

Calaveras Local Agency Formation Commission

Regular Meeting Agenda

MONDAY – Sept 15, 2014 – 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, City Member
Merita Callaway, Chair County Member
Darren Spellman, County Member
Tony Tyrrell, Special District Member
John Lavaroni, Special District Member
Anita Paque, Vice-Chair Public Member

Paul Stein, Public Member Alt.
Debbie Ponte, County Member Alt.
Scott Kelly, City Member Alt.
Don Young, Special Dist. Member Alt.
Staff:
John Benoit, Executive Officer
Karon Knuist, LAFCO Clerk
Michael Colantuono, LAFCO Counsel

2. Approval of Agenda (Deletions/Additions)

3. Approval of Minutes for July 21, 2014

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 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.

5. Consent Agenda:

- a. *Review and Authorize Claims for July and August 2014*

Continued PUBLIC HEARING:

6. Valley Springs PUD Sphere of Influence

- a. *Discuss and conduct continued Public Hearing regarding the Valley Springs Public Utility District Sphere of Influence update and consider LAFCo Resolution 2014-0004.*

Action Items:

7. Workshop regarding the Mokelumne Hill Sanitary District Sphere of Influence Update.

- a. *Provide Direction to staff and set public hearing at the next available LAFCo meeting.*

8. Executive Officer's report

- a) *Groundwater Management*
b) *UPUD Sphere of Influence update*
c) *CSA's Sphere of Influence*

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. Adjourn to next regular meeting of October 20, 2014

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

LOCAL AGENCY FORMATION COMMISSION
OF CALAVERAS COUNTY
MINUTES OF MEETING
July 21, 2014

COMMISSIONERS PRESENT:	ALSO PRESENT:
Merita Callaway, Chair, County Member	Doug Young, Special District Member Alt.
Anita Paque, Vice-Chair, Public Member	
Jack Lynch, City Member	
Bert Sobon, City Member	John Benoit, Executive Officer
Tony Tyrell, Special District Member	Karon Knuist, LAFCo Clerk
John Lavaroni, Special District Member	
ABSENT:	
Darren Spellman, County Member	

1. **Call to Order/Roll Call/Pledge of Allegiance:** The meeting was called to order at 6:02 p.m. in the Calaveras County Board of Supervisors Chambers by Chairwoman Merita Callaway. There were 6 Commissioners present and 1 Commissioner absent. A quorum present.
2. **Approval of Agenda:** **MOTION** by Commissioner Lavaroni second by Commissioner Tyrell to approve the Agenda as presented. Motion passed 6 -0, 1 absent.
3. **Approval of Minutes – May 19, 2014:** **MOTION** by Commissioner Lavaroni second by Commissioner Tyrell to approve the Minutes of the May 19, 2014 meeting, Commissioner Sobon abstained. Motion passed 5 -0, 1 absent, 1 abstention.
4. **Public Comment** – No public comments.
5. **Consent Agenda: Review and authorize Claims for June 2014.** **MOTION** by Commissioner Lavaroni second by Commissioner Tyrell to approve the Claims for June 2014 as presented. Motion passed 6 -0, 1 absent.

PUBLIC HEARING:

6. **Valley Springs PUD Sphere of Influence:** *Discuss and Conduct a Public Hearing regarding the Valley Springs Public Utility District Sphere of Influence update and consider LAFCo Resolution 2014-0004.*

It was decided to continue the issue until the next LAFCo meeting, which will give Executive Officer Benoit time to clean up verbiage and update the map to reflect the correct Sphere of Influence.

Public Comment – Public comment on the Valley Springs PUD Sphere of Influence will also be continued.

ACTION ITEMS:

7. **Authorize Commissioners and Staff to attend the CaLAFCo Annual Conference in Ontario – October 15-17, 2014.** The Commissioners were polled to determine interest in attending the CaLAFCo Conference in Ontario. Executive Officer Benoit requested that all Commissioners interested in attending make their own travel arrangements, and he would take care of the conference registration.

