

Calaveras Local Agency Formation Commission

Regular Meeting Agenda

(AMENDED to add Item #9)

MONDAY July 15, 2013 – 6:00 p.m.
at the

Calaveras County Board of Supervisors Chambers
County Administrative Center
San Andreas

1. Call to Order/Pledge of Allegiance/Roll Call

Commissioners

Bert Sobon, City Member
Jack Lynch, Vice-Chair City Member
Merita Callaway, County Member
Darren Spellman, County Member
Tony Tyrrell, Special District Member
John Lavaroni, Chair, Special District Member
Anita Paque, Public Member

Paul Stein, Public Member Alt.
Debbie Ponte, County Member Alt.
Stuart Raggio, City Member Alt.
Don Young, Special Dist. Member Alt.
Staff:
John Benoit, Executive Officer
Lucy Thein, LAFCO Clerk
Michael Colantuono, LAFCO Counsel

2. CLOSED SESSION 6:00 PM item

<p>CONFERENCE WITH LEGAL COUNSEL : ANTICIPATED LITIGATION MOKELUMNE HILL FIRE PROTECTION DISTRICT</p>
--

A point has been reached where, in the opinion of the Commission on the advice of its legal counsel, based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the Commission: written communication from legal counsel for Mokelumne Hill Fire Protection District threatening litigation (copy available for public inspection by emailing John Benoit, Executive officer at johnbenoit@surewest.net or LAFCo's webpage www.calaveraslafco.org). (Gov. Code § 54956.9 (d)(2) & (e)(3).)

3. Report from Closed Session

4. Approval of Minutes for the June 17, 2013 meeting

5. 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 are on the agenda, public comment will be 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 Chairman 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.

6. Consent Agenda:

- a. Review and Authorize Claims for June 2013

7. Election of Chair and Vice-Chair in accordance with LAFCO's Bylaws.

- a) *The Chair and the Vice Chair shall be elected each year at the May meeting or the next regular meeting thereafter and shall take office immediately. If a vacancy occurs in any Commission office during the year, it shall be filled by election at the next regular meeting following occurrence of the vacancy.*
- b) *The offices of Chair and Vice Chair shall be rotated in the following order: County, Public, District and City.*
- c) *Elect 2012-2013 Chair from the City Member Category and Elect Vice-Chair from the County Category*

Other Items:

8. Executive Officer's report

- a) *Calaveras River Estates Application*

9. Extension of time for LAFCo file 2012-001 Wallace CSD Divestiture of Powers to comply with terms and conditions of LAFCo Resolution 2012-0005.

- a) *Consider a three month's extension of time for the WCSD to comply with Conditions in LAFCo Resolution 2012-0005 thereby extending the expiration date from July 16, 2013 to October 16, 2013.*
- b) *Authorize Chair to sign letter to the Wallace CSD and CCWD granting a three-month's extension.*

10. 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

11. Adjourn to next regular meeting scheduled for August 19, 2013, if needed

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 submitted to the Commission after distribution of the agenda area available for review for public inspection in the Calaveras Co. Administrative office located at the County Administrative Center, 891 Mountain Ranch Road, San Andreas CA. [such documents are also 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

An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting.

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: johnbenoit@surewest.net