

Calaveras Local Agency Formation Commission

Regular Meeting Agenda

MONDAY – January 23, 2017 – 6:00 p.m.
at the

Calaveras County Board of Supervisors Chambers
County Administrative Center
San Andreas

6:00 PM Regular LAFCo Meeting Items:

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

Commissioners

Anita Paque, Public Member

_____, City Member

Amanda Folendorf, Chair, City Member

_____, County Member

Michael Oliveira, Vice Chair County Member

Tony Tyrrell, Special District Member

John Lavaroni, Special District Member

Roark Weber, Public Member Alt.

_____, County Member Alt.

Scott Behiel, City Member Alt.

Jon Dashner, Special Dist. 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 November 21st , 2016

a. Approve November 21st , 2016 Minutes

4. Consent Agenda:

a. Review and Authorize Claims for November and December 2016

5. **WORKSHOP regarding the Mark Twain Healthcare District Service Review and Sphere of Influence**
 - a. *Review the Mark Twain Healthcare District Service Review and Sphere of Influence report and set a hearing date.*
6. **Authorize staff to attend the Calafco staff workshop in Fresno March 4-7, 2017**
 - a. *Authorize staff to attend the Calafco Staff workshop in Fresno.*
7. **Meeting with State Water Resources Control Board / Division of Drinking water staff**
 - a. *Legislation affecting water systems SB 88, SB 552 and SB 1263*
8. **Executive Officer' s report**
 - a) *Saddle Creek MSR-SOI*
 - b) *CCWD SOI*
9. **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

10. **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.

11. **Consider cancelling meeting of February 27th since the March 2017 meeting is within 3 weeks. Direct staff to meet with new commissioners (once appointed to LAFCo) to Discuss LAFCo Law, Policy and Practice.**

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: johnbenoit@surewest.net

**Calaveras Local Agency Formation Commission
Regular Meeting Minutes - Monday November 21, 2016**

1. **Call to Order/Pledge of Allegiance/Roll Call** – Order was called by Chair Folendorf at 6:02 p.m. on Monday, November 21, 2016, in the Calaveras County Board of Supervisors Chambers, County Administrative Center, San Andreas, California.

Commissioners Present

Amanda Folendorf, Chair, City Member
Michael Oliveira, Vice Chair, Cnty Mem.
Anita Paque, Public Member
Bert Sobon, City Member
Tony Tyrrell, Special District Member
Jon Dashner, Special District Member Alt.

Commissioners Absent

Cliff Edson, County Member
John Lavaroni, Special District Member
Scott Behiel, City Member Alt.
Roark Weber, Public Member Alt.
Debbie Ponte, County Member Alt.

Staff Present

John Benoit, Executive Officer
Nancy Mees, LAFCO Clerk

Others Present

Sign Interpreters

2. **Approval of Agenda:** **MOTION** by Commissioner Sobon to approve the Agenda as presented, second by Commissioner Tyrrell. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.
3. **Consider Minutes from the September 19, 2016, LAFCo meeting.** **MOTION** by Commissioner Dashner to approve the Minutes as presented, second by Commissioner Sobon. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.
4. **Consent Agenda: Review and Authorize Claims for September & October 2016.** **MOTION** by Commissioner Paque to approve Claims for September & October 2016 as presented, second by Commissioner Tyrrell. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.
5. **Review letter regarding the Calaveras County Draft Community Planning and Safety Elements and authorize the Chair to sign.**
Executive Officer Benoit reported that Commissioner Weber had been very helpful in putting the letter together, and reminded the Commission that this Draft concerns only one or two elements in the County General Plan. He stated that there is a lot of boilerplate and unnecessary wording in this section, but that there will be more opportunity to comment when the General Plan Draft comes out. A member of the audience, Dennis Mills, emphasized that it is important that the numerous ambiguous words be removed from the document.

Commissioner Sobon said it appears that the General Plan seems to be languishing and asked if anyone knew what was happening with it currently. Commissioner Oliveira responded that the Plan is now in the EIR stage. Mr. Benoit added that the Commission will also have an opportunity to review the EIR and provide further comments at that point. He said this will most likely occur between the time County Planning reviews it and the Board of Supervisors looks at it.

