

Calaveras Local Agency Formation Commission

Regular Meeting Minutes – Monday, July 15, 2019

1. **Call to Order/Pledge of Allegiance/Roll Call** – Order was called by Chair Lavaroni at 5:58 p.m., on Monday, July 15, 2019, in the Calaveras County Board of Supervisors Chambers, County Administrative Center, San Andreas, California.

Commissioners Present

John Lavaroni, Chair, Special Dist. Mem.
Alvin Broglio, Vice Chair, City Member
Anita Paque, Chair, Public Member
Tony Tyrrell, Special Dist. Member
Merita Callaway, County Member
Joseph Oliveira, City Member Alt.
Dennis Mills, County Member Alt.
Jon Dashner, Special Dist. Mem. Alt.
Roark Weber, Public Member Alt.

Commissioners Absent

Gary Tofanelli, County Member.
Amanda Folendorf, City Member Alt.

Staff Present

John Benoit, Executive Officer
Nancy Mees, LAFCO Clerk

Others Present

2. **Election of Chair and Vice Chair per Section 4.6 of LAFCo Bylaws (continued from May 18, 2019):**

- a. *Election of Chair (special district member)*

MOTION by Commissioner Tyrrell to nominate Commissioner Lavaroni as Chair, second by Commissioner Paque. Motion passed 7 yes, 0 no, 0 abstention, 0 absent.

- b. *Election of Vice-Chair (city member)*

MOTION by Commissioner Tyrrell to nominate Commissioner Broglio as Vice Chair, second by Commissioner Mills. Motion passed 7 yes, 0 no, 0 abstention, 0 absent.

3. **Approval of Agenda:**

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

4. Consider Minutes from the May 18, 2019, LAFCo meeting:

The Commission pointed out a typo in the May Minutes: in Agenda Item 4 it should say “Consider Minutes from the March 18” meeting, not May.

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

5. Consent Agenda:

MOTION by Commissioner Callaway to approve the Consent Agenda and Claims for May and June 2019 as presented, second by Commissioner Mills. Motion passed 7 yes, 0 no, 0 abstention, 0 absent.

6. Correspondence:

Executive Officer Benoit stated that there was no correspondence other than the letter from General Counsel which will be discussed in Agenda Item 7. He did add that LAFCo does receive complaint letters, especially regarding Special Districts, but that LAFCo is not an enforcement agency.

7. Consent for LAFCo General Counsel to represent County of Calaveras in a lawsuit (continued from May 18, 2019), *Greer et. al v. Calaveras County et. al:*

Action; Review memorandum from Colantuono, Highsmith and Whatley, PC, dated March 18, 2019, and consider request.

Commissioner Callaway reported that Commissioner Tofanelli had asked for this to be continued so that he could talk with County Counsel first. Commissioner Tofanelli had done so, and County Counsel had said they did not see any conflict of interest. Commissioner Paque reminded the Commission that she had wanted the words “and in other matters in which the County does not have an adverse interest to those of LAFCO.” She felt that if a possible conflict of interest issue should arise in the future, it should be considered independently at that time.

MOTION by Commissioner Paque to approve signing of the letter as amended, second by Commissioner Callaway. Motion passed 7 yes, 0 no, 0 abstention, 0 absent.

Chair Lavaroni asked if there was any public comment on the Agenda Items discussed thus far. There was none.

PUBLIC HEARING:

8. Public hearing – Dissolution of inactive districts [County Service Areas #5 (Campo Seco Estates), #7 (Forest Meadows), #10 (El Rancho Loma) and #11 (Knob Hill Estates)]:

Receive Executive Officer’s report and open public hearing regarding the dissolution of County Service Areas #5, #7, #10, and #11, and consider LAFCo Resolution 2019-0006, thereby dissolving

CSAs 5, 7, 10 and 11.

Chair Lavaroni opened the Public Hearing.

Executive Officer Benoit explained that these four districts had been listed in the letter from the State Controller's Office as being inactive and mandating their dissolution. He reported that they did, in fact, meet the criteria for being inactive and the process of dissolution had been initiated at the May meeting.

Patsy Gonzalez, a resident of the City of Angels asked who would take control of those areas once the districts were dissolved. Mr. Benoit responded that the County would.

Commissioner Callaway commented that she represented the area in which two of the Districts are located, and she sees no problem in dissolving them.

There being no public comment, Chair Lavaroni closed the Public Hearing.

MOTION by Commissioner Paque to adopt Resolution 2019-0006 as presented dissolving CSAs #5, #7, #10 and #11, second by Commissioner Tyrrell. There was a call for a roll call vote.