Commissioners Paque, Tyrell and Lynch expressed interested in attending the CaLAFCo Conference. Executive Officer Benoit will contact Paul Stein and Scott Kelly to see if they have an interested in attending the conference. **MOTION** by Commissioner Lavaroni not to extend the invitation to attend the CaLAFCo Conference to Commissioner Spellman. Commissioner Spellman will not be a member of LAFCo in 2015. Motion is second by Commissioner Sobon and passed 6 -0, 1 absent.

8. **Nomination for CaLAFCo Achievement Awards.** Commissioners discussed possible nominees for Achievement Awards. **MOTION** by Commissioner Lynch to nominate the consolidation of the Foothill and Jenny Lind fire districts for CaLAFCo Project of the Year with emphasis on the process. Motion was seconded by Commissioner Tyrell and passed 6 -0, 1 absent.

9. **Nominations for CaLAFCo Board of Directors.** *Consider a nomination of a District and (or) County Member to the CaLAFCo Board.* Commissioner Tyrell was asked if he would be interested in being nominated for the Central Area LAFCo Board of Directors. Commissioner Tyrell declined.

10. **Designate Voting Member and Voting Member Alternate to vote on behalf of Calaveras LAFCo at the CaLAFCo Annual Conference.** Commissioner Paque was designated as the Voting Member and Commissioner Tyrell as the Voting Member Alternate to represent Calaveras LAFCo at the CaLAFCo Annual Conference.

11. **2014 Biennial Conflict of Interest Code Review.** *Review and approve a revised Conflict of Interest Code, Consider Resolution 2014-0005 and authorize the Executive Officer to transmit the adopted resolution along with the Biennial Review notice (Attachment #4) to the Code Reviewing Body for approval.* Commissioner Lynch would like it to be noted in the Resolution that private residences will be excluded from reporting on the 700 forms.

MOTION by Commissioner Lynch to approve Resolution 2014-0005 as amended. **The Resolution adopts a revised Conflict of Interest Code. Motion was seconded by Commissioner Tyrell and passed 6 -0, 1 absent.**

8. **Executive Officer's report.** *Groundwater Management.* Executive Officer Benoit gave an overview on two pieces of groundwater management legislation; SB1739 and

SB1168, which will be combined into one bill in early August. More information will be available next month.

Josh Nelson will be conducting Ethics Training and Executive Officer Benoit will work with Diane to coordinate the training. Chairwoman Calloway reported that Alpine County will be holding Ethics Training on August 20, 2014.

9. Commissioners Reports – No Commissioners Reports.

10. Adjourn to next regular meeting of August 18, 2014

Chairwoman Calloway adjourned the meeting at 7:13p.m.

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CALAVERAS LAFCO

LAFCO CLAIM AUTHORIZATION FORM

for

July and August 2014

Authorize payment of the following claims:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
FY 2014-2015 Expenses:		
Aug 1, 2014	Staff Svcs & Expenses – July 2014	\$ 3,610.48
Sept 1, 2014	Staff Svcs and Expenses – Aug 2014	\$ 2,026.81
June 28, 2014	VSPUD SOI Hearing Notice	\$ 33.80
Aug 9, 2014	Calav LAFCo Registrations	\$ 1,350.00
July 21, 2014	Comm Payroll July 21, 2014	\$ 350.00
	TOTAL:	\$ 7,371.09

DATED: Sept 15, 2014

APPROVED: Sept 15, 2014

Merita Callaway, Chair or Anita Paque, Vice-Chair
Calaveras Local Agency Formation

Attest:

