

**CALAVERAS LAFCO**

**Calaveras Local Agency Formation Commission**

**Agenda**

**NOTE THIS MEETING WILL A PHYSICAL MEETING**

**AT**

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

**Regular Meeting Agenda**

**Monday – September 19, 2022 – 6:00 p.m.**

**In person meeting:** Required for all Commissioners. The Calaveras LAFCO meeting will be open to in-person attendance. To remain in compliance with the state's public health guidance and CalOSHA COVID-19 Emergency Temporary Regulations [8 CCR §3205], masks will be encouraged to be worn by individuals who are not fully vaccinated while inside the Government Center and while in the Board Chambers.

**Zoom meeting:** The Commission proceedings are available via Zoom and you may participate. Members of the public are encouraged to observe and participate in the teleconference.

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

If you wish to participate via Zoom you may do so.

**Topic: Calaveras LAFCo**

**Time: Sep 19, 2022 06:00 PM Pacific Time (US and Canada)**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/85832311523?pwd=ZnlSam4zdUo0NmZpZTVDcUNjcnVwZz09>**

**Meeting ID: 858 3231 1523**

**Passcode: 308637**

**Dial by your location**

**+1 669 900 6833 US (San Jose)**

**Meeting ID: 858 3231 1523**

**Passcode: 308637**

LAFCO Office Located at: P.O. Box 2694 Granite Bay, CA 95746

Telephone: 707 592-7528

Email [j.benoit4@icloud.com](mailto:j.benoit4@icloud.com)

**6:00 PM Regular LAFCo Meeting Items:**

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

Commissioners

Alternate Commissioners

Anita Paque, Public Member, Chair  
Kirk Smith, Special District Member, Vice Chair  
Isabel Moncada, City Member  
Jennifer Herndon, City Member  
Gary Tofanelli, County Member  
Merita Callaway, County Member  
Tony Tyrrell, Special District Member

Ralph Copeland, Public Member Alt.  
Alvin Broglio, City Member Alt.  
Vacant, Special Dist. Member Alt.  
Amanda Folendorf, County Member Alt

**Staff:**

John Benoit, Executive Officer  
Nancy Mees, 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 July 18, 2022**

a. *Approve July 18, 2022 LAFCo Minutes*

**4. Consent Agenda:**

- a. Review and Authorize Claims for July and August 2022
- b. Resolution 2022-0009 authorizing teleconferencing for the Sept 19, 2022 meeting.

**5. Correspondence:**

LAFCO Office Located at: P.O. Box 2694 Granite Bay, CA 95746

Telephone: 707 592-7528

Email [j.benoit4@icloud.com](mailto:j.benoit4@icloud.com)

**Public Hearing:**

6. **Continued Public Hearing regarding the Service Review (MSR) for Road Community Services Districts in Calaveras County including the Appaloosa Road (ARCSD), Circle XX (CXXCSD), Copper Cove Rocky Road (CCRRCSD), Lynn Park Acres (LPACSD), Middle River (MRCSD), Mountain Ranch Subdivision (MRSCSD), Three Cent Flat (TCFCSD), and Wallace (WCSD) –**
  - a. *Receive Executive Officer's report*
  - b. *Conduct Hearing and consider Resolution 2022-0007 adopting a Service Review of Road Services for Road Community /services Districts.*
7. **Biennial Review of LAFCo's Conflict of Interest Code.**
  - a) *Review LAFCo's Conflict of Interest Code*
  - b) *Authorize the Executive Officer to sign the Biennial Conflict of Interest Code review form and transmit to the Code Reviewing Body.*
8. **Executive Officer's report**
  - a) *Special District Alternate Recruitment*
  - b) *Calafco Annual Conference October 19-21*
  - c) *Bylaws update*
  - d) *UPUD MSR*
  - e) *CSD's Sphere of Influence*
  - f) *Meet with Copper Cove Rocky Road CSD October 13<sup>th</sup>*
  - g) *SB-938 LAFCO protest proceedings*
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. NEXT LAFCO MEETING will be: November 21<sup>st</sup>, 2022 - 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](http://www.calaveraslafco.org)

Email LAFCO at: [j.benoit4@icloud.com](mailto:j.benoit4@icloud.com)

# Calaveras Local Agency Formation Commission Meeting Minutes – Monday, July 18, 2022

- 1. **Call to Order/Roll Call** – Order was called by Chair Callaway at 6:00 p.m. on Monday, July 18, 2022.