The Commission then gave Executive Officer Benoit instructions to finalize the letter and mail it.

6. Discussion regarding the CALAFCO Conference in Santa Barbara.

Commissioner Paque reported that there was much discussion regarding water, and that, as usual, southern California is looking for ways to take northern California's water, but that they are now also talking about other options. She stated that the desalinization plant in Santa Barbara seems expensive as it is not operated fulltime, but must be maintained in standby mode. Commissioner Dashner reported that he had recently toured a desalinization plant in San Diego that was efficiently providing ten percent of their water supply, thus allowing them to cut back on other sources. Commissioner Paque also reported on the field trip the conference attendees took to the local reservoir and to a mechanized flower farm that is completely under glass. She further mentioned that, due to the recent and numerous large fires across the state, there was discussion among the counties for the need for their various Boards of Supervisors to have five-year plans for dealing with the aftermath of fires. Commissioner Oliveira commented that Calaveras County is redesigning its Emergency Preparedness Plan, and that is one of the areas it will be addressing.

Commissioner Tyrrell said he thought the speakers were not as strong as last years. Commissioner Folendorf related that as it was her first time attending a state conference, it was eye-opening and educational for her.

Executive Officer Benoit reported there had been much discussion of some specific annexation issues that had arisen in other counties. He commented that whenever the conference is in southern California, there is a lot of talk about their need for more water. Mr. Benoit also said the luncheon speaker, Jean-Michel Cousteau, made an excellent presentation. In conclusion, he felt there was excellent networking across the counties attending, and that there was a wide representation of officials and staff.

7. Set regular meeting schedule for 2017.

The calendar provided in the meeting materials was accepted by the Commission.

8. Executive Officer's report.

a. Saddle Creek MSR-SOI.

Executive Officer Benoit said that of the three SOIs listed here, this one is the

farthest out in the process. He added that it is good maintenance practice to regularly send the Service Reviews out to all the districts to have them update facts, i.e., progressive maintenance rather than once every so many years.

b. *Healthcare SOI and SR.*

Executive Officer Benoit reported that this is the first of the three SOIs that will be up for approval.

c. *CCWD SOI.*

Executive Office Benoit said he hopes to have a workshop on this in early 2017.

9. **Commissioner Reports:** Commissioner Paque reported that the CALAFCO Legislative Board will be starting up soon and that the largest issue will again be the state's usurping local authority. It has been the trend recently for districts, cities, etc., to take their problems directly to the state through legislation rather than going through the appropriate LAFCO channels. This will lead to developments that do not fit within the General Plans because of unauthorized changes in water and wastewater districts. Executive Officer Benoit said the prevention of these problems is the exact reason for which LAFCO was originally formed. Commissioner Oliveira asked how CALAFCO is dealing with this issue. Mr. Benoit replied that the standard procedure is for CALAFCO to oppose any legislation of this sort when it comes up, and to educate legislators and their staff about LAFCO.

Commissioner Paque further reported that, because the State Water Resources Control Board has sufficient funds, CALAFCO is trying to maintain a good relationship with them so they can be used as a source of funds for water projects.

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

11. **Adjournment:** There was discussion as to a need for a December meeting.

MOTION by Commissioner Sobon to cancel the December Commission meeting, second by Commissioner Paque. Motion passed 6 yes, 0 no, 1 absent, 0 abstention.

Meeting was adjourned at 6:47 p.m.

Minutes submitted by Nancy Mees.

DATED: _____

APPROVED: _____

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

CALAVERAS LAFCO

LAFCO CLAIM AUTHORIZATION FORM

for

November and December 2016

Authorize payment of the following claims:

| <u>Date of Claim</u> | <u>Description</u> | <u>Amount</u> |
|-------------------------------|--------------------------------------|---------------|
| FY 2016-2017 Expenses: | | |
| Dec 1, 2016 | Staff SVCS for November 2016 | \$ 4,153.43 |
| Nov 21, 2016 | Comm Payroll Nov 21, 2016 | \$ 300.00 |
| Jan 1, 2017 | Staff SVCS for December 2016 | \$ 2,056.33 |
| | TOTAL September and Nov and Dec 2016 | \$ 6,509.76 |

