

Amended Agenda

NOTE THIS MEETING WILL BE A ZOOM MEETING

Calaveras Local Agency Formation Commission

Special Meeting Agenda

Monday – JULY 20, 2020 – 6:00 p.m.

Welcome to the CALAVERAS LAFCo special meeting. This meeting will be via Zoom (conference call) only due to the COVID-19 virus. A roll call vote is required for all items on the agenda.

You may use your phone for this meeting and no computer is required. There will be video if you choose to use it.

The complete agenda, including backup materials and materials related to items on this Agenda submitted to the Commission after distribution of the Agenda Packet, is available for public inspection on the Calaveras LAFCo website. Agenda materials are also available on the Calaveras LAFCO website at www.calaveraslafco.org

Instructions for joining meeting via Zoom are as follows:

Calaveras LAFCo and John Benoit is inviting you to a scheduled Zoom meeting.

Topic: Lake LAFCo

Time: Jul 20, 2020 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88524774532?pwd=QVZPbWZFSFJpU3hiREdQdUFvRDBqUT09>

Meeting ID: 885 2477 4532

Password: 678352

Dial by your location

+1 669 900 6833 US (San Jose)

Meeting ID: 885 2477 4532

Password: 678352

If you have any problems dialing in call LAFCo at (209)754-6511 or cell at (707) 592-7528

Items may be considered at any time during the meeting. All items are listed in accordance with the Ralph M. Brown Act. Members of the public are encouraged to participate in this teleconference meeting either by email prior to the meeting at j.benoit4@jcloud.com or by phone by dialing the number above. You may listen to the meeting by dialing the teleconference number.

This meeting is being agendized to allow staff and the public to participate via teleconference, pursuant to the Governor's Executive Orders N-25-20 & N-29-20 and dated March 12, 2020 & March 17, 2020. These Executive Orders authorizes local legislative bodies to hold a public meeting via teleconference or other electronic means and to make public meetings accessible to telephonically to all members of the public and staff in effort to observe Social Distancing Recommendations in effect for the entire country.

(All meeting materials are available on LAFCo's Website: www.calaveraslafco.org)

6:00 PM Regular LAFCo Meeting Items:

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

Commissioners

John Lavaroni, Special District Member

Alvin Broglio, City Member, Chair

Joseph Oliveira, City Member

Gary Tofanelli, County Member

Merita Callaway, County Member, Vice-Chair

Tony Tyrrell, Special District Member

Anita Paque, Public Member

Roark Weber, Public Member Alt.

Dennis Mills, County Member Alt.

Jon Dashner, Special Dist. Member Alt.

Amanda Folendorf, City Member Alt

Staff:

John Benoit, Executive Officer

Nancy Mees, LAFCO Clerk

Michael Colantuono, LAFCO Counsel

2. Approval of Agenda (Deletions/Additions)

3. Consider minutes of May 18, 2020

a. Approve May 18, 2020 LAFCo Minutes

4. Consent Agenda:

a. Review and Authorize Claims for May and June 2020

5. **Correspondence:** *Calafco Conference Cancelled*

Public Hearing:

6. **Public Hearing regarding LAFCo's Policies, Standards and Procedures Update.**

- a. *Receive Executive Officer's report and conduct public hearing regarding the final update of LAFCo's Policies, Standards and Procedures.*
- b. *Consider LAFCo Resolution 2020-0005 adopting updated Policies, Standards and Procedures for Calaveras LAFCo*

Workshop:

7. **Workshop #3 regarding the Valley Springs PUD Service Review and Sphere of Influence (MSR and SOI)**

- a. *Conduct workshop regarding the Valley Springs PUD MSR and SOI*

8. **Discussion regarding the Copper Cove Rocky Road Community Services District**

- a) *Review letter Dated July 3, 2020*

9. **Elections for the 2020-2021 Calafco Board of Directors**

- a) *Consider a nomination for a County Member and a District Member*

10. **Biennial Conflict of Interest Code Review**

- a) *Review LAFCO's conflict of interest code and authorize the Executive Officer to sign and transmit the 2020 Annual Biennial notice to the Clerk to the Board.*

11. **Executive Officer' s report**

12. **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

13. **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 were on the agenda, public comment was 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 Chair 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.