**Commissioners Present**

Anita Paque, Public Member, Chair  
Gary Tofanelli, County Member  
Merita Callaway, County Member  
Isabel Moncado, City Member  
Jennifer Herndon, City Member  
Tony Tyrrell, Special District Member

**Commissioners Absent**

Kirk Smith, Spec. Dist. Mem., Vice Chair  
Amanda Folendorf, County Mem. Alt.  
Alvin Broglio, City Member Alt.  
Vacant, Special District Member Alt.

**Staff Present**

John Benoit, Executive Officer  
Nancy Mees, LAFCO Clerk

**Others Present**

- 2. **Public Comment:**

There was no public comment.

- 3. **Consider Minutes of May 16, 2022, LAFCo meeting:**

**MOTION** by Commissioner Tofanelli to approve the minutes of the May 16, 2022, LAFCo meeting as presented, second by Commissioner Tyrrell. Motion passed 6 yes, 0 no, 1 absent.

- 4. **Consent Agenda:**

- a. *Review and authorize claims for May and June 2022.*
- b. *Resolution 2022-0008 authorizing teleconference for the July 18, 2022, meeting.*

**MOTION** by Commissioner Tyrrell to approve the Consent Agenda and Claims for May and June 2022 as presented, and Resolution 2022-0008 authorizing teleconference for the July 18, 2022, meeting, second by Commissioner Herndon. Motion passed 6 yes, 0 no, 1 absent.

- 5. **Correspondence:**

Executive Officer Benoit reported that he had received an email stating that AB 938 had been signed by the governor.

## Public Hearings

6. **Public Hearing Regarding the Service Review (MSR) for Road Community Services Districts in Calaveras County including Appaloosa Road (ARCSD), Circle XX (CXXCSD), Copper Cove Rocky Road (CCRRCSD), Lynn Park Acres (LPACSD), Middle River (MRCSD), Mountain Ranch Subdivision (MRSCSD), Three Cent Flat (TCFCSD), and Wallace (WCSD):**

**MOTION** by Commissioner Callaway to postpone the hearing on the Municipal Service Review for Road Community Service Districts to the September 19, 2022, LAFCo Commission meeting, second by Commissioner Moncado. Motion passed 6 yes, 0 no, 1 absent.

7. **Consider Resolution 2022-0009 approving an increase in Commissioner meeting stipends from \$50.00 to \$100.00 per meeting as provided for in LAFCo's Bylaws and the 2022-2023 LAFCo Budget:**

Executive Officer Benoit stated that this matter had been discussed at the May 16 meeting and added into the 2022-2023 Budget. He said it had been at least a dozen years since the last increase.

**MOTION** by Commissioner Tyrrell to approve LAFCo Resolution 2022-0009 increasing Commissioner stipends from \$50.00 to \$100.00 per meeting, second by Commissioner Callaway. Motion passed 6 yes, 0 no, 1 absent.

8. **Calafco Conference Matters:**

- a. *Consider nomination of a County Member or a Special District Member for the Calafco Board of Directors.*

Commissioner Tofanelli volunteered to run for a County Board Member position. Chair Paque explained that there were four Calafco regions in California, and that for the district in which Calaveras County is, there is an opening for a special district member, but that the county member position is currently held by Darin McDaniel. She added that there are five meetings per year, and they alternate between northern and southern California. In addition, there are separate meetings for the committees, and their number of meetings depends on the committee. Commissioner Tofanelli then stated he would run only if the incumbent county member decides not to run for re-election. Mr. Benoit said he would help him with his resume if he runs.

Commissioner Herndon nominated Commissioner Tofanelli as a candidate for the county member position on the Calafco board. Nomination passed 6 yes, 0 no, 1 absent.

- b. *Consider attendance at the Calafco Annual Conference in Santa Ana, October 19-21.*

Executive Officer Benoit will call Commissioner Kirk to see if he will be attending. Chair Paque and Commissioner Tyrrell stated that they will be going. Commissioners Callaway and Herndon said they will check their calendars. Commissioner Tofanelli said he will also be attending the Mobile Workshop.

