

Calaveras Local Agency Formation Commission

Regular Meeting Minutes – Monday, November 19, 2018

1. **Call to Order/Pledge of Allegiance/Roll Call** – Order was called by Chair Paque at 6:00 p.m., on Monday, November 19, 2018, in the Calaveras County Board of Supervisors Chambers, County Administrative Center, San Andreas, California.

Commissioners Present

Anita Paque, Chair, Public Member
Tony Tyrrell, Vice Chair, Special Dist. Mem.
Amanda Folendorf, City Member
Linda Hermann, City Member
John Lavaroni, Special Dist. Member
Gary Tofanelli, County Member.
Michael Oliveira, County Member
Jon Dashner, Special Dist. Mem. Alt.

Commissioners Absent

Roark Weber, Public Member Alt.
Dennis Mills, County Member Alt.
Joseph Oliveira, City Member Alt.

Staff Present

John Benoit, Executive Officer
Nancy Mees, LAFCO Clerk

Others Present

2. **Approval of Agenda:**

MOTION by Commissioner Tofanelli to approve the Agenda, second by Commissioner Folendorf. Motion passed 7 yes, 0 no, 0 absent, 0 abstention.

3. **Consider Minutes from the September 17, 2018, LAFCo meeting:**

MOTION by Commissioner Tyrrell to approve the Minutes as presented, second by Commissioner Hermann. Motion passed 7 yes, 0 no, 0 absent, 0 abstention.

4. **Consent Agenda:**

a. *Review and Authorize Claims for September and October 2018.*

MOTION by Commissioner Tyrrell to approve the Consent Agenda and Claims for September and October 2018 as presented, second by Commissioner Lavaroni. Motion passed 7 yes, 0 no, 0 absent, 0 abstention.

5. Sphere of Influence Amendment for the Union Public Utility District – Padou and Metzger:

Receive Executive Officer’s report, conduct Public Hearing and consider Resolution 2018-0005 approving a Sphere of Influence Amendment to include 83.07 acres more or less to the Union Public Utility District, consisting of 79.5 acres (Padou) and 3.57 acres (Metzger).

Executive Officer Benoit reported that originally Metzger had requested annexation to Union Public Utility District (UPUD), and Padou later requested to be included also. Although this sphere amendment includes both parcels, LAFCo has only received an annexation application from Padou. The Metzger annexation will be done at a later time. The annexations are for domestic water service, with only one connection each. The Metzger annexation is the result of a lot line adjustment.

The only comment received worth mentioning was by County Planning. They said the lots are not in the Vallecito/Murphys planning area. Mr. Benoit stated that, although that is true, a lot of UPUD is not in that planning area, and since the Padou property will never become a subdivision, this is not an issue.

Compared to the size of UPUD’s area, these annexations are very small. Both annexations were initiated through a resolution by UPUD. Chair Paque asked about the properties surrounding this sphere addition. Mr. Benoit responded that the surrounding parcels are zoned rural agricultural, one is a large parcel of BLM land, and there are a few smaller parcels. The parcels being annexed are contiguous to UPUD boundaries.

Chair Paque opened the Public Hearing. There was no public comment, so the Public Hearing was closed.

MOTION by Commissioner Oliveira to approve Resolution 2018-0005 amending the Sphere of Influence for Union Public Utility District, second by Commissioner Tyrrell. Motion passed 7 yes, 0 no, 0 absent, 0 abstention.

6. Padou Annexation to the Union Public Utility District – Padou property consisting of 79.5 acres:

Receive Executive Officer’s report and conduct Public Hearing, and consider LAFCo Resolution 2018-0006 approving the Padou annexation of 79.5 acres to the Union Public Utility District subject to terms and conditions.

Executive Officer Benoit reported that there is an agreement between Padou and UPUD regarding annexation and water service. Mr. Padou will need to update the maps and pay a fee to the Board of Equalization if the resolution is approved.

Chair Paque opened the Public Hearing. There was no public comment, so the Public Hearing was closed.

