

# Calaveras Local Agency Formation Commission

## Regular Meeting Agenda

**MONDAY – May 20, 2013 – 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

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. Approval of Agenda (Deletions/Additions)**

**3. Approval of Minutes for the April 15, 2013 meeting**

**4. 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.

**5. Consent Agenda:**

- a. Review and Authorize Claims for April 2013

***PUBLIC HEARINGS***

**6. LAFCo File 2013-0001 Consolidation of the Jenny Lind Fire Protection District and the Foothill Fire Protection District and concurrent formation of the Calaveras Consolidated Fire Protection District.**

- a. *Receive Executive Officer's report and conduct Public Hearing.*  
b. *Consider Resolution 2013-0004, a Resolution Making Determinations and Approving the Dissolution of the Jenny Lind Fire Protection District and the Foothill Fire Protection District and the Formation of the Calaveras Consolidated Fire Protection District*

**7. LAFCo Final Budget for Fiscal Year 2013-2014**

- a. *Hold Public Hearing and receive public input regarding FY 2013-2014 Final LAFCo Budget and consider LAFCo Resolution 2013-0005.*

**Other Items:**

**8. Continued discussion and possible adoption of a "Tag Line" for Calaveras LAFCo.**

- a) **Consider adoption of a TAG line for Calaveras LAFCo**

**9. Calafco Achievement Awards Nominations**

- a. *Consider a Calafco Achievement Award Nomination*

**10. Nominations for Calafco Board of Directors**

- a. *Consider a nomination of a City or Public Member to the Calafco Board*

**11. Executive Officer's report**

- a) *Fire Service Review Responses for May 27<sup>th</sup>, 2013*  
b) *LAFCo new Webpage [www.calaveraslafco.org](http://www.calaveraslafco.org)*

**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. Adjourn to next regular meeting scheduled for June 17, 2013.**

*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](http://www.calaveraslafco.org)

Email LAFCO at: [johnbenoit@surewest.net](mailto:johnbenoit@surewest.net)

# CALAVERAS LOCAL AGENCY FORMATION COMMISSION

## MINUTES

APRIL 15, 2013

The meeting was called to order by Vice Chair, Jack Lynch who led the group in the Commission Pledge of allegiance. In attendance were: Anita Paque, Merita Callaway, Bert Sobon, Jack Lynch, Don Young, alternate for Tony Tyrrell and Executive Director, John Benoit. Absent were Darren Spellman, Tony Tyrrell and John Lavaroni. Public Member alternate Paul Stein was also present.

The agenda was approved on a motion by Sobon/2nd by Paque. Passes on a 5-0-2 absent vote of the Commissioners.

The March 18<sup>th</sup> 2013 minutes were approved with a motion by Callaway/2nd by Paque. Passes on a 5-0-2 absent vote of the Commissioners.

Darren Spellman arrives 6:07.

PUBLIC COMMENT: None.

CONSENT AGENDA: Claims in the amount of \$12,112.19 were approved to be paid on a motion by Spellman/2nd by Sobon. Passes 6-0-1 absent.

PUBLIC HEARINGS:

SAN ANDREAS SANITARY DISTRICT S.O.I UPDATE:

Executive Officer, John Benoit, told the Commissioners that he had met with the Manager of the San Andreas Sanitary District along with District Board of Director member Bill Perley and felt very positive about the changes in the Sphere of Influence for the District. Staff recommended that the Sphere of Influence be coterminous with the district's boundaries. No member of the public testified. Spellman made a motion that Resolution 2013-0001 be passed/2nd by Don Young. Passes on a 6-0-1 absent vote of the Commission.

