

## Agenda

**NOTE THIS MEETING WILL A PHYSICAL MEETING AT  
THE CALAVERAS COUNTY BOARD OF SUPERVISOR'S ROOM  
891 MOUNTAIN RANCH ROAD  
SAN ANDREAS, CA**

**Calaveras Local Agency Formation Commission**

### Regular Meeting Agenda

**Monday – January 24, 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 in Public Comment by using the "raise hand" function. Pursuant to Government Code section 54953, local legislative bodies may hold public meetings via teleconference. Additionally, even when members of the local legislative body are attending meeting in person the local legislative body may make public meetings accessible telephonically or otherwise electronically to all members of the public. Members of the public are encouraged to observe and participate in the teleconference.

Public comment will also be accepted by email to [j.benoit4@icloud.com](mailto:j.benoit4@icloud.com) . Please list the item number you wish to comment on and submit your written comments 24 hours prior to the start of the meeting. Written comments will be distributed to the Commission prior to the meeting but not read at the meeting and are limited to 500 words

Oral public comments will be subject to a three-minute time limitation indicated below.

*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 1.24.21**

**Time: Jan 24, 2022 06:00 PM Pacific Time (US and Canada)**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/83157971835?pwd=TIJUYnk2Y0syRGpXUWVVTjV0eGF5UT09>**

**Meeting ID: 831 5797 1835**

**Passcode: 401669**

One tap mobile  
+16699006833,,83157971835#,,,,\*401669# US (San Jose)  
+13462487799,,83157971835#,,,,\*401669# US (Houston)

Dial by your location  
+1 669 900 6833 US (San Jose)  
+  
Meeting ID: 831 5797 1835  
Passcode: 401669  
Find your local number: <https://us02web.zoom.us/j/83157971835>

(All meeting materials are available on LAFCo's Website: [www.calaveraslafco.org](http://www.calaveraslafco.org))

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

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

Commissioners

Alternate Commissioners

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

\_\_\_\_\_, Public Member Alt.  
Alvin Broglio, City Member Alt.  
Travis Owens, 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. Selection of a Public Member and Public Member Alternate for a term ending in May 2026
  - a. Selection of the Public Member
  - b. Selection of the Public Member Alternate
4. **Consider minutes of November 15, 2021**
  - a. *Approve November 15, 2021 LAFCo Minutes*
5. **Consent Agenda:**
  - a. Review and Authorize Claims for November and December 2021
  - b. Resolution 2022-0001 authorizing teleconference for the January 24, 2022 meeting.
6. **Correspondence:**

**Workshop:**

7. **Workshop regarding Road Community Services Districts in Calaveras County – Review and Discuss and set date for a Public Hearing on regarding Municipal Service Reviews for Community Services Districts on March 21,2022.**
  - a. *Conduct Workshop*
  - b. *Set hearing date for March 21, 2022*
8. **Policies, Standards and Procedures Amendment regarding Municipal Service Review followup**
  - a) *Receive Executive Officer's Report*
  - b) *First reading regarding a ServiceReview follow up policy for Calaveras LAFCo*
9. **Executive Officer' s report**
  - a. *Union Public Utility District MSR and SOI*

**10 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

**11. NEXT LAFCO MEETING will be: March 21 , 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)

#3

**OPENING FOR CITIZENS TO SERVE AS THE PUBLIC MEMBER AND  
PUBLIC MEMBER ALTERNATE ON  
THE LAFCO COMMISSION**

The Calaveras Local Agency Formation Commission (LAFCO) has an opening for Calaveras County citizens to serve as a Public Member or Public Member Alternate. LAFCO is an independent agency created by state legislation to ensure that changes in governmental organization occur in a manner, which provides efficient, quality services and preserves open space and agricultural land resources. LAFCO is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 in its decisions regarding annexations, incorporations, reorganizations, and other changes of local government. LAFCO's webpage [www.calaveraslafco.org](http://www.calaveraslafco.org)

LAFCO meets on the third Monday of every other month, as needed at the Board of Supervisor's chambers in San Andreas. LAFCO members receive a \$50.00 monthly meeting stipend.