DATED: Jan 23, 2017

APPROVED: Jan 23, 2017

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

Attest:

John Benoit
Executive Officer

| Item | Account Number | Comm Stipends | Insurance | Communications | Memberships | GenOfficeExp | Postage | copies | Fire&EMSSOI | W & WWSOI | Ex. OFF. Svcs | City Fin Charge |
|---|----------------|---------------|---------------|----------------|-------------|--------------|------------|-------------|---------------|---------------|---------------|-----------------|
| | Total Budgeted | 62001 | 62050 | 62051 | 62052 | 62053 | 62054 | 62055 | 62057 | 62058 | 62059 | 62060 |
| Calafco dues 16-17 | | \$ 6,600.00 | \$ 1,623.60 | \$ 800.00 | \$ 840.00 | \$ 350.00 | \$ 500.00 | \$ 1,500.00 | \$ 20,000.00 | \$ 19,000.00 | \$ 42,500.00 | \$ 3,600.00 |
| SDRMA Insurance 14-15 | | | \$ (1,618.40) | | \$ (840.00) | | | | | | | |
| Calafco Conf. Regis Oct 25-28 | | | | | | | | | | | | |
| JB Invoice July 16 Svcs , Mapping, MSR | | | | \$ (40.97) | | | \$ (21.89) | \$ (92.00) | | | \$ (3,645.00) | |
| Comm Stipends July 18, 2016 | | \$ (350.00) | | | | | | | | | | |
| Comm Stipends Aug 15, 2016 | | \$ (350.00) | | | | | | | | | | |
| JB Inv#69 Aug 16 staff Svcs | | | | \$ (40.58) | | | \$ (28.78) | \$ (67.62) | | \$ (2,000.00) | \$ (2,245.00) | |
| JB Invoice 2016-0074 Sept Svcs | | | | \$ (39.59) | | \$ (19.50) | \$ (21.69) | \$ (93.13) | | \$ (2,657.50) | \$ (2,000.00) | |
| JB Invoice 2016-0080 Oct 16 | | | | \$ (40.55) | | | | | \$ (3,975.00) | \$ (1,125.00) | \$ (1,950.00) | |
| Comm Stipend Sept 19,2016 | | \$ (300.00) | | | | | | | | | | |
| CSDA training Inv 36437 11.22.16 | | | | | | | | | | | | |
| Comm Stipend Nov 21,2016 | | \$ (300.00) | | | | | | | | | | |
| City Invoice 0196 10.20.16 1stQtr 16-17 billing | | | | | | | | | | | | |
| Tyrrell Conf. Reimb SBA Oct 2016 | | | | \$ (41.38) | | \$ (10.00) | \$ (28.15) | \$ (76.39) | | \$ (900.00) | \$ (2,745.00) | \$ (900.00) |
| Folendorf Calafco Conf. Reimb SBA Oct 16 | | | | \$ (38.17) | | \$ (30.00) | \$ (0.66) | | | \$ (987.50) | \$ (1,000.00) | |
| Paque Conf. Reimb SBA Oct 16 | | | | | | | | | | | | |
| JB Invoice 0091 November Services | | | | | | | | | | | | |
| JB Invoice December Services | | | | | | | | | | | | |

| | | | | | | | | | | | | |
|------------------------|---------------|---------------|-------------|-------------|------------|-------------|-------------|---------------|---------------|----------------|-------------|-------------|
| TOTAL EXPENDED | \$ (1,300.00) | \$ (1,618.40) | \$ (241.24) | \$ (840.00) | \$ (59.50) | \$ (101.17) | \$ (329.14) | \$ (3,975.00) | \$ (7,670.00) | \$ (13,585.00) | \$ (900.00) | \$ (900.00) |
| TOTAL REMAINING | \$ 5,300.00 | \$ 5.20 | \$ 558.76 | \$ - | \$ 290.50 | \$ 398.83 | \$ 1,170.86 | \$ 16,025.00 | \$ 11,330.00 | \$ 28,915.00 | \$ 2,700.00 | \$ 2,700.00 |