14. Discussion and direction regarding future LAFCo meetings in light of the Virus. Normally, the NEXT LAFCO MEETING will be: September 21st, 2020 - 6:00 PM in San Andreas.

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 will be 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

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: j.benoit4@icloud.com

Calaveras Local Agency Formation Commission Special Meeting Minutes – Monday, May 18, 2020

1. **Call to Order/Roll Call** – Order was called by Chair Lavaroni at 6:01 p.m., on Monday, May 18, 2020, via teleconference.

Commissioners Present

John Lavaroni, Chair, Special Dist. Mem.
Gary Tofanelli, County Member
Joseph Oliveira, City Member
Tony Tyrrell, Special Dist. Member
Anita Paque, Public Member

Commissioners Absent

Roark Weber, Public Member Alt.
Alvin Broglio, Vice Chair, City Member
Amanda Folendorf, City Member Alt.
Dennis Mills, County Member Alt.
Jon Dashner, Special Dist. Mem. Alt.
Merita Callaway, County Member

Staff Present

John Benoit, Executive Officer
Nancy Mees, LAFCO Clerk

Others Present

Executive Officer Benoit informed the Commission that Paul Hood of Santa Barbara, who had been involved with LAFCO for over 40 years, recently passed away.

Chair Lavaroni skipped to Agenda Item 11 at this point.

2. **Approval of Agenda:**

MOTION by Commissioner Tyrrell to approve the Agenda, second by Commissioner Tofanelli. Motion passed 5 yes, 0 no, 0 abstention, 2 absent.

3. **Election of Chair and Vice-Chair per Section 4.6 of LAFCo’s Bylaws:**

a. *Election of Chair (city member)*

MOTION by Commissioner Oliveira to nominate Commissioner Broglio as Chair, second by Commissioner Tyrrell. Motion passed 5 yes, 0 no, 0 abstention, 2 absent.

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

MOTION by Commissioner Tofanelli to nominate Commissioner Callaway as Vice-Chair, second by Commissioner Tyrrell. Motion passed 5 yes, 0 no, 0 abstention, 2 absent.

4. Consider Minutes of the April 20, 2020, LAFCo meeting:

MOTION by Commissioner Tyrrell to approve the Minutes as presented, second by Commissioner Oliveira. Motion passed 5 yes, 0 no, 0 abstention, 2 absent.

5. Consent Agenda:

Review and authorize claims for April 2020.

MOTION by Commissioner Tyrrell to approve the Consent Agenda and Claims for April 2020 as presented, second by Commissioner Oliveira. Motion passed 5 yes, 0 no, 0 abstention, 2 absent.

6. Correspondence:

There was no correspondence.

7. Public Hearing regarding the final 2020-2021 LAFCo Budget:

a. Receive Executive Officer's report and conduct public hearing regarding the final 2020-2021 LAFCo Budget.

Executive Officer Benoit reported that there had been no changes to the budget as it was proposed at the last meeting. He stated that he had discovered that not all insurance companies will be increasing their rates, so he will obtain some additional insurance quotes this year.

Commissioner Oliveira said he thought the Commissioner stipends had been decreased to \$2,100. Mr. Benoit replied that they hadn't, and added that the \$3,300 budgeted would probably not be fully used in the new fiscal year since there is not full attendance at every meeting. He explained that whether seven or more Commissioners are paid at any particular meeting depended on the circumstances. To date this fiscal year, about \$1,900 has been spent, so Mr. Benoit estimates the final year-end total might be \$2,300-2,400, and any unused amount will go into the carry-over to next fiscal year.

b. Consider LAFCo Resolution 2020-0004 adopting a final budget for fiscal year 2020-2021.