- c. *Designate voting delegate and alternate to represent and vote on behalf of LAFCo at the Calafco Annual Conference.*

Commissioner Moncado nominated Chair Paque to be a voting delegate, and Commissioner Tofanelli nominated Commissioner Tyrrell. Nominations passed 6 yes, 0 no, 1 absent.

- d. *Authorize the expenditure of funds to attend the Calafco Annual Conference.*

Executive Officer Benoit explained that this has already been done in the budget.

- e. *Calafco Achievement Awards Nominations.*

Executive Officer Benoit explained that there are various awards Calafco gives each year, but that he cannot think of anything in particular that Calaveras LAFCo should nominate for this year. Commissioners Tofanelli and Callaway suggested nominating Chair Paque for a Lifetime Achievement Award due to all her years of service with both Calaveras LAFCo and Calafco.

Commissioner Callaway nominated Chair Paque for a Lifetime Achievement Award, seconded by Commissioner Tofanelli. Nomination passed 6 yes, 0 no, 1 absent.

## **9. Executive Officer's Report:**

- a. *Special District Alternate Recruitment.*

Executive Officer Benoit reported that he sent out ballots, but did not receive enough votes. He will therefore have to send out additional ballots. He stated that there is a candidate from Ebbots Pass and a candidate from the healthcare district who are running.

- b. *Bylaws update.*

Executive Officer Benoit commented that the bylaws have not been updated in decades and should be. He will prepare a workshop for a future Commission meeting.

- c. *UPUD MSR.*

Executive Officer Benoit stated that this is the last water district MSR that must be completed. He has a draft MSR prepared which he will send to the district to review,

and stated he will also meet with the district.

**10. Commissioner Reports:**

There were no Commissioner reports.

**11. Adjournment:**

Meeting was adjourned at 6:42 p.m. The next regular meeting will be Monday, September 19, 2022, at 6:00 p.m. in San Andreas.

Minutes submitted by Nancy Mees.

**DATED:**

\_\_\_\_\_

**APPROVED:**

\_\_\_\_\_

\_\_\_\_\_  
Anita Paque, Chair,  
Calaveras Local Agency Formation



4a

# CALAVERAS LAFCO

## LAFCO CLAIM AUTHORIZATION FORM

for

**July and August 2022**

Authorize payment of the following claims:

**FY 2022-2023 Expenses:**

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
July 18, 2022	Commission meeting stipends	\$ 700.00
Aug 1, 2022	Staff Svcs and Expenses July 2022	\$ 5,100.54
Sept 1, 2022	Staff Svcs and Exp Aug 2022	\$ 7,484.06
July 30, 2022	Calafco Conf. Registrations	\$ 3,570.00
	TOTAL:	\$ 16,854.60

DATED: September 19, 2022

APPROVED: September 19, 2022

---

Anita Paque, Chair or Kirk Smith, Vice-Chair  
 Calaveras Local Agency Formation Commission

Attest:

---

John Benoit  
 Executive Officer

Item	Comm Stipends	Insurance	Communication	Memberships	SenOffice	Exf	Postage	copies	MSR	SOI	Ex. OFF. Svcs	City Fin Charge	Lgl Notices	Training
Account Number	62001	62050	62051	62052	62053	62054	62055	62057	62058	62059	62060	62061	62062	
Total Budgeted	\$ 6,600.00	\$ 2,547.00	\$ 800.00	\$ 2,197.00	\$ 330.00	\$ 500.00	\$ 1,500.00	\$ 25,000.00	\$ 20,000.00	\$ 47,000.00	\$ 3,600.00	\$ 500.00	\$ 4,000.00	
Calafco dues 22-23				\$ (1,696.00)										
SDRMA Insurance 22-23		\$ (2,824.92)												
Payroll 7.18.22	\$ (700.00)													
Staff Svcs July 2022		\$ (67.19)		\$ (33.35)	\$ (1.00)	\$ (15.00)				\$ (4,894.40)				
Calafco Conf Regis 2022			\$ (80.64)		\$ (13.99)					\$ (3,000.00)			\$ (3,570.00)	
September 2023 staff services								\$ (4,389.43)						
<b>TOTAL EXPENDED</b>	<b>\$ 5,900.00</b>	<b>\$ 2,824.92</b>	<b>\$ 652.17</b>	<b>\$ 501.00</b>	<b>\$ 302.66</b>	<b>\$ 499.00</b>	<b>\$ 1,485.00</b>	<b>\$ 20,610.57</b>	<b>\$ 20,000.00</b>	<b>\$ 39,105.60</b>	<b>\$ 3,600.00</b>	<b>\$ 500.00</b>	<b>\$ 430.00</b>	
<b>TOTAL REMAINING</b>														



