

Local Agency Formation Commission (LAFCO) Agenda for a Regular Meeting

CALAVERAS LAFCO

Calaveras Local Agency Formation Commission

Regular Meeting Agenda

**THE CALAVERAS COUNTY BOARD OF SUPERVISOR'S ROOM
891 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA**

Monday – November 18, 2024 – 6:00 p.m.

In person meeting: Required for all Commissioners.

The complete agenda, including backup 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

If members of the public wish to participate via Zoom you may do so.

Topic: Calaveras LAFCo

Time: Nov 18, 2024 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89584827246?pwd=XkxqoJoUTVZiKPByr2bDPRPeSj0si7.1>

Meeting ID: 895 8482 7246

Passcode: 226954

One tap mobile

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+16699006833,,89584827246#,,, *226954# US (San Jose)

Meeting ID: 895 8482 7246

Passcode: 226954

Find your local number: <https://us02web.zoom.us/j/kc0iL1ndML>

6:00 PM Regular LAFCo Meeting Items:

1. Roll Call and Pledge of Allegiance:

<u>Commissioners</u>	<u>Alternate Commissioners</u>
Kirk Smith, Special District Member	
Isabel Moncada, City Member, Chair	Ralph Copeland, Public Member Alt.
Jennifer Herndon, City Member	Michael Chimento, City Member Alt.
Amanda Folendorf, County Member	Jon Dashner, Special Dist. Member Alt.
Gary Tofanelli, County Member, Vice-Chair	Jack Garamendi, County Member Alt
Tony Tyrrell, Special District Member	
Anita Paque, Public Member	

Staff:

John Benoit, Executive Officer
Diane Severud, LAFCO Clerk
Michael Colantuono, LAFCO Counsel

2. 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.

3. Consider minutes of September 16, 2024

- a. *Approve September 16, 2024 LAFCo Minutes*

4. Consent Agenda:

- a. *Review and Authorize Claims for September and October 2024*

5. Correspondence:

LAFCO Office Located at: P.O.² Box 2694 Granite Bay, CA 95746
Telephone: 707 592-7528

Email j.benoit4@icloud.com

6. **Municipal Service Review (MSR) and Sphere of Influence (SOI) Workshop regarding Street Lighting Districts and Public Agencies providing Street lighting services in Calaveras County including the Arnold, Mokelumne Hill, Murphys, San Andreas, Valley Springs, West Point, Sunrise Point, Copper Valley CSD, Wallace CSD and the City of Angels Camp.**
 - a. *Review Draft MSR and SOI report*
 - b. *Schedule Public Hearing for LAFCo's next regularly scheduled meeting: January 27, 2025*
7. **Calafco Conference review**
 - a. *Review Calafco Conference held on October 16-18, 2024*
8. **Grant a time extension to March 2025 for completion of LAFCo Project 2024-0001 UPUD Glanville Annexation.**
9. **Set Calaveras Regular Meeting schedule for 2025**
 - a) *Review and adopt Calaveras LAFCo Regular Meeting for 2025*
10. **Commissioners Report**
11. **Executive Officer's Report**

This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters

12. NEXT LAFCO MEETING will be: January 27, 2025

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 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 COUNTY
LOCAL AGENCY FORMATION COMMISSION
MINUTES
September 16, 2024

Commissioners Present:

Isabel Moncada, City Member, Chair
Gary Tofanelli, County Member, Vice Chair
Kirk Smith, Special District Member
Anita Paque, Public Member

Commissioners Absent:

Amanda Folendorf, County Member
Jack Garamenti, County Member Alternate
Jennifer Herndon, City Member
Michael Chimente, City Member Alternate
Tony Tyrrell, Special District Member
Jon Dashner, Special District Member Alternate
Ralph Copeland, Special District Member Alternate

Staff Present:

John Benoit, Executive Officer
Diane Severud, LAFCo Clerk

Chair Moncada opened the meeting at 6:02 PM

1. Roll Call and Pledge of Allegiance.
2. Public Comment.
There were no comments.
3. Approval of July 15, 2024 Minutes.

Motion: Tofanelli
Second: Smith
Ayes: Moncada, Tofanelli, Smith, Paque
Nays: None
Abstain: None

THE MINUTES OF THE JULY 15, 2024 MEETING WERE APPROVED.