MURPHY'S SANITARY DISTRICT S.O.I. UPDATE

Executive Director, John Benoit, told the Commissioners that M.S.D. applied and received grant funding for the planning that needs to be done. There are positive changes going on. He answered questions from the board. Two employees of the MSD were present to answer questions under the PUBLIC HEARING portion. They were Sandy Nugent, Finance Director and the new General Manager, Scott Mills. They answered questions from the board concerning capacity analysis and expansion of pond 4 and growth projections. It was suggested that their future plans be reflected in the General Plan and formalize the S.O.I. Commissioner Paque suggested we review the provisional S.O.I. in three years. Commissioner Spellman made a motion that Resolution 2013-0002 be accepted as proposed 2nd by Callaway. Passes on a 6-0-1 absent vote of the Commission.

PROPOSED LAFCo BUDGET FOR 2013-14

John Benoit gave a detailed explanation of his proposed budget. Anita Paque made a motion to accept the proposed budget/2<sup>nd</sup> by Callaway. Passes on a 6-0-1 vote.

Other Items:

**TAG LINE:**

John Benoit read his idea for a tag line for Calaveras LAFCo :

Promote orderly development, protect agriculture land, regulate local boundaries.  
The Commissioners requested a month to give it some thought and were requested to forward ideas to John Benoit and the Commission will have a hearing at the May 2013 meeting.

**EXECUTIVE OFFICER'S REPORT:**

Projects: Calaveras River Estates; CSA 1 annexation proposal, possible dissolution of a road CSA in West Point, Two fire districts are proposing consolidation (Jenny Lind Fire and Foothill Fire), which will be on the May 20<sup>th</sup>, 2013 agenda.

Fire Service Review: John will meet with the Fire Chiefs in San Andreas on May 8<sup>th</sup>. John attended a Calafco staff workshop in Davis where he attended a session on ethics laws. He also attended an 'Institute for Local Government Law' which spoke on such subjects as Island Annexations, SB 772, reinstating the VLF gap, Consolidations, public hearings are not necessary if you have 100% agreement of the legislative bodies with substantially identical resolutions. Lastly there is an interesting article in the League's "Western City" regarding in habited annexations and incorporated and vehicle license fee revenues and the requirements of SB 244.

**COMMISSIONER'S REPORTS:**

None.

Meeting adjourned. Next meeting May 20<sup>th</sup>, 2013.

Respectfully submitted,  
Lucy Thein, clerk

---

Vice Chair, Jack Lynch

---

John Benoit, Executive Director

# CALAVERAS LAFCO

## LAFCO CLAIM AUTHORIZATION FORM

for

April 2013

Authorize payment of the following claims:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
<b>FY 2012-2013 Expenses:</b>		
May 1, 2013	Staff Svcs & Expenses – April 2013	\$ 5,696.51
April 30, 2013	Calaveras Enterprise – FinBud-CC fire	\$ 81.00
	<b>TOTAL:</b>	<b>\$ 5,777.51</b>

DATED: May 20, 2013

APPROVED: May 20, 2013

\_\_\_\_\_  
John Lavaroni, Chair or Jack Lynch, Vice-Chair  
Calaveras Local Agency Formation

Attest:

