifying before the Little Hoover Commission. There is also new legislation coming up that would require districts to form new capital improvement plans every five years.

Commissioner Folendorf said that many of the mandates coming down from the state do not take small mountain communities into account, making it difficult and expensive for them to comply with some of this new legislation. She wishes the state would realize that some of their mandates cannot be one size fits all.

Commissioner Lavaroni mentioned that CCWD is having a Meet and Greet with the president of ACWA on May 30, from 1:00-2:30 p.m., at the CCWD office.

12. Public Comment: No public comments.

13. Adjournment.

Meeting was adjourned at 7:30 p.m. The June 19, 2017, meeting was cancelled by the Commission, and the next regular meeting will be July 17, 2017, at 6:00 p.m., in San Andreas.

Minutes submitted by Nancy Mees.

DATED: _____

APPROVED: _____

Michael Oliveira, Chair, or Anita Paque, Vice
Chair, Calaveras Local Agency Formation