MOTION by Commissioner Tyrrell to approve Resolution 2020-0004 adopting the final budget for fiscal year 2020-2021 as presented, second by Commissioner Oliveira. Motion passed 5 yes, 0 no, 0 abstention, 2 absent.

8. Workshop #3 regarding draft updated Policies, Standards and Procedures:

Executive Officer Benoit briefly reviewed and commented on Sections 4 (Annexations, Detachments, and Action), 5 (Incorporations, Formations, Provision of New Services by Districts, Consolidations, Dissolutions, & Disincorporations), and 6 (General Procedures) of Draft 1 of the updated Policies, Standards, and Procedures. This concludes his review of the updated Policies, which included bringing them up to current legal standards, as well as making them more clear. He recommended adopting them at a future meeting, and will send a hearing draft to the Commissioners prior to that meeting.

9. Executive Officer's Report:

a. *700 Forms due June 1, 2020.*

Executive Officer Benoit reported that he had received everyone's form.

b. *Valley Springs PUD MSR and SOI Update -- July 20 meeting.*

Executive Officer Benoit stated that he is finishing up the work on this and hopes to have it ready for a workshop at the July meeting. Commissioner Tofanelli requested a copy of the draft as soon as possible as it concerns his district, and Mr. Benoit responded that he would get that to him.

10. Commissioner Reports

Commissioner Paque reported that CALAFCO is still in the process of finding a new Executive Director since Pamela Miller will be stepping down at the end of the year. The annual conference is still being planned, although it may have to be held via webinars. She added that they are still looking for session topics, and that two being currently considered are whether the state or local government should have control during situations such as the Covid-19 crisis; and whether or not LAFCOs are doing their job, and if not, should they still exist.

Commissioner Tofanelli stated that he would contact Commissioner Callaway to let her know she had been elected Vice-Chair. Commissioner Oliveira said he would contact Commissioner Broglio to let him know he was elected Chair.

11. Public Comment:

There was no public comment so Chair Lavaroni returned to Agenda Item 2.

12. Adjournment:

Meeting was adjourned at 6:38 p.m. The next regular meeting will be Monday, July 20, 2020, at 6:00 p.m., in San Andreas.

Minutes submitted by Nancy Mees.

DATED: _____

APPROVED: _____

Alvin Broglio, Chair, or Merita Callaway,
Vice Chair, Calaveras Local Agency
Formation

CALAVERAS LAFCO

LAFCO CLAIM AUTHORIZATION FORM

for

May and June 2020

Authorize payment of the following claims:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
FY 2019-2020 Expenses:		
May 18, 2020	Commission meeting stipends	\$ 250.00
June 1, 2020	Staff Svcs and Expenses May 2020	\$ 4,178.84
July 1, 2020	Staff Svcs and Exp June 2020	\$ 2,901.34
July 1, 2020	Valley Springs News Policies Hearing	\$ 13.97

TOTAL: \$ 7,344.55

FY 2020-2021 Expenses:

July 1, 2020	Calafco Dues 2020-2021	\$ 1,620.00
July 1, 2020	SDRMA Insurance FY 2020-2021	\$ 2,325.00

DATED: July 20, 2020

APPROVED: July 20, 2020

Alvin Broglio, Chair or Merita Callaway, Vice-Chair
Calaveras Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

