

Calaveras Local Agency Formation Commission

Meeting Minutes – Monday, January 25, 2021

1. **Call to Order/Roll Call** – Order was called by Vice-Chair Callaway at 6:07 p.m. on Monday, January 25, 2021, via video conference.

Commissioners Present

Merita Callaway, County Member, Vice Chair
Gary Tofanelli, County Member
Jennifer Herndon, City Member
Isabel Moncada, City Member
Tony Tyrrell, Special Dist. Member
Anita Paque, Public Member
Amanda Folendorf, County Member Alt.

Commissioners Absent

Alvin Broglio, City Member Alt.
John Lavaroni, Special Dist. Mem.
Jon Dashner, Special Dist. Mem. Alt.
Roark Weber, Public Member Alt.

Staff Present

John Benoit, Executive Officer
Nancy Mees, LAFCO Clerk

Others Present

2. **Approval of Agenda:**

As there were no additions or deletions, Vice-Chair Callaway approved the agenda as presented.

3. **Consider Minutes of the November 16, 2020, LAFCo meeting:**

MOTION by Commissioner Tyrrell to approve the Minutes as presented, second by Commissioner Paque. Motion passed 5 yes, 0 no, 1 abstention, 1 absent.

4. **Consent Agenda:**

Review and authorize claims for November and December 2020.

MOTION by Commissioner Tofanelli to approve the Consent Agenda and Claims for November and December 2020 as presented, second by Commissioner Tyrrell. Motion passed 6 yes, 0 no, 0 abstention, 1 absent.

5. **Correspondence:**

CALAFCO Calendar for 2021

Executive Officer Benoit explained that Commissioners attending the State Conference this year will be determined at the meeting in which the budget is discussed.

6. Workshop regarding the Mokelumne Hill Sanitary District Service Review and Sphere of Influence (MSR and SOI):

Executive Officer Benoit gave a brief description of what MSRs and SOIs are for the benefit of the new Commissioners. He then stated that the last MSR/SOI for the Mokelumne Hill Sanitary District was done about ten years ago.

Mr. Benoit reported that this district is a severely disadvantaged district. The district does have an adequate sewer and wastewater system, and is constantly working to fix problems in the collection system. Capacity is adequate. The district is financially solvent. There is no opportunity for sharing facilities, however, as the next closest sanitary district is too far away. The district has a full board which operates efficiently and posts notices timely and publicly.

Mr. Benoit pointed out that an area which is in the sphere, but not in the district's boundary, is where the irrigation field is located. He added that the district should annex that area, but that it is not required. He concluded by saying that the Public Hearing on this MSR/SOI will be held at the next meeting.

Vice-Chair Callaway asked if Mr. Benoit had received any feedback from the district, and he replied that he had received updated figures, board information, and financials.

7. Special District Members and Alternate:

Having not received a quorum of Special Districts voting, discuss staff sending out a second ballot to non-responding districts.

Executive Officer Benoit reported that nine districts responded and 33 did not. According to the codes, those 33 districts will therefore have to be given another 60 days to respond. Mr. Benoit feels that all of the ballots should be mailed this time rather than emailed, and the instructions will be written so that it is clear that only the chair needs to sign the ballot, not the entire board.

Vice-Chair Callaway asked whether, if there is still no quorum, could the election be based on the ballots received. Mr. Benoit responded that the rules say there must be a quorum (which would be 21 districts' votes in Calaveras County), and if there is no quorum, the persons who are currently seated would retain their positions. He added that the ballots will be sent out this week or the next.

8. Executive Officer's Report

a) Future Projects.

Executive Officer Benoit stated that there is an annexation that will be coming up soon.

b) *Angels Camp Sphere of Influence.*

Mr. Benoit reported that this should be done soon. There was then some discussion among the Board regarding the last time the Angels Camp SOI was voted on.

c) *San Andreas Sanitary District and UPUD MSR and SOI.*

d) *CSDA Pay What You Can Program.*

Mr. Benoit explained that districts which meet certain criteria can join CSDA at a lower rate, and that there are several districts in Calaveras County that are on that list, mostly cemetery districts and small road maintenance districts. Commissioner Paque stated that it was her understanding that this program was good for two years. Mr. Benoit replied that that was correct, but that districts that have small budgets generally have had to pay less anyway.

e) *CSDA Special District Laws Guide.*

Mr. Benoit reported that the Guide is on the Calaveras LAFCo website. He hopes that it will be helpful because many of the small districts are not in compliance with all of the laws. Vice-Chair Callaway asked about how LAFCo is reaching out to the districts. Mr. Benoit replied that staff could send a notice of this program out when the Special District ballots are mailed. Commissioner Tofanelli requested that Jenny Lind VMD be added to the list of districts qualifying for this program.

9. Commissioner Reports

Commissioner Paque reported that there had just been a CALAFCO Board meeting. Discussion of §56143 regarding extension of services will be coming up this year due to the fact that many Special Districts have been trying to circumvent LAFCO in their service extension projects. CALAFCO would like to see if there is a way of resolving this without having to go through the Legislature. Another issue regards mutual water companies being purchased by private companies, which then raise prices. This generally happens in disadvantaged communities so that there then becomes an issue of being able to provide adequate water and wastewater to that community. Finally, Ms. Paque said the CALAFCO Board had reviewed its dues structure for the coming year, and that Calaveras LAFCo's dues would increase about six dollars.

Executive Officer Benoit reminded the Commissioners that 700 Forms are due April 1 and that they should be sent to him.

10. Public Comment:

There was no public comment.

11. Adjournment

Meeting was adjourned at 6:47 p.m. The next regular meeting will be Monday, March 15, 2021, at 6:00 p.m.

Minutes submitted by Nancy Mees.

DATED:

APPROVED:

Merita Callaway, Vice Chair,
Calaveras Local Agency Formation