

# Calaveras Local Agency Formation Commission

## Regular Meeting Minutes - Monday May 16, 2016

1. **Call to Order/Pledge of Allegiance/Roll Call** – Order was called by Chair Paque at 6:07 p.m. on Monday, May 16, 2016, in the Calaveras County Board of Supervisors Chambers, County Administrative Center, San Andreas, California.

### Commissioners Present

Anita Paque, Chair, Public Member  
Amanda Folendorf, City Member  
Bert Sobon, City Member  
John Lavaroni, Special District Member  
Cliff Edson, County Member  
Debbie Ponte, County Member Alt.

### Commissioners Absent

Michael Oliveira, County Member  
Tony Tyrell, Vice Chair, Special Dist.  
Don Young, Special Dist. Alt.  
Tony Tyrrell, Special District  
Scott Behiel, City Alternate

### Staff Present

John Benoit, Executive Officer  
  
Nancy Mees, LAFCO Clerk

### Others Present

Sign Interpreters  
Roark Weber, Public Alternate

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 Special District Category:* **MOTION** by Commissioner Ponte to bypass a Special District member being Chair and move to a City member being Chair and nominating Commissioner Folendorf for Chair, second by Commissioner Sobon. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.
  - b. *Elect a Vice-Chair from the City Category:* **MOTION** by Commissioner Edson nominating Commissioner Oliveira for Vice-Chair, seconded by Commissioner Ponte. Motion passed 6 yes, 0 no, 1 absent, 0 abstention. Commissioner Folendorf assumed the Chair position.
3. **Approval of Agenda:** **MOTION** by Commissioner Paque to approve the Agenda as presented, second by Commissioner Sobon. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

4. **Consider Minutes from the April 18, 2016, LAFCo meeting.** MOTION by Commissioner Ponte to approve the Minutes as presented, second by Commissioner Paque. Motion passed 5 yes, 0 no, 1 absent, 1 abstention.
5. **Consent Agenda: Review and Authorize Claims for April 2016.** MOTION by Commissioner Paque to approve Claims for April 2016 as presented, second by Commissioner Lavaroni. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

#### PUBLIC HEARING

#### 6. **Public Hearing regarding the 2016-2017 Final Calaveras LAFCo Budget.**

Executive Officer Benoit reported that no changes had been made to the budget since the Commission's review and discussion of it at the April meeting.

**Public Comment:** No public comments.

MOTION by Commissioner Sobon to accept the 2016-2017 Final Calaveras LAFCo Budget as presented, second by Commissioner Edson. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

#### 7. **Consider LAFCo Bylaw amendment thereby adding Section 5.11 - Legislative Process Participation - to the Calaveras LAFCo Bylaws.**

Executive Officer Benoit explained that the purpose of this Bylaw amendment is to deal with the fact that legislative bills are often changed quickly, thus requiring a quick response from the LAFCo Commission. In situations when there is no time for the full Commission to hear and address the issue, a comment or response can be written by the Executive Officer in consultation with the Chair and Vice-Chair, subject to review by the full Commission at its next regular meeting.

**Public Comment:** No public comments.

MOTION by Commissioner Lavaroni to adopt Resolution No. 2016-0006, amending the LAFCo Bylaws by adding Section 5.11 as presented, second by Commissioner Paque. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

#### 8. **Review Records Retention Policy Adopted on November 18, 2013.**

Executive Officer Benoit reported that he is in the process of making all LAFCo records digital and is following the Records Retention Schedule included in the packet. He has

spoken with other counties to see what types of digital media they are using and how long they retain their action minutes. Commissioner Paque stated that she feels we should continue in our present practice of not retaining the meeting tapes beyond approval of the written minutes for that meeting because both the board and the public have time to comment before the written minutes are finalized and approved. Commissioner Ponte asked how requests for minutes are fulfilled, and Executive Officer Benoit explained that LAFCo has its Public Records and keeps the written records in storage. If electronic records were available, they would be more accessible to the public, and he will look into a protocol LAFCo could use and bring that to the Commission at a later date.

**9. Review letter regarding the Draft Circulation and Conservation and Open Space Elements and authorize the Chair to sign.**

Executive Officer Benoit reported that he had taken the comments from the Commissioners at the last meeting and written the draft letter to the Calaveras County Planning Department that is in the packet, stating the Commission's concerns about correlating with the land use map and the General Plan's conservation easement policy, among other items. Commissioners Edson and Ponte made some comments about the General Plan.

**Public Comment:** No public comments.

**MOTION** by Commissioner Ponte to accept the letter as written for signature and submittal to the county, second by Commissioner Paque. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

**10. Review letter mailed to Senate Committee on Environmental Quality regarding opposition to SB 1318 (Wolk).**

It was pointed out by Commissioner Edson that this letter is an example of why the Bylaw amendment adding Section 5.11 was needed. Commissioner Paque gave a review of what SB 1318 is about, why LAFCo has issues with it, and what CALAFCo and many local LAFCos are doing to try to get the bill favorably amended. Commissioner Edson suggested we copy our local state representatives whenever we correspond with a State Legislative committee regarding legislation. Executive Officer Benoit says he has, and will continue to do so.

**11. Executive Officer's report.**

- a. Special District member recruitment – only three votes have been received so far, leaving about 27 more to go.

LAFCo now has most of the sphere maps it needs for CCWD. Once all maps are ready, they will be forwarded to CCWD and LAFCo will hold a workshop on it.

Executive Officer Benoit is expecting comments back from CCWD. We currently have all the maps for the service zones for water and sewer, and the Executive Officer is now working on the irrigation maps, some of which he hasn't received yet. He believes there may be some overlaps between CCWD and other irrigation districts.

**12. Commission Reports:** Commissioner Edson commented that he believes it is good that we are looking at state legislation and how it affects our sewer and water districts.

**13. Public Comment:** No public comments.

**14. Adjournment:** Meeting was adjourned at 7:03 p.m. The next scheduled LAFCo meeting will be held Monday, July 18, 2016.

Minutes submitted by Nancy Mees.

**DATED:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

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Amanda Folendorf, Chair, or Michael Oliveira,  
Vice Chair, Calaveras Local Agency Formation