John Benoit
Executive Officer

Item	Comm Stipends	Insurance	Communications	Memberships	GenOfficeExp	Postage	copies	Fire&EMSSOI	W & WWSOI	Ex. OFF. Svcs	City Fin Charge
Account Number	62001	62050	62051	62052	62053	62054	62055	62057	62058	62059	62060
Total Budgeted	\$ 6,600.00	\$ 1,691.04	\$ 800.00	\$ 769.00	\$ 350.00	\$ 500.00	\$ 2,000.00	\$ 25,000.00	\$ 20,000.00	\$ 42,500.00	\$ 3,600.00
Calafco dues 14-15				(769.00)							
SDRMA Insurance 14-15		(1,662.60)									
Laico Meeting 7.21.14 Stipend	(350.00)				(5.00)	(20.30)			(1,420.00)		
jb Claim July 2014										(2,000.00)	
Calafco Registration Ann Conf											
Calav Enterprise 6.27.14 VSPUD #30275											
jb Claim Aug 2014											(1,968.75)
TOTAL REMAINING	\$ 6,250.00	\$ 28.44	\$ 694.81	\$ -	\$ 345.00	\$ 476.67	\$ 1,963.38	\$ 25,000.00	\$ 18,580.00	\$ 38,531.25	\$ 3,600.00

Resolution No. 2014-0004

CALAVERAS LOCAL AGENCY FORMATION COMMISSION

A Resolution Making Determinations and Approving A Sphere of Influence Update for the Valley Springs Public Utility District

WHEREAS, Government Code Section 56425 requires each Local Agency Formation Commission to adopt and periodically review and update a sphere of influence for each local governmental agency within its jurisdiction; and

WHEREAS, the Calaveras Local Agency Formation Commission, in compliance with the aforementioned requirement, is providing a “plan for the probable physical boundaries and service area” for the Valley Springs Public Utility District; and

WHEREAS, the Commission has set the hearing date of July 21, 2014 and September 15, 2014 for the update of the sphere of influence for the Valley Springs Public Utility District and has noticed this hearing at the times and as otherwise prescribed by Government Code Section 56150, *et seq.*; and

WHEREAS, the Commission has heard and adopted a Municipal Services Review of water and wastewater services provided by the Valley Springs Public Utility District in accordance with Gov. Code section 56430; and

WHEREAS, the Commission has reviewed and considered the proposed Sphere of Influence update report including the proposed Sphere of Influence Update Map which is attached hereto and incorporated herein; and

WHEREAS, Calaveras LAFCO prepared and a notice of exemption for such action since the sphere of influence reflects no change in the territory being served by the district; and

WHEREAS, the Commission has considered those factors determined by it to be relevant to the proposed sphere of influence update, including, but not limited to, those factors specified in Government Code Section 56425, *et seq.*, and has heard from interested parties and considered requests for amendment and/or revision of the proposed updated sphere boundary, if any;

NOW, THEREFORE, BE IT RESOLVED that the Calaveras Local Agency Formation Commission does hereby find and determine as follows:

1. That the proposed sphere of influence update with respect to the Valley Springs Public Utility District complies with the provisions of Government Code Section 56000, *et seq.*
2. That the Valley Springs Public Utility District is authorized to provide wastewater treatment and collection and water treatment and distribution services.
3. That no significant protests have been received regarding the establishment of this Sphere of Influence update.
4. That, pursuant to Government Code Section 56425, the Commission makes and adopts those determinations set forth in the Sphere of Influence Study are attached hereto and incorporated herein as set forth in Attachment A.

5. That pursuant to the California Environmental Quality Act, the Commission adopts a Notice of Exemption (Attachment B) under Class 20 since the proposed project involves a sphere of influence update where the services provided by the Valley Springs Public Utility District will not change as a result of this update.
6. That the Sphere of Influence Update Report, Executive Officer's Report, and Map for the Valley Springs Public Utility District updated Sphere of Influence is hereby adopted and approved as set forth in Attachment "A".

PASSED AND ADOPTED at a regular meeting of the Calaveras Local Agency Formation Commission, State of California, on the 15th day of September 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Merita Callaway, Chair or Anita Paque, Vice-Chair, Calaveras Local Agency Formation Commission

Attest:

John Benoit, Executive Officer Calaveras LAFCO