Item	Account Number	Comm Stipends	Insurance	Communications	Memberships	GenOfficeExp	Postage	copies	MSR	SOI	Ex. OFF. Svcs	City Fin Chrgi
		62001	62050	62051	62052	62053	62054	62055	62057	62058	62059	62060
Total Budgeted		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Calafco dues 19-20		\$ 3,300.00	\$ 1,807.05	\$ 300.00	\$ 1,078.00	\$ 350.00	\$ 500.00	\$ 1,500.00	\$ 25,000.00	\$ 20,000.00	\$ 45,000.00	\$ 3,600.00
SDRMA Insurance 19-20			\$ (1,380.00)		\$ 1,075.00							
Staff Svcs July 2019												
Calafco Conf. registrations												
Staff Svcs Aug 2019												
July 15, 2019 Comm Meeting Stipends		\$ (450.00)										
Staff Svcs September 2019												
Valley Springs News MSR-SOI CPUD												
Sept 16, 2019 comm meeting stipends		\$ (400.00)										
Staff Svcs October 2019												
Merita C CALAFCO conf exp												
Tony T Calafco Conf Exp												
John D conf reimb												
Anita P Conf reimb												
19-02 Appaloosa Road CSD Detach												
CSDA Membership Dues 2020			\$ (500.00)									
Payroll November 18, 2019		\$ (450.00)										
Jon Dashner Conf. Reimb 2019												
Staff Svcs November 2019												
Staff Svcs December 2019												
Valley Spggs News App Road Detach												
Meeting Stipend 1.27.2020		\$ (300.00)										
Staff Svcs January 2020												
Valley Springs News -Prop Budget 20-21												
Staff Svcs February 2020												
Meeting Skipend 4.20.2020		\$ (300.00)										
Staff Svcs March 2020												
Staff Svcs April 2020												
Valley Springs News Final Budget 20-21												
May 18, 2020 Meeting Stipend		\$ (250.00)										
May 20 staff Svcs and Exp												
June 2020 Staff Svcs and Exp												
Valley Springs News PSP adoption												
TOTAL EXPENDED		\$ (2,150.00)	\$ (1,380.00)	\$ (522.31)	\$ 1,075.00	\$ (50.46)	\$ (63.05)	\$ (455.65)	\$ (32,650.00)	\$ (7,108.00)	\$ (31,275.00)	\$ 3,600.00
TOTAL REMAINING		\$ 1,150.00	\$ (72.95)	\$ 277.69	\$ 2,153.00	\$ 299.54	\$ 456.94	\$ 1,034.35	\$ 12,350.00	\$ 12,900.00	\$ 13,725.00	\$ 3,600.00

July 7, 2020

Dear CALAFCO Membership:

We continue to live in unprecedented times, dealing with the myriad of disruptive changes thrust upon us and our agencies. All of us continue to learn how to best navigate the path forward, both individually and collectively, with resilience and courage.

With the ongoing pandemic and the dialing back by many counties on re-opening, and the significant budget cuts looming for all local government agencies, careful consideration is being given to every decision organizations are making today. The same is true for CALAFCO and our Annual Conference.

Taking all of that into consideration with respect to the October Annual Conference, the CALAFCO Board of Directors and Executive Director believe CALAFCO has an ethical and corporate responsibility to our members, speakers, guests, their families and our collective communities. This responsibility includes mitigating as much as possible the spread of the virus and being responsible in our decisions to aid in the containment and protect the health and safety of our members. Given the fluidity of the situation, there are still no state guidelines as to larger gathering events and it is not likely they can be done safely anytime soon.

After careful thought and consideration, CALAFCO has decided to cancel this year's in-person Annual Conference which was scheduled for October 21-23 in Monterey.

So, what's next?

- Staff is researching options for a virtual event of some kind and will report to the Board of Directors during the July 24 meeting what options are reasonable and available. At this time, we do not know what that may look like, but we are hopeful by the end of the month we will know whether there will be a virtual event. As soon as there is information, you will be advised.
- CALAFCO staff may reach out to your LAFCo staff and commissioners and request feedback via a Survey Monkey survey. Your feedback will be critical so please respond if asked.
- CALAFCO is working with the Monterey Hyatt to re-book the Conference in 2023.
- The Board of Directors 2020 elections will be held by email ballot. Please watch for an update from the Elections Committee coming this week.
- We are researching options for holding the Annual Business Meeting and will advise you when that decision has been made.

If you have suggestions or questions, please let Executive Director Pamela Miller know. You can reach her at pmiller@calafco.org.

On behalf of the Board, we thank you for the leadership and the integrity you demonstrate as local government leaders every day, and especially in difficult times such as these.