\_\_\_\_\_  
John Benoit  
Executive Officer

Item	Account Number	Comm Stipends	Insurance	Communications	Memberships	GenOfficeExp	Postage	Copies	Fire&EMSMSR	W & WWSOI	Ex. OFF. Svcs	City Fin Chrgs
	Total Budgeted	52001	52050	52051	52052	52053	52054	52055	52057	52058	52059	52060
Calafco Dues 2012-2013		\$ 5,600.00	\$ 1,700.00	\$ 1,200.00	\$ 741.00	\$ 750.00	\$ 1,000.00	\$ 2,500.00	\$ 33,000.00	\$ 25,000.00	\$ 42,500.00	\$ 3,600.00
Comm Stipend 7.16.12		\$ (300.00)	\$ (1,716.04)		\$ (741.00)							
SDRMA Ins fy 2012-2013												
Conf Registrations - 4												
Lodging Spellman & Lynch												
Conf Regis - Paul Stein												
Lodging Stein Calafco 2012												
JB Claim July 2012 Staff												
JB Claim Aug 2012 Staff												
WCSD Legal Notice #21700												
Stein Conf. Reimbursement												
Tyrrell Conf. Reimbw/ Lodging												
AnitaPaque Conf. Reimbursement												
Lynch Conf. Reimbursement												
JB Claim Sept 2012 and fire MSR												
Comm Stipend 9.17.12		\$ (350.00)										
Conf Reimbursement D Spellman												
JB Claim October 2012												
SR Center not approved for \$250.00												
Colantuono and Leven Lgl CSDs												
Comm Stipend Nov 19, 2012		\$ (350.00)										
JB Claim November 12 Staff Svcs												
JB Claim December 12 Staff Svcs												
mapping for MSR SOI 2012												
Fire MSR for Nov and Dec 2012												
Comm Stipend 1.28.13		\$ (350.00)										
JB claim 2.25.12												
Fire MSR - Jan 2013												
Comm Stipend 2.25.13		\$ (350.00)										
JB claim February 2013 Services												
Comm Stipend 3.18.13		\$ (400.00)										
City Finance Dept Charge 5 quarters												
Staff Services March 2013 #13-36												
Fire MSR March 2013												
Comm Payroll 4.15.13		\$ (350.00)										
Staff Svcs April 2013												
2013-01 and 13-14 Fin Budget												
<b>TOTAL REMAINING</b>		\$ 4,150.00	\$ (16.04)	\$ 827.17	\$ -	\$ 667.10	\$ 830.95	\$ 1,543.42	\$ (15,866.25)	\$ 21,500.00	\$ 11,082.15	\$ -





# CALAVERAS LAFCO

## EXECUTIVE OFFICER'S REPORT

May 20, 2013

TO: Local Agency Formation Commission  
FROM: John Benoit, Executive Officer  
RE: Final Budget for FY 2013-2014

A "recommended" budget was presented at the April 15, 2013 meeting along with a justification report, which was adopted. Please refer to the Budget Justification Report from the April LAFCO meeting and the proposed budget report for the April 2013 meeting for detail on each of the items below.

### SUMMARY OF EXPENSES:

Commission Clerk This item is budgeted in the Professional Services Category again this year.

Insurance The Commission recommended \$1,716.04 for liability Insurance less than this year. This will cover the cost of this item for the year.

Commission Stipend The Commission recommended a stipend of \$6,600.00. This is adequate to cover Commissioner Stipends for the year.

Memberships The Commission recommended in its proposed budget \$758 for Calafco dues. This item has gone up 2.3 percent this year.

Communications Communications is budgeted at \$800.00 this year.

Office Supplies This is a combined budget (copies (\$2,000.00), general (\$500.00), postage (\$500.00). These categories have been lowered since last year.

Professional Services Professional Services are divided into two categories: Executive Officer and Staff (\$42,500) Notwithstanding a very complex reorganization or incorporation project for Calaveras LAFCO, this amount should cover LAFCO administration and project processing.

Sphere of Influence updates This item is budgeted at \$25,000 to prepare Spheres for Water and wastewater districts and \$18,000 is to be budgeted to initiate fire Spheres of

Influence. This is a statutory mandatory activity in this case and LAFCO must update and maintain its MSR's.

City of Angels Finance Charges \$3,600 is to be budgeted for this activity in accordance with LAFCO's agreement with the City of Angels.

Legal Notices/Publications The Commission recommended in its proposed budget \$500.00 for legal notices.

Training The Commission recommended in its proposed budget \$4,000 for this item. This includes conference registrations for items such as CALAFCO Annual Conference (In Squaw Falley) and Annual Staff Workshop (Location to be announced). This budget has been reduced in recent years.

Personal Mileage Reimbursement This category is for reimbursement for mileage incurred in the course of business (\$1,500.00).

Travel Expense Travel Expense includes meals and lodging and other travel expenses in the amount of \$2,000.00 reduced from last year.