**RESOLUTION NO. 2022-0009**

**A RESOLUTION OF THE CALAVERAS LAFCO OF THE AUTHORIZING A REMOTE TELECONFERENCE MEETING OF THE COMMISSION PURSUANT TO GOVERNMENT CODE SECTION 54953(e)**

WHEREAS, Government Code section 54953(e), as amended by Assembly Bill No. 361, allows legislative bodies to hold open meetings by teleconference without reference to otherwise applicable requirements in Government Code section 54953(b)(3), so long as the legislative body complies with certain requirements, there exists a declared state of emergency, and one of the following circumstances is met:

1. State or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body is holding the meeting for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body has determined, by majority vote, pursuant to option 2, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

WHEREAS, the Governor of California proclaimed a state of emergency pursuant to Government Code section 8625 on March 4, 2020; and

WHEREAS, the CALAVERAS LAFCO desires to hold its public meetings by teleconference consistent with Government Code section 54953(e).

NOW, THEREFORE, THE CALAVERAS LAFCO DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Conditions are met. The CALAVERAS LAFCO hereby finds and declares the following, as required by Government Code section 54953(e)(3):

1. The Governor of California proclaimed a state of emergency on March 4, 2020, pursuant to Government Code section 8625, which remains in effect.
2. The reasons for adopting this resolution are one or more of the following:
  - a. State or local officials have imposed or recommended measures to promote social distancing.
  - b. The legislative body is holding the meeting for the purpose of determining whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

- c. The legislative body has determined that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

PASSED AND ADOPTED by the Calaveras LAFCo, this 19th day of September 2022 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Anita Paque, Chair or Kirk Smith, Vice Chair  
Calaveras Local Agency Formation Commission

ATTEST:

---

John Benoit, Executive Officer

CALAVERAS LOCAL AGENCY FORMATION COMMISSION

Resolution 2022-0007

of the

Calaveras Local Agency Formation Commission approving a Service Review of Road Services provided by the Appaloosa Road (ARCSD), Circle XX (CXXCSD), Copper Cove Rocky Road (CCRRCSD), Lynn Park Acres (LPACSD), Middle River (MRCSD), Mountain Ranch Subdivision (MRSCSD), Three Cent Flat (TCFCSD), and Wallace (WCSD). And adopting written determinations thereon

WHEREAS, California Government Code Section 56425 requires that the Local Agency Formation Commission ("LAFCO") adopt and periodically review Sphere of Influence Plans for all agencies in its jurisdiction; and,

WHEREAS, California Government Code Section 56430 requires that LAFCO conduct a review of the municipal services provided by and within an agency prior to updating or adopting its Sphere of Influence Plan; and,

WHEREAS, the Sphere of Influence Plan is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO; and,

WHEREAS, the Commission adopted guidelines for conducting Municipal Service Reviews (MSRs) included in its Policies, Standards and Procedures adopted on August 17, 2009, which applies to this MSR for water services provided by the Appaloosa Road (ARCSD), Circle XX (CXXCSD), Copper Cove Rocky Road (CCRRCSD), Lynn Park Acres (LPACSD), Middle River (MRCSD), Mountain Ranch Subdivision (MRSCSD), Three Cent Flat (TCFCSD), and Wallace (WCSD); and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission for the MSR, including approval of the report and adoption of the written determinations contained therein; and,

WHEREAS, the Commission hereby determines that the Service Review for road services provided by the Appaloosa Road (ARCSD), Circle XX (CXXCSD), Copper Cove Rocky Road (CCRRCSD), Lynn Park Acres (LPACSD), Middle River (MRCSD), Mountain Ranch Subdivision (MRSCSD), Three Cent Flat (TCFCSD), and Wallace (WCSD).and written determinations contained therein will provide information for updating the Sphere of Influence for the District, and is otherwise consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities; and,

WHEREAS, in its review of the Road Community Services Districts (CSD's) the Commission realizes they need technical assistance and are willing to support a Calaveras CSD Association whereby the Commission will assist the CSD's to the extent feasible.