Yours sincerely,



Mike McGill
Chair of the Board



Pamela Miller
Executive Director

CC: CALAFCO Board of Directors

**Resolution 2020-0005
of the
Calaveras Local Agency Formation
Commission**

A Resolution of Calaveras Local Agency Formation Updating Policies, Standards and Procedures

RESOLVED, the Calaveras Local Agency Formation Commission, State of California, that

WHEREAS, policies, standards and procedures are necessary to guide the Calaveras Local Agency Formation Commission in making determinations on future projects; and

WHEREAS, the Commission has reviewed, revised and updated the policies, standards and procedures originally adopted by Calaveras LAFCo on July 18, 2005 and subsequently amended; and

WHEREAS, this Commission called for and held a Public Hearing on the Policies, Standards and Procedures on July 20, 2020 and at the hearing, this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer.

NOW, THEREFORE, the Calaveras Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The attached updated Policies, Standards and Procedures shall guide the Commission in compliance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended.
2. All previously adopted Policies, Standards and Procedures and (or) LAFCO Policies previously approved by the Commission are hereby repealed in favor of this update.
3. That the amended updated Policies, Standards and Procedures attached as Exhibit "A" are hereby adopted.

The foregoing resolution was offered at a Regular Meeting of the California LOCAL AGENCY FORMATION COMMISSION on the 20th day of July 2020, and adopted by the following vote of the Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:

Alvin Broglio, Chair
Calaveras Local Agency Formation Commission of
Calaveras County

ATTEST:

John Benoit, Executive Officer
LOCAL AGENCY FORMATION COMMISSION,
Calaveras County

20200709 BOSa
#8

COPPER COVE ROCKY ROAD COMMUNITY SERVICE DISTRICT.

P.O. Box 357
Copperopolis, CA 95228
Phone and Fax: (209) 785-2405

July 3, 2020

RECEIVED
JUL 09 2020
CALAVERAS COUNTY
BOARD OF SUPERVISORS

Board of Supervisors
891 Mountain Ranch Rd.
San Andreas, CA 95249
Attn: Dennis Mills

Effective July 1, 2020 (by unanimous vote) the Copper Cove Rocky Road Community Service District is no longer going to be run by the members of the District. All have resigned. The Secretary has passed away and the manager has been laid off with a two week severance pay.

The district has many difficult issues to deal with. There has never been an increase in funds since it was formed. A vote by the constituents was denied. No one wants to be on the board and it has been more difficult every year to accomplish what we would like do for the District.

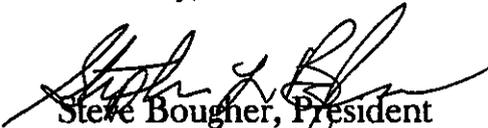
The manager has been working for the district since its inception. Some of the board members have been off and on the board for many, many years.

It's time for a change.

The District would like direction as to how to handle the switching of the District to the County.

Thank you in advance for your assistance.

Sincerely,


Steve Boughner, President

July 7, 2020

To: Local Agency Formation Commission
Members and Alternate Members

From: Shiva Frentzen, Committee Chair
CALAFCO Board Election Committee
CALAFCO Board of Directors



RE: IMPORTANT UPDATE - Elections for 2020/2021 CALAFCO Board of Directors

As you know, nominations are now open for the fall elections of the CALAFCO Board of Directors. Please refer to the announcement and nomination packet sent out to you on June 19, 2020 for details on which seats are open and other important information.

In that announcement we advised you that if we are unable to have an in-person annual conference due to the COVID-19 pandemic, the elections will be conducted by all mail ballot. As the in-person annual conference has been cancelled, the 2020 Board of Directors elections will be an electronic ballot procedure.

- ✓ We will use the timelines outlined in CALAFCO policies as detailed in the June 19 announcement with some slight modifications as provided below.
- ✓ CALAFCO still needs the name of your voting delegate. Please also provide their title and email address as the ballot will be emailed directly to your voting delegate. The voting delegate will also cast votes on behalf of your LAFCo at whatever virtual annual business meeting we may have.

