

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 – July 17, 2023 – 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 you wish to participate via Zoom you may do so.

Topic: Calaveras LAFCO

Time: Jul 17, 2023 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84400215600?pwd=MjkzOUhRV0ljZEhoK0FRW9zWTA2UT09>

Meeting ID: 844 0021 5600

Passcode: 042243

One tap mobile

+16694449171,,84400215600#,,,,*042243# US

+16699006833,,84400215600#,,,,*042243# US (San Jose)

Dial by your location

• +1 669 444 9171 US

• +1 669 900 6833 US (San Jose)

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 May 15, 2023

a. *Approve May 15, 2023 LAFCo Minutes*

3. Consent Agenda:

a. Review and Authorize Claims for May and June 2023

4. Correspondence:

Workshop:

5. Workshop regarding the Service Review (MSR) and Sphere of Influence (SOI) for the Union Public Utility District

a. *Receive Executive Officer's report*

b. *Conduct Workshop*

c. *Consider Public Hearing at the September 18, 2023 LAFCo meeting*

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6. Calafco Conference Matters

- a. *Appoint Voting Delegate and Voting Member Delegate to represent Calaveras LAFCo at the CALAFCo Annual Conference Oct 18-20, 2023 in Monterey.*

7. Executive Officer' s report

8. 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

9. NEXT LAFCO MEETING will be: September 18, 2023 - 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 LAFCO

Regular Meeting Minutes

Monday – May 15, 2023 – 6:00 p.m.

Calaveras Local Agency Formation Commission

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

Regular LAFCo Meeting Items:

1. Call to Order/Pledge of Allegiance/Roll Call 6:05 PM

Commissioners, Alternate Commissioners and Staff Present:

Anita Paque, Public Member, Chair	Ralph Copeland, Public Member Alt.
Kirk Smith, Special District Member, Vice Chair	Jon Dashner, Special Dist. Member Alt.
Isabel Moncada, City Member	John Benoit, Executive Officer
Jennifer Herndon, City Member	Diane Severud, LAFCO Clerk
Jack Garamendi, County Member	
Amanda Folendorf, County Member	
Tony Tyrrell, Special District Member	

Item 1 **Election of Chair and Vice-Chair for FY2023/2024.** *LAFCo's Bylaws (Section 4.6) calls for the Chair to be elected from the Special District Category and the Vice-Chair to be elected from the City Category*

1. Election of Chair (Special District Member)

*Motion: Commissioner Tyrrell
Second: Commissioner Herndon
Ayes: All Present
Noes: None
Abstain: None*

Commissioner Smith was elected on a vote of 7-0-0 as the 2023/2024 Chair.

2. Election of Vice-Chair (City Member)

*Motion: Commissioner Tyrrell
Second: Commissioner Herndon
Ayes: All Present
Noes: None*

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Abstain: None

Commissioner Moncada was elected 7-0-0 as the 2023/2024 Vice-Chair.

2. Public Comment

There were no members of the public present.

3. Consider minutes of March 20, 2023

a. March 20, 2023 LAFCo Minutes will be considered at the next LAFCo Meeting

4. Consent Agenda:

a. Review and Authorize Claims for March and April 2023

*Motion: Commissioner Smith
Second: Commissioner Tyrrell
Ayes: All Present
Noes: None
Abstain: None*

The Consent Agenda was approved 7-0-0 as presented.

Public Hearings:

5. Public Hearing regarding the final 2023-2024 LAFCo Budget

a) Conduct Public Hearing

b) Consider Resolution 2023-0003 adopting a final LAFCo budget for 2023-2024

John Benoit presented the budget stating there are no changes since the proposed budget adopted in March. Benoit asked who will be attending the CALAFCo Conference in Monterey October 18th-20th 2023,

Those attending will be Jennifer Herndon, Isabel Moncada, Tony Tyrrell, Anita Paque, Jon Dashner and possibly Amanda Folendorf. (Kirk smith has a conflict)

Moved by Tyrrell and seconded by Jenifer Herndon the 2023-2024 LAFCo Budget as adopted by a unanimous roll call vote of 7-0-0.