4. Consent Agenda: Authorize Claims for July and August 2024.

Motion: Paque
Second: Tofanelli
Ayes: Moncada, Tofanelli, Smith, Paque

Nayes: None

Abstain: None

THE CONSENT AGENDA WAS APPROVED.

5. Correspondence: *Support Letter for SB 1209 Indemnification*. Mr. Benoit informed the Commission that the Court in San Luis Obispo County ruled that LAFCO's can't be indemnified. It is currently in the legislature to allow LAFCOs to be treated fairly and be indemnified.
6. Bylaw Amendment amending section 4.6(a) regarding changing the month for the election of the Chair and Vice Chair from the May meeting to the January LAFCO meeting.
 - a. *Consider Resolution 2024-0007 amending bylaw Section 4.6(a) regarding changing the month for the annual election of the LAFCo Chair and Vice-Chair*. Mr. Benoit summarized previous discussions regarding changing the election date for the Chair and Vice Chair from May to January.

Motion: Paque

Second: Tofanelli

Ayes: Moncada, Tofanelli, Smith, Paque

Nayes: None

Abstain: None

RESOLUTION 2024-0007 AMENDING THE BYLAW SECTION 4.6(A) REGARDING CHANGING THE MONTH FOR THE ANNUAL ELECTION OF THE CHAIR AND VICE CHAIR FROM MAY TO JANUARY WAS APPROVED.

7. Biennial Review of Calaveras LAFCo's Conflict of Interest Code
 - a. Review LAFCo's Conflict of Interest Code. Mr. Benoit stated that there are no recommended changes and suggested authorizing the Chair to sign the COI. A Resolution will be brought back at the next meeting for approval.

Motion: Paque

Second: Tofanelli

Ayes: Moncada, Tofanelli, Smith, Paque

Nayes: None

Abstain: None

THE COMMISSION AUTHORIZED THE CHAIR TO SIGN THE COI AND A RESOLUTION WILL BE BROUGHT BACK AT THE NEXT MEETING FOR APPROVAL.

8. CALAFCo Conference Items.
 - a. Calafco Annual Conference Tenaya Lodge Fish Camp Oct 16-18, 2024. Review Reservations and Lodging. Mr. Benoit reported that any cancellation requests can be refunded if requested by October 1st. After that, registration can be transferred to another representative.
 - b. Discussion regarding presentation regarding service provision to districts not subject to LAFCo's jurisdiction. Mr. Benoit informed the Commission that Mountain Oaks Charter School is interested in being annexed into the San Andreas Sanitary District; however, they will have to request annexation from San Andreas Sanitary.

He continued that he will be giving a presentation at the Annual Conference on this subject.

9. Executive Officer' s report

- a. Status of upcoming Service Reviews. Mr. Benoit announced that the Commission had received the President's Special Acknowledgement Award from SDRMA for not having any claims in the past five years. He spoke of a recent letter from the Calaveras Planning regarding a proposed project in San Andreas for a 70 room hotel, nine residential units for the staff and a restaurant. An unmitigated impact must have an EIR regarding wastewater levels associated with the project as it is anticipated to generate approximately 1,400 gallons of wastewater per day which is above the capacity that the San Andreas Sanitary District can manage.

Next, he reported that MSRs are done every five years, so it's usually found after the fact that districts are underperforming. As for the upcoming Municipal Service Reviews, he will meet with the City Manager to get their MSR moving and hopefully, the Lighting Districts will have a draft ready for review at the next meeting, followed by the Veterans Memorial Districts and Cemetery Districts.

Lastly, he informed the Commission that he received a call from the County Assistant Auditor asking why LAFCo contracts with the City for services and replied that the Commission was dissatisfied with the service, the fees were too high and the County seemed to make up the rules as they went along. Additionally, the County had wanted the Commissioners to be employees of the County, which was not legal.

10. Commissioners Reports.

Commissioner Smith reported that he had a meeting with all fire chiefs regarding upcoming reviews and impacts on them from the change in dispatch. He stated that rural districts used to have lower insurance rates. Previously, rural fire was always relied on, but now CalFire is always there. This could impact future funding. CalFire is the largest fire program in the world. There may be a time when local fire is duplicated and may be deemed unnecessary.

Chair Moncada adjourned the meeting at 6:55 PM.