Legal Counsel LAFCO has been relatively successful in not extensive legal advice in the past several years. LAFCO had a lawsuit in the late 1990's, which has resulted in a substantial costs for LAFCO for legal services. LAFCO recently retained Counsel and has a proposed budget of \$2,500 for this item. It is anticipated additional legal costs would be paid by project proponents, as necessary. If it is a LAFCo initiated action, the districts, the City and the County will have to pay the costs.

Contingency/Reserve The contingency fund is proposed to be less at \$70,000.00 this year and will be reimbursed in future years depending upon activity and need.

The amount to be apportioned between the City, Districts and the County is slightly lower than this year at \$70,768.31.

**Recommendation:**

- a. Review, discusses, amend, and consider the 2013-2014 Final Budget. A budget justification report for FY 2013-2014 was prepared by staff for the adopted proposed budget on April 15, 2013.
- b. Adopt LAFCO Resolution 2013-0005 approving the 2013-2014 final LAFCo budget. ,

## **Resolution 2013-0005**

**of the**

### **Calaveras Local Agency Formation Commission**

*Resolution of the Calaveras Local Agency Formation Commission Adopting a Final Budget for 2013-2014*

WHEREAS, Calaveras LAFCO is required by Government Code Section 56381(a) to adopt annually, following a noticed public hearing, a proposed budget by May 1<sup>st</sup> and a final budget by June 15<sup>th</sup>; and,

WHEREAS, the Commission has prepared a proposed budget for public review which was adopted on April 15, 2013; and,

WHEREAS, the Executive Officer has prepared a final budget including estimated budgeted carryovers; and

WHEREAS, the Executive Officer has given notice of hearing in the form and manner specified by law for adoption of the final budget and upon the date, time and place specified in said notice of hearing, the Commission heard, discussed and considered all oral and written testimony submitted including, but not limited to, the approved budget priorities for Fiscal Year 2013-2014 and the Executive Officer's report and recommendations; and

WHEREAS, the Commission has considered the attached Budget in light of the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

NOW THEREFORE, the Calaveras Local Agency Formation Commission does hereby determine, resolve, and order the following:

1. Notwithstanding item 3 below, that Calaveras LAFCO hereby adopts the attached final 2013-2014 budget appropriation of \$ 105,874.04.
2. That Calaveras LAFCO hereby establishes a contingency fund of \$10,587.40 from its general reserve as well as budget other items from its general reserve.
3. LAFCO hereby allocates \$70,000 for its general reserve fund and \$10,587.40 as its contingency fund.
4. The Commission hereby re-budgets \$113,383.06 of its carryover funds to fund the reserve, the contingency and supplement the operations budget from carryover funds into the FY 2013-2014 operational budget.
5. Directs the Executive Officer to transmit the final budget to the County Auditor and all

parties specified in Government Code Section 56381 (a) as promptly as possible.

6. The Commission desires to retain any and all carryover funds to fund future Municipal Service Reviews, special projects, legal expenses and Spheres of Influence projects as provide for in G.C. Code Section 56381.
7. Request the Auditor collect the funds as required in Section 56381 of the government code and apportion \$70,678.38 between the City, the Special Districts and the County for the operational costs of LAFCO. In the event of non payment of LAFCO funds by any entity subject to the LAFCO's apportionment, the Commission hereby requests and authorizes the Auditor to collect the funds from property tax revenues or any other revenue source and deposit the funds into the LAFCO account.

PASSED AND ADOPTED by the Calaveras Local Agency Formation Commission at a regular meeting of said Commission held on May 20<sup>th</sup>, 2013 by the following roll call vote:

AYES: -

NOES: -

ABSTAINS: -

ABSENT: -

Signed and approved by me after its passage this 20<sup>th</sup> day of May 2013.