6. Discussion and possible action regarding underperforming districts in Calaveras County

a. Review Executive Officer's Alternatives Memo

b. Provide Direction to staff for further Action (per the purview of LAFCo)

Mr. Benoit provided a summary of alternatives for the districts. He noted that CSDs are independent of the County and they wouldn't be approved today, due to their small size. One problem, is that there have been no inflators included for costs. 3 Cent Flat CSD has a quorum now and Mr. Benoit will help them get things done. He thanked Robin Glanville, Assistant Clerk-Recorder, for helping them to get back on track.

Mr. Benoit reviewed the options for failed CSDs such as, establishing a Permanent Road Division/funded by landowners and managed by Public Works, form a countywide CSA with benefit zones which would be easy to govern; however, this county doesn't have a good history with CSAs. They could form independent property Home Owners Associations where the private roadway is for the benefit of the owners and they share the costs for maintenance. SB938 empowers the Commission to hold poor performers accountable. He stated the Commission that consolidations can be forced, but there may be protests which prevent it from happening. Mr. Benoit stated that if a district is dissolved, it would fall into disrepair and then have to form a CSA again. He continued that the County is the backstop when CSAs fail.

Alternate Commissioner Copeland suggested that several districts get a contract with a paving contractor to do the work over a set amount of time and potentially get a lower price.

Commissioner Paque asked how many of the districts with problems would fall under SB938, to which Director Benoit answered that most would.

Commissioner Folendorf reported that CSD Rocky Road members filed their Form 700s, have a website and have meetings at Black Creek Park and seem to be moving in the right direction.

Director Benoit stated that these groups should continue to work with their district supervisor and/or LAFCo and not shelve their service report.

It was determined that Director Benoit will contact the districts to see how they're doing in the next four months and report back to the Commission regarding the progress. The Clerk-Recorder's Office will provide sample bylaws to the CSAs/CSDs.

Lastly, Mr. Benoit noted that several districts are proposing rate increases in the near future.

7. Consider nomination for the Calafco Central Section City and (or) Public Member for the Calafco Board of Directors

Consider Nomination for the City and (or) Public member for the Central Region Board Member to run for a two-year term of office. Central Region (Kern to Sacramento) Public Member.

Motion: Commissioner Smith
Second: Commissioner Tyrell

Ayes: All Present
Noes: None
Abstain: None

Commissioner Paque was nominated as the Public Member to represent Calaveras County.

Motion: Commissioner Herndon
Second: Commissioner Tyrell
Ayes: All Present
Noes: None
Abstain: None

Commissioner Moncada was Nominated as the City Member to represent Calaveras County.

Motion: Commissioner Herndon
Second: Commissioner Tyrell
Ayes: All Present
Noes: None
Abstain: None

8. Consider Calafco Achievement Award Nominations

Review Categories and Consider Calafco Achievement Award Nomination for 2024 To recognize people that have done outstanding work for LAFcos.

Motion: Commissioner Tyrell
Second: Commissioner Garamendi
Ayes: All Present
Noes: None
Abstain: None

Commissioner Paque was nominated to apply as the outstanding volunteer.

9. Executive Officer' s report

- a) UPUD and RCD MSR status update: Mr. Benoit gave everyone a bag from the recent staff workshop and reported that the UPUD MSR report, RCD MSR report will be reviewed at the next meeting. There are active people on the RCD Board and have an active conservationist.
- b) Calafco Staff Workshop in Murphys: Mr. Benoit thanked Commissioners Paque and Herndon for their participation at the recent staff workshop. He always learns something new and attended the Independent LAFCo session. LAFcos are independent of the County which enabled EOs to act independently from the counties and not be governed by the counties. Sessions on mapping disadvantaged communities, getting grants, mobile workshop went to the UWPA tour, but couldn't

- access the ¾ Flume, due to mud on the roadway and an irritated neighbor. It was great conference. He added that he hired Ms. Severud as the new Calaveras Clerk..
- c) City of Angels Proposed Annexations. The City and the Board of Supervisors will see this before the LAFCo Board does. It is basically regarding tax sharing agreements. Mr. Benoit stated that it could go to LAFCo first, but that hasn't been done in the past. Commissioner Folendorf suggested that the City should have a conversation with the County first.

10. Commissioners Reports

Commissioner Tyrell said that the County should be nice to the city and give them what they want.

Commissioner Paque welcomed Ms. Severud and thanked Mr. Benoit for helping to get the workshop in the County (at Ironstone).

Commissioner Smith asked Mr. Benoit if he will ease the Board into the process of finding a new Executive Officer when he retires.