NEXT LAFCO MEETING will be: November 18, 2024 - 6:00 PM in San Andreas

DATE APPROVED:

Isabel Moncada, Chair

CALAVERAS LAFCO

LAFCO CLAIM AUTHORIZATION FORM

for

September and October 2024

Authorize payment of the following claims:

FY 2024-2025 Expenses

Sept 16, 2024	Commissioner Stipends	\$ 400.00
Oct 1, 2024	Staff Svcs Sept 2024	\$ 4,854.52
Oct 1, 2024	Staff Svcs Aug-Sept Lighting MSR SOI	\$ 6,916.00
Nov 1, 2024	Oct 2024 Staff Svcs	\$ 3,801.53
Nov 1, 2024	Conf Reimb Kirk Smith	\$ 893.17
Nov 1, 2024	Conf Reimb Tony Tyrrell	\$ 1,038.51
Oct 16, 2024	2024-2025 Calafco Bill addition	\$ 43.00
	TOTAL	\$ 17,946.73

DATED: November 18, 2024

APPROVED: November 18, 2024

Isabel Moncada, Chair or Gary Tofanelli, Vice-Chair
Calaveras Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

Item	Account Number	Comm Stipends	Insurance	Communication	Memberships	SenOfficeExp	Postage	copies	MSR	SOI	Ex. OFF. Svcs	City Fin Charge	Lgl Notices
		62002	62050	62051	62052	62053	62054	62055	62057	62058	62059	62060	62061
Total Budgeted		\$ 6,600.00	\$ 2,919.00	\$ 800.00	\$ 2,386.40	\$ 350.00	\$ 500.00	\$ 1,500.00	\$ 25,000.00	\$ 20,000.00	\$ 72,000.00	\$ 3,600.00	\$ 500.00
Calafco dues 2024-2025					(1,837.00)								
SDRMA Insurance 2024-2025			\$ (2,794.86)										
CALAFCO Registration 2024 (6)		\$ (500.00)											
Payroll July 15, 2024				\$ (74.68)		\$ (155.88)		\$ (26.00)	\$ (2,000.00)		\$ (3,000.80)		
Staff Svcs July 2024				\$ (74.68)							\$ (2,819.60)		
Staff Svcs Aug 2024													
Streamline 24-25		\$ (400.00)											
Payroll 9.16.2024				\$ (74.68)							\$ (4,676.04)		
Staff Svcs September 2024					(43.00)								
under payment Calafco claim													
Staff Svcs November 2024				\$ (82.00)		\$ (79.98)		\$ (10.00)			\$ (3,192.00)		
Tony Tyrrell Conf Reimb 2024													
Kirk Smith Conf Reimb 2024													

TOTAL EXPENDED		\$ (900.00)	\$ (2,794.86)	\$ (306.04)	\$ (1,880.00)	\$ (235.86)	\$ -	\$ (46.00)	\$ (9,916.00)	\$ -	\$ (13,688.44)	\$ -	\$ -
TOTAL REMAINING		\$ 5,700.00	\$ 124.14	\$ 493.96	\$ 506.40	\$ 114.14	\$ 500.00	\$ 1,454.00	\$ 16,084.00	\$ 20,000.00	\$ 58,311.56	\$ 3,600.00	\$ 500.00

CALAVERAS LAFCO

2025 Commission Regular Meeting Schedule

6:00 p.m.

Board of Supervisors Chambers, Government Center
891 Mountain Ranch Road
San Andreas, California

January 27th

*(note: January 20th
is Martin Luther King Day)*

March 17th

May 19th

July 21st

September 15th

November 17th

Unless otherwise provided by resolution of the Commission, regular meetings of the Commission are scheduled for the **third Monday** of every other month at 6:00 p.m. in the Board of Supervisors' Chambers, 891 Mountain Ranch Road, Government Center, San Andreas, California. **Regular meetings are scheduled during the months of January, March, May, July, September, and November. Alternate meeting months in which a LAFCo meeting may be scheduled are: February, April, June, August, October, and December.** In the event of a scheduled holiday, the regular meeting shall be held at the same place upon the first succeeding Monday which is not a holiday, commencing at the same hour, in which event all hearings, applications, petitions and other matters before the Commission are continued to the same hour of the next succeeding day which is not a holiday. The Commission may, at its own discretion, meet at a different time or place from time to time, provided that public notice of such time and place is given in accordance with the Ralph M. Brown Act, Government Code Section 54954 et seq. and applicable provisions of the LAFCo Act.