---

John Lavaroni, Chair or Jack P. Lynch, Vice-Chair, Calaveras LAFCO

Attest:

---

John Benoit, Executive Officer  
Calaveras LAFCO

A	B	C	D	E	F	G
		2010-2011 Budget Adopted Final	2011-2012 Budget Adopted Final	2012-2013 Budget Adopted Final	2013-2014 Proposed Budget	2013-2014 Final Budget
2						
3						
4						
5	<b>EXPENDITURES</b>					
6						
7	<b>SERVICES AND SUPPLIES</b>					
8						
9	52001: Extra Hire - Commissioners Stipend	\$ 6,600.00	\$ 6,600.00	\$ 6,600.00	\$ 6,600.00	\$ 6,600.00
10	52050: Insurance	\$ 2,500.00	\$ 2,500.00	\$ 1,700.00	\$ 1,716.04	\$ 1,716.04
11	52051: Communications	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 800.00	\$ 800.00
12	52052: Memberships - Calafco	\$ 1,500.00	\$ 725.00	\$ 741.00	\$ 758.00	\$ 758.00
13	52053: Office Expense - General	\$ 750.00	\$ 750.00	\$ 750.00	\$ 500.00	\$ 500.00
14	52054: Office Expense - Postage	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 500.00	\$ 500.00
15	52055: Office Expense - Copies	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,000.00	\$ 2,000.00
16	52056: Fire and EMS MSR (SOI fy13-14)	\$ -	\$ -	\$ 33,000.00	\$ 18,000.00	\$ 18,000.00
17	52057: Prof Services-(WWMSR and SOI)	\$ 49,900.00	\$ 40,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
18	52058: Prof Serv.-City of Angels SOI	\$ 2,136.00	\$ -	\$ -	\$ -	\$ -
19	52059: Professional Services-Exec. Officer/Clerk	\$ 42,500.00	\$ 42,500.00	\$ 42,500.00	\$ 42,500.00	\$ 42,500.00
20	52060: City Finance Charges (formerly A-87)	\$ 3,600.00	\$ 3,600.00	\$ 3,600.00	\$ 3,600.00	\$ 3,600.00
21	52061: Legal Notices	\$ 700.00	\$ 700.00	\$ 700.00	\$ 500.00	\$ 500.00
22	52062: Training	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
23	52063: Personal Mileage Reimb	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
24	52064: Travel Expense	\$ 5,000.00	\$ 5,000.00	\$ 3,000.00	\$ 2,000.00	\$ 2,000.00
25	52065: Legal Counsel Services and misc Legal Expenses	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
26	52067: Special Dist. Training	\$ -	\$ -	\$ -	\$ -	\$ -
27	<b>TOTAL SERVICES AND SUPPLIES</b>	\$ 121,286.00	\$ 108,475.00	\$ 123,691.00	\$ 105,874.04	\$ 105,874.04
28						
29	52066: Contingency Fund	\$ 9,635.00	\$ 9,635.00	\$ 12,369.10	\$ 10,587.40	\$ 10,587.40
30	General Reserve Fund	\$ 90,365.00	\$ 100,000.00	\$ 100,000.00	\$ 70,000.00	\$ 70,000.00
31						
32	<b>Services, Contingency and Reserve Total</b>	\$ 221,286.00	\$ 218,110.00	\$ 236,060.10	\$ 186,461.44	\$ 186,461.44
33						
34	Carryover from prior year			\$ 162,943.32	\$ 113,383.06	\$ 113,383.06
35	Anticipated Project Revenue	\$ 206,277.00	\$ 188,388.61	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
36	Anticipated Interest			400	400	400
37	Contributions from Governments	\$ 70,776.00	\$ 70,776.00	\$ 70,716.78	\$ 70,678.38	\$ 70,678.38
38	<i>fy 2011-2012 total revenue to date</i>					
39						
40	<b>AMOUNT TO BE APPORTIONED</b>	\$ 70,776.00	\$ 70,776.00	\$ 70,716.78	\$ 70,678.38	\$ 70,678.38