Since there will be no caucus, there is no ability to nominate a candidate from the floor. All nominations must come from the nomination packets submitted and acknowledged as received by the deadline of September 22, 2020 at 5:00 p.m.

Please inform your Commission that the CALAFCO Election Committee is accepting nominations until **Tuesday, September 22, 2020 at 5:00 p.m. and that this is the only way to get your name on the ballot and be considered for election.**

The election committee and CALAFCO staff will meet virtually the morning of October 22 for purposes of tabulating the results and certifying the election. All election documents will be available for member LAFCo inspection upon request.

- **June 19** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 22** – Completed Nomination packet due
- **September 22** – Voting delegate name and email address due to CALAFCO
- **October 7** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 7** – Distribution of ballots by email to voting delegate
- **October 21** - Ballots due to CALAFCO by 4:00 p.m. – **NO LATE BALLOTS WILL BE ACCEPTED**
- **October 22** – Elections tabulated by the Elections Committee and an announcement made to the membership

Please direct any questions you have about the election process to Executive Director Pamela Miller at pmiller@calafco.org or by calling her at 916-442-6536; or to the Election Committee Chair Shiva Frentzen at sfrentzen@calafco.org or by calling her at 530-621-5390.

CALAFCO Board Members 2019-20*(as of June 19, 2020)*

Board Member Name	LAFCo - Region	Type (Term Expires)
Cheryl Brothers	Orange - <i>Southern</i>	City (2020)
Bill Connelly - Treasurer	Butte - <i>Northern</i>	County (2021)
David Couch	Humboldt - <i>Northern</i>	District (2021)
Shiva Frentzen	El Dorado - <i>Central</i>	County (2020)
Blake Inscore	Del Norte - <i>Northern</i>	City (2020)
Gay Jones	Sacramento - <i>Central</i>	District (2020)
Michael Kelley - Vice Chair	Imperial - <i>Southern</i>	County (2021)
Michael McGill - Chair	Contra Costa - <i>Coastal</i>	District (2020)
Jo MacKenzie	San Diego - <i>Southern</i>	District (2021)
Margie Mohler	Napa - <i>Coastal</i>	City (2021)
Tom Murray	San Luis Obispo - <i>Coastal</i>	Public (2021)
Anita Paque - Secretary	Calaveras - <i>Central</i>	Public (2021)
Jane Parker	Monterey - <i>Coastal</i>	County (2020)
Daniel Parra	Fresno - <i>Central</i>	City (2021)
Josh Susman	Nevada - <i>Northern</i>	Public (2020)
David West	Imperial - <i>Southern</i>	Public (2020)

Calaveras Local Agency Formation Commission

Memorandum

July 20, 2020

TO: LAFCo Commissioners

FROM: John Benoit, Executive Officer

SUBJECT: Conflict of Interest Code Review.

Attachments: Calaveras LAFCO's Conflict of Interest Code
2020 Local Agency Biennial Notice

Government code section 87300 et. seq. (the Political Reform Act) requires each local government agency to maintain a conflict of interest code and update it to reflect changes that occur in the organization of an entity. The Local Agency Formation Commission (as well as other local agencies) is required to review and possibly amend its Conflict of Interest code on even-numbered years. A biennial notice is normally sent out by the County Clerk or Clerk or other official designated by the Board of Supervisors during the summer of even numbered years to each agency required to review its Conflict of Interest Code. After review or approval of the Conflict of Interest Code, LAFCO is required to submit any proposed changes to the Board of Supervisors acting as the code reviewing body.

Government code section 87311 requires review of a conflict of interest code to be carried out under procedures which guarantee to officers, employees, members and consultants of the agency and to residents of the County adequate notice and a fair opportunity to present their views. A conflict of interest code was adopted on July 14, 2014. To engage the public, a notice of Public Hearing was published prior to LAFCO adopting amending its conflict of interest code (which was included in LAFCO's Bylaws). Since that time LAFCO has found no amendments to that code necessary.

Recommendation:

Direct the Executive Officer to sign and transmit the 2020 Local Agency Biennial Notice to the Clerk to the Board of Supervisors declaring LAFCO has reviewed its Conflict of Interest code and no amendment is required at this time.