MOTION by Commissioner Lavaroni to approve Resolution 2018-0006 annexing 79.5 acres to Union Public Utility District, second by Commissioner Tyrrell. Motion passed 7 yes, 0 no, 0 absent, 0 abstention.

7. Hold General Discussion regarding LAFCo’s Jurisdiction and Districts subject to LAFCo’s review – “definition of a district” and “change of organization”:

Executive Officer Benoit stated that, rather than holding a LAFCo 101, he will be reviewing LAFCo information in pieces over a number of regular meetings. Government Code §56021 tells what LAFCo does. Section (m) talks about changes in services provided by special districts. In addition, LAFCo oversees out-of-area service agreements. Section 56036 defines what a special district is, and Section 56036.6 states what types of districts are not within LAFCo jurisdiction. Section 56037.2 discusses “divestiture of power” and Mr. Benoit mentioned the divestiture of sewer and water service from Wallace several years ago as an example of this. Mr. Benoit believes we will see more of these divestitures in the future.

LAFCo also does sphere reviews and updates, as well as Municipal Service Reviews. Mr. Benoit stated that MSR’s are very useful, and the County often refers to LAFCo’s MSR’s. He will review sphere changes and MSR’s at a later meeting.

Commissioner Tofanelli stated that he appreciates these informational sessions because he has numerous people who ask him about what LAFCo is and does.

8. Hold discussion regarding the CALAFCo Annual Conference – October 2-5, 2018:

Commissioner Tyrrell reported that this year’s conference was one of the best he’s attended in that it was better organized and covered better topics.

Executive Officer Benoit pointed out that Chair Paque, as the conference chair, was the star of the conference. He added that there were sessions covering LAFCo’s role regarding natural disasters and MSR’s, and that the conference is always a good opportunity for commissioners to meet each other as well as the legislators who sometimes attend. Mr. Benoit believes a major topic at next year’s conference may be Health Care Districts. Although Calaveras’s Health Care District is smoothly run and useful, there are many Health Care Districts that should no longer exist. He believes another big topic may be streamlining protest proceedings. In addition, with a new governor coming in, legislation may be treated differently.

Chair Paque said possible legislation is already being considered by the legislators, and CALAFCo will have to monitor new bills as they appear. She added that the conference had a session on mutual aid agreements between fire districts, consolidating dispatching, and other ways that fire response can be improved in California.

Commissioner Dashner spoke from the audience, also praising Chair Paque for her performance during the conference. He reported that Calaveras County had held a wine tasting event in the lobby of the hotel, and it was favorably received. He has already received ten notes of thanks from other counties, and believes it did a lot to introduce those counties to Calaveras. He added that Amador County proposed they have a taste-off at the next annual conference.

9. Executive Officer's report:

San Andreas Sanitary District MSR and SOI; Murphys Sanitary District MSR and SOI; Valley Springs Public Utility District MSR and SOI; and Calaveras Public Utility District MSR and SOI

Executive Officer Benoit reported that all of these have been sent to the district managers for review.

Union Public Utility District MSR and SOI

Executive Officer Benoit reported he still has not received any information from them yet, and that they do not respond to his emails.

10. Meeting Schedule for Calendar Year 2019:

MOTION by Commissioner Tofanelli to approve the Meeting Schedule for Calendar Year 2019 as presented, second by Commissioner Tyrrell. Motion passed 7 yes, 0 no, 0 absent, 0 abstention.

11. Commissioners Reports:

Commissioner Oliveira stated that he has enjoyed being on the LAFCo commission and will miss being on the board.

12. Public Comment:

There was no public comment.

13. Adjournment:

Meeting was adjourned at 6:48 p.m. The next regular meeting will be Monday, January 21, 2018, at 6:00 p.m., in San Andreas. This is not the third Monday, but is being moved because January 21 is Martin Luther King, Jr., Day.

Minutes submitted by Nancy Mees.

DATED: _____

APPROVED: _____

Anita Paque, Chair, or Tony Tyrrell, Vice
Chair, Calaveras Local Agency Formation