Commissioner Paque added that Roseanne Chamberlain is currently the interim EO in Amador.

Mr. Benoit noted that there may be a community member, knowledgeable in local government, that is trainable and could be a good fit.

Commissioner Folendorf reported that she met with the City Administrator and the County CEO regarding the tax sharing and then proceed as they see fit.

The meeting was adjourned at 7:00 PM.

11. NEXT LAFCO MEETING will take place on: July 17, 2023 - 6:00 PM in San Andreas

CALAVERAS LAFCO

LAFCO CLAIM AUTHORIZATION FORM

for

May and June 2023

Authorize payment of the following claims:

FY 2022-2023 Expenses:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
May 15, 2023	Commission meeting stipends	\$ 900.00
June 1, 2023	Staff Svcs and Expenses May 2023	\$ 3,555.69
June 1, 2023	File Scanning	\$ 4,455.00
July 1, 2023	Staff Svcs June 2023	\$ 4,297.38
	TOTAL:	\$ 13,208.07

FY 2023-2024 Expenses

July 1, 2023	Calafco Dues 23-24	\$ 1,837.00
July 1, 2023	SDRMA Dues FY 23-24	\$ 2,807.81
	TOTAL	\$ 4,644.81

DATED: July 17, 2023

APPROVED: July 17, 2023

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

Attest:

John Benoit
Executive Officer

Item	Account Number	Comm Stipends	Insurance	Communication	Memberships	GenOfficeExt	Postage	copies	MSR	SOI	Ex. Off. Svcs	City Fin Charge	Lgl Notices	Training
		62001	62050	62051	62052	62053	62054	62055	62057	62058	62059	62060	62061	62062
Total Budgeted		\$ 5,800.00	\$ 2,447.00	\$ 800.00	\$ 4,197.00	\$ 350.00	\$ 500.00	\$ 1,500.00	\$ 28,000.00	\$ 20,000.00	\$ 27,000.00	\$ 3,600.00	\$ 350.00	\$ 4,600.00
Calafco dues 22-23					\$ (1,696.00)									
SDRMA Insurance 22-23			\$ (2,824.92)											
Payroll 7.18.22		\$ (700.00)												
Staff Svcs July 2022				\$ (67.19)	\$ (33.35)	\$ (1.00)		\$ (15.00)			\$ (4,894.40)			
Calafco Conf Regis 2022				\$ (80.64)	\$ (13.99)				\$ (4,394.80)		\$ (3,000.00)			\$ (3,570.00)
September 2022 staff services		\$ (800.00)												
Payroll 9.19.22				\$ (67.80)	\$ (11.94)			\$ (20.00)		\$ (2,000.00)	\$ (2,415.60)			\$ (354.92)
Staff Svcs October 2022														
Kirk Smith Conf. Reimbursement														
Gary Tofanelli Conf Reimbursement					\$ (500.00)									
CSDA dues 2023				\$ (80.64)	\$ (13.99)				\$ (3,000.00)					
Staff Svcs August 2022														
Anita Paque Conf Reimb 2022				\$ (74.49)				\$ (40.00)	\$ (3,650.00)		\$ (3,000.00)			
Reimb Calafco confg IlMoncada														
Staff Svcs November 2022		\$ (700.00)												
Payroll 11.21.2022				\$ (74.49)		\$ (0.60)								
Staff Svcs December 22		\$ (900.00)								\$ (2,192.32)	\$ (3,000.00)			
Payroll 1.23.23				\$ (74.45)				\$ (25.00)	\$ (1,596.00)				\$ (21.00)	
Staff Svcs January 2023(23-33)				\$ (74.45)				\$ (10.00)	\$ (1,883.80)		\$ (3,670.80)			
Valley Spgs news 23-24 Budget		\$ (800.00)						\$ (53.90)	\$ (1,489.60)		\$ (5,532.80)			
Staff Svcs February 2023				\$ (68.29)	\$ (67.90)			\$ (2,000.00)	\$ (2,947.60)					
Payroll 3.20.2023				\$ (67.83)	\$ (11.44)									
Staff SVCS March 2023														
Staff Svcs April 2023				\$ (81.86)	\$ (15.80)			\$ (15.00)			\$ (3,351.60)			\$ (655.00)
Valley Spgs news 23-24 Final Budget		\$ (900.00)												
Payroll 5.11.23				\$ (61.95)	\$ (57.01)									
Staff Svcs May 2023														
Yuba LAFCO Reimbursemt														
Staff Svcs June 2023														