Commissioner Paque – yes

Commissioner Broglio – yes

Commissioner Oliveira – yes

Commissioner Callaway – yes

Commissioner Tyrrell – yes

Commissioner Lavaroni – yes

Commissioner Mills – yes

Motion passed 7 yes, 0 no, 0 abstention, 0 absent.

9. Consider election of candidates for the SDRMA Board of Directors:

a. *Review candidates' statements and vote for the SDRMA Board of Directors.*

b. *Authorize the chair to sign and deliver the official election ballot..*

As a side note, Executive Officer Benoit stated that since Calaveras LAFCo has been paying dues to SDRMA for so many years, the Commission should consider nominating one of its members to run in the next election. He then stated he has worked with Sandy Siefert-Raffelson and recommended the Commission consider voting for her.

There was discussion of the various candidates among the board, with consensus that the two incumbents should retain their seats. Several Commissioners said Patrick O'Rourke sounded like a good candidate as he is from a rural area. Executive Officer Benoit informed the Commission that Jesse Claypool does not support Special Districts.

MOTION by Commissioner Callaway to vote for Bob Swan, Patrick O'Rourke and Sandy Siefert-Raffelson, and to direct Chair Lavaroni to sign and deliver the ballot, second by Commissioner Broglio. Motion passed 7 yes, 0 no, 0 abstention, 0 absent.

10. Authorize Commissioners and staff to attend the CALAFCo Annual Conference in Sacramento (October 30, 2019 – November 1, 2019):

In response to a question from the Commission, Executive Officer Benoit replied that money had been budgeted for Commissioners to attend the Annual Conference: \$2,000 for travel and \$4,000 for training. As it is in Sacramento, travel expenses should be less expensive. He recommended that four Commissioners attend.

Commissioner Callaway stated that at least the Chair and Vice Chair should attend. Commissioner Lavaroni said he would not be able to attend. Commissioner Paque stated that since she is the Conference Chair this year, she would like to be one of the Calaveras attendees. Mr. Benoit said he will be going, but that his costs will be divided among all his LAFcos and he will probably not stay at the hotel as he does not live that far from downtown Sacramento. Commissioner Paque said she would also not need to stay at the hotel.

By consensus, the Commission chose Commissioners Callaway, Broglio, Tyrell, Paque and Dashner to attend.

11. Nomination for the CALAFCo Board of Directors 2019-2020. Nominate a City Member and/or a Public Member for the CALAFCo Central Region:

MOTION by Commissioner Callaway to nominate Commissioner Paque, second by Commissioner Mills. Motion passed 7 yes, 0 no, 0 abstention, 0 absent.

Commissioner Callaway said the members attending Annual Conference would do lobbying on behalf of Commissioner Paque.

12. Select voting delegates to vote on behalf of Calaveras LAFCo at the CALAFCo Annual Conference:

Select a voting delegate and a voting delegate alternate to vote on behalf of Calaveras LAFCo at the CALAFCo Annual Conference in Sacramento.

Commissioner Callaway suggested Commissioner Tyrrell as a voting delegate, and he accepted. Commissioner Broglio volunteered to be the alternate.

13. Executive Officer's Report:

Executive Officer Benoit reported that he had received an email about nominations for a Project of the Year award, but could not think of a recent Calaveras project that would qualify, and requested that if the Commissioners had any suggestions, to let him know. He will put this on the agenda for the next meeting. Mr. Benoit stated that the next meeting

agenda will also have a review of the LAFCo Policies and Procedures as an item for discussion. Lastly, he is requesting some items from CPUD so he can begin work on their MSR.

14. LAFCo 101 presentation by LAFCo staff – Part 2 (a general overview of LAFCo):

Executive Officer Benoit presented a PowerPoint presentation on LAFCO authority and the procedures within its jurisdiction.

15. Commissioners Reports:

Commissioner Oliveira reported that UWPD now has a new manager and the City of Angels now has its police department back at full force. Commissioner Callaway stated that the Board of Supervisors will approving the General Plan in August, as well as certifying the EIR.

16. Public Comment:

There was no public comment.

17. Adjournment:

Meeting was adjourned at 7:18 p.m. The next regular meeting will be Monday, September 16, 2019, at 6:00 p.m., in San Andreas.

Minutes submitted by Nancy Mees.

DATED: _____

APPROVED: _____

John Lavaroni, Chair, or Alvin Broglio,
Vice Chair, Calaveras Local Agency
Formation