John Benoit, Executive Officer j.benoit4@icloud.com
P.O. Box 2694 Granite Bay, CA 95746
(707) 592-7528 ph.

2020 Local Agency Biennial Notice

Name of Agency: Calaveras LAFCo
Mailing Address: P.O. Box 2694 Granite Bay, CA 95746
Contact Person: John Benoit Phone No. 209.754.6511
Email: j.benoit4@icloud.com Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

7.20.2020

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to:

*Calaveras County Clerk of the Board of Supervisors
Attention: Diane Severud
891 Mountain Ranch Road
San Andreas, CA 95249*

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

1 Calaveras Local Agency Formation Commission, COUNTY OF CALAVERAS
2 STATE OF CALIFORNIA
3 July 21, 2014

4 **RESOLUTION NO.2014-0005** **RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE AND**
5 **APPENDIX OF DESIGNATED POSITIONS**

6 **WHEREAS**, pursuant to the provisions of the Political Reform Act (Govt. Code § 81000, *et*
7 *seq.*), the Calaveras Local Agency Formation Commission (LAFCo) is required to adopt a Conflict of
8 Interest Code and Appendix of designated positions; and

9 **WHEREAS**, biennial review of the Appendix to the Conflict of Interest Code is required by
10 state law and changes to the designated positions and disclosure categories and thereafter adopt
11 necessary amendments.

12 **NOW, THEREFORE, BE IT RESOLVED** that the Conflict of Interest Code (Exhibit A) and
13 list of designated positions and disclosure categories as set forth in the Appendix to the Conflict of
14 Interest Code attached hereto is hereby adopted.

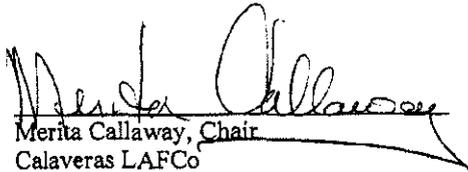
15 **ON A MOTION** by Commissioner Lynch, seconded by Commissioner
16 Tyrrell, the foregoing Resolution was duly passed and adopted by the Calaveras Local
17 Agency Formation Commission (LAFCo) of the County of Calaveras, State of California this 21st day
18 of July, 2014, by the following vote:

19 **AYES:** Lynch, Tyrrell, Pague, Lavaroni, Sobon and Callaway

20 **NOES:**

21 **ABSENT:** Spellman

22 **ABSTAINED:**

23 
24 Merita Callaway, Chair
25 Calaveras LAFCo

26 **ATTEST:**

27 
28 John Benoit, Executive Officer

EXHIBIT A

CALAVERAS LOCAL AGENCY FORMATION COMMISSION (LAFCo)

CONFLICT-OF-INTEREST CODE

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of the **Calaveras Local Agency Formation Commission**

Individuals holding designated positions shall file their statements of economic interests with the **Calaveras Local Agency Formation Commission's Executive Officer**, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) All statements will be retained by the **Calaveras Local Agency Formation Commission**.

CONFLICT-OF-INTEREST CODE (Calaveras LAFCo)

APPENDIX A-DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Category</u>
Members of the Commission**	1, 2
Executive Officer	1, 2
LAFCo Counsel	1, 2
Consultants*	*

*Consultants shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Executive Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code (Gov. Code Section 81008).

CONFLICT-OF-INTEREST CODE (Calaveras LAFCo)

APPENDIX B-DISCLOSURE CATEGORIES

Disclosure Category 1

Designated positions assigned to this category shall report:

Interests in real property located within or not more than two miles outside the boundaries of LAFCo's jurisdiction or within two miles of the County Boundary.

Persons shall not be required to disclose property used primarily as their residence or for personal recreational purposes.

Disclosure Category 2

Designated positions assigned to this category shall report:

Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that provide services, supplies, materials, machinery, or equipment to LAFCo. Such sources include but are not limited to architects, engineering and construction firms.