TOTAL BUDGETED	TOTAL EXPENSES	TOTAL REMAINING
\$ 5,800.00	\$ 15,807.68	\$ 459.50
\$ 2,447.00	\$ 4,642.80	\$ 3,600.00
\$ 800.00	\$ 15,807.68	\$ 459.50
\$ 4,197.00	\$ 4,642.80	\$ 3,600.00
\$ 350.00	\$ 15,807.68	\$ 459.50
\$ 500.00	\$ 4,642.80	\$ 3,600.00
\$ 1,500.00	\$ 15,807.68	\$ 459.50
\$ 28,000.00	\$ 4,642.80	\$ 3,600.00
\$ 20,000.00	\$ 15,807.68	\$ 459.50
\$ 27,000.00	\$ 4,642.80	\$ 3,600.00
\$ 3,600.00	\$ 15,807.68	\$ 459.50
\$ 350.00	\$ 4,642.80	\$ 3,600.00
\$ 4,600.00	\$ 15,807.68	\$ 459.50

June 19, 2023

Mr. John Benoit
Executive Officer
Local Agency Formation Commission of Calaveras County
Post Office Box 2694
Granite Bay, California 95746

Dear Mr. Benoit,

We sincerely appreciate your patience while the program reinsurers finalized the 2023-24 renewal costs for the SDRMA Property/Liability Program over the past few months. As expected, the program final renewal costs have been impacted by the challenging conditions of the current insurance market.

The initial program renewal estimates were projected to be a 15%-20% increase in early 2023. Since then, the market renewal pricing for public entities are increasing between 35-70% due to global losses, natural disasters, inflation and limited carriers providing coverage within the state of California. The American Property Casualty Insurance Association (APCIA) announced the United States Property & Casualty Insurers are facing the hardest market in a generation with the following Inflation and Financial Results:

- 2022 was the eighth consecutive year where the U.S. suffered at least 10 catastrophes causing over a billion dollars in losses.
- A.M. Best noted auto and homeowners incurred an estimated underwriting loss of \$34.9 billion in 2022, nearly tripling the prior-year level and driving an industry five-year high underwriting loss.
- The price of residential home construction materials have climbed 33.9% since the start of the pandemic, while trade services are up 27 percent.
- The U.S. property casualty insurance industry's policyholder surplus fell 9.4% in 2022, according to A.M. Best, and is likely to be the largest drop since early 2009, according to S&P.

Given these difficult market conditions and challenging renewal terms, in addition to your agency's loss experience, scheduled item changes, budget updates and exposure changes that were reported to SDRMA since July 1, 2022, your agency may see an increase greater than the estimated 15-20%.

Your agency's 2023-24 Property/Liability Program renewal invoice is now available on MemberPlus Online™ as an attachment to this letter. If your agency has an insurance broker for property/liability coverage, you may receive a separate invoice from your broker agency.



Your invoice may include the following adjustments:

- The annual contribution for the Property/Liability Package Program may vary compared to the 2022-23 renewal invoice due to scheduled item changes, updates submitted through the renewal questionnaire, and any optional coverages selected by your agency.
- The Limit of Liability selected by your agency is also indicated on the invoice.
- For members belonging to both SDRMA Property/Liability and Workers' Compensation Programs, a 5% Multi-Program Discount has been deducted from the invoice total.
- Credit Incentive Program (CIP) discounts, if earned, have been applied to your invoice.
- In addition, a \$75 credit has been applied if your agency used MemberPlus Online™ to submit your 2023-24 Renewal Questionnaire by the February 15 deadline.
- No Longevity Distribution is declared for the Property/Liability Program this year.

To ensure accurate and timely processing of your coverages, **please submit payment for the total contribution amount shown on the invoice by July 15, 2023.** If you would like to receive a hard copy invoice, please contact us at memberplus@sdrma.org or 800-537-7790.

Please note that any balance due on **August 15, 2023** will begin to accrue interest charges of 1% per month regardless of any payment arrangements.

From the SDRMA Board of Directors and entire risk management team, we thank you for your continued partnership! If you have any questions, please contact us at memberplus@sdrma.org or 800-537-7790.

Sincerely,
Special District Risk Management Authority

Brian Kelley
Chief Executive Officer