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Calaveras Local Agency Formation Commission hereby resolves, orders and determines the following:

1. The Municipal Service Review for services provided by the Appaloosa Road (ARCSD), Circle XX (CXXCSD), Copper Cove Rocky Road (CCRRCSD), Lynn Park Acres (LPACSD), Middle River (MRCSD), Mountain Ranch Subdivision (MRSCSD), Three Cent Flat (TCFCSD), and Wallace (WCSD), attached hereto as Exhibit A, is approved and the written determinations presented in the Municipal Service Review report are hereby adopted.
2. The Commission desires to work with the CSD's and facilitate in forming an association of Road CSDs to assist and facilitate in sharing and providing services with one another. For example, establishing a CSD association and providing miscellaneous assistance in addressing deficiencies, like helping with bids and local government requirements such as websites, memberships in regional or state organizations, statements of facts, Brown Act requirements and miscellaneous record keeping.
3. LAFCO staff is further ordered to forward copies of this resolution containing the adopted Municipal Service Review to the Appaloosa Road (ARCSD), Circle XX (CXXCSD), Copper Cove Rocky Road (CCRRCSD), Lynn Park Acres (LPACSD), Middle River (MRCSD), Mountain Ranch Subdivision (MRSCSD), Three Cent Flat (TCFCSD), and Wallace (WCSD).
4. Directs staff to commence work on a Sphere of Influence Update for the Road Maintenance districts (Road CSD's) in Calaveras County.

The foregoing resolution was duly passed by the Calaveras Local Agency Formation Commission at a regular meeting held on Sept 19, 2022 by the following roll call vote:

Ayes:

Noes:

Abstain:

Absent:

Signed and approved by me after its passage this 19<sup>th</sup> day of September 2022.

---

Anita Paque, Chair or Kirk Smith, Vice Chair  
Calaveras LAFCO

Attest:

---

John Benoit, Executive Officer  
CALAVERAS LOCAL AGENCY FORMATION COMMISSION

7

Calaveras Local Agency Formation Commission

**Memorandum**  
September 19, 2022

TO: LAFCo Commissioners

FROM: John Benoit, Executive Officer

SUBJECT: 2022 Biennial Review of the Conflict of Interest Code.

Attachments:

1. Resolution 2014-0005 adopting LAFCO's Conflict of Interest Code
2. 2022 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 occurring in the organization of an entity. The Local Agency Formation Commission (as well as other local agencies) is required adopt, review and amend its Conflict of Interest code during even-numbered years. The County Clerk normally sends out a biennial notice 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.

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. In 2014 the County passed Resolution 2014-0093 stating it will no longer be the filing agency and the designated filing officer. In 2014 after review or approval of the Conflict of Interest Code (see Attachment #1), LAFCO adopted Resolution 2014-0005 on July 21, 2014 and was required to submit the proposed changes to the Board of Supervisors acting as the code reviewing body for approval.

Attachment #2, is the 2022 Biennial Notice stating after review, LAFCo's Conflict of Interest code is not in need of any revisions for 2022.

Recommendation:

Authorize the Executive Officer to sign and transmit the 2022 Biennial Local Agency Notice (Attachment #2) to the Code Reviewing Body Clerk to the Board.



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

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

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

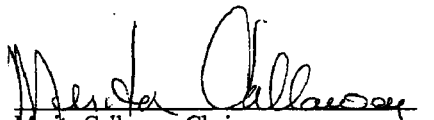
16  
17 **ON A MOTION** by Commissioner Lynch, seconded by Commissioner  
18 Tyrrell, the foregoing Resolution was duly passed and adopted by the **Calaveras Local**  
19 **Agency Formation Commission (LAFCo)** of the County of Calaveras, State of California this 21st day  
20 of July, 2014, by the following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

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

22 **NOES:**

23 **ABSENT:** Spellman

24 **ABSTAINED:**

25   
26 Merita Callaway, Chair  
Calaveras LAFCo

27 **ATTEST:**

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.

# 2022 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. 707.592.7528

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.

\_\_\_\_\_  
Signature of Chief Executive Officer

Sept 16, 2022  
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 3, 2022, or by the date specified by your agency, if earlier, to:

Attn: Rebecca Turner, Clerk to the  
Calaveras County Board of Supervisors  
891 Mountain Ranch Road  
San Andreas, CA

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.