The appointment is for one public member and one public member alternate who reside anywhere within Calaveras County including within the city limits of the City of Angels Camp to sit on the Commission for a four-year term. A public member and alternate must be able and available to regularly attend Commission meetings and (or) hearings. No officer or employee of the county or any city or district within Calaveras County is allowed to sit as a public member on the Commission. All public Commission members, as well as other Commissioners, are required to file an annual Statement of Economic Interests.

If you are interested, we invite you to send a letter or email describing your background and reasons for wanting to become the selected Public Member or Alternate to serve on the Calaveras Local Agency Formation Commission no later than **Friday, January 7, 2022**. If you have any questions, please do not hesitate to call John Benoit, Executive Officer at (209) 754-6303 or (707) 592-7528 or email [j.benoit4@icloud.com](mailto:j.benoit4@icloud.com). Please send your letter of interest describing your background to Calaveras LAFCO, c/o John Benoit, Executive Officer at P.O. Box 2694 Granite Bay, California 95746 or email a letter of interest to [j.benoit4@icloud.com](mailto:j.benoit4@icloud.com). Potential applicants will be invited to LAFCo's **January 24<sup>th</sup> or March 21<sup>st</sup> 2022** LAFCO meeting for an interview with the Commission.

Dated: November 23, 2021

Calaveras LAFCO  
John Benoit  
EXECUTIVE OFFICER

From: Ralph Copeland <coppercopeland@yahoo.com>  
Subject: Public Member alternate for the Calaveras Local Agency Formation  
Commission  
Date: January 5, 2022 at 8:00:00 PM PST  
To: j.benoit4@icloud.com

Mr. John Benoit,

My name is Ralph Copeland and I'm interested in the Public Member alternate position for the Calaveras Local Agency Formation Commission.

We live in Copperopolis near Lake Tulloch. We've had a home here since 2000 and moved permanently 11 years ago.

I'm now retired after 35 years from material sales and project management for municipal pipelines and waste water treatment plants. Through these projects, I worked closely with city, county, state, and federal water districts and agencies supplying them and or their contractors water pipe, valves, and fittings.

Since I retired, I spent two terms on the Calaveras County Civil Grand Jury, assisted in creating the Calaveras County Lake Tulloch short term rental ordinance, I've been a member of the Calaveras Planning Coalition (CPC) for the past three years, and I campaigned for Supervisor Amanda Folendorf in Copperopolis.

I've been an advocate for our local community at CCWD meetings. With assistance from the CPC, we've been able to keep infrastructure upgrade and repair at the forefront of the districts agenda for the Copper Cove Service Area (Copperopolis).

I've also closely followed the growth of Copper Valley Development in Copperopolis. Making sure they meet their obligations of preserving our rural way of life in Calaveras County.

I'd be happy to serve Calaveras County as a member or LAFCo.

Thank you,  
Ralph Copeland

PO Box 272 (mailing)  
4542 Lakeshore Court  
Copperopolis, CA 95228  
408.483.1805 Cell (preferred)  
209.785.1658 Home  
Coppercopeland@yahoo.com

From: Anita Paque  
To: John Dalton  
Date: January 3, 2022  
Re: Public Member Opening

Dear John:


I am interested in continuing as the Public Member on the Calaveras County LAFCo Board and request reappointment to the LAFCo Commissioner.

For the past ten years I have been the Public Member on LAFCo. During that time I have gained a thorough understanding of the issues facing the county and LAFCo's role in resolving them, both in the short and long terms. As seen by my participation on the Commission and meeting with the various district boards and county and city employees and my participation on various panels for the California Association of Local Agency Formation Commissions (CALAFCO), I am able to understand the complex issues and documents which come before LAFCo. I will continue to dedicate the necessary time to make informed decisions for the benefit of the county as a whole.

In addition to serving as the Calaveras LAFCo Public Member I have served on the Calaveras Board of Directors for 6 years and as its executive committee for 3 years. I serve as the current president of CALAFCO.

Thank you for your consideration.

Respectfully,

  
Anita Paque  
PO Box 733  
Mountain Ranch, CA 95246  
anitap@calnet.com  
209 754-3663

Calaveras Local Agency Formation Commission  
Meeting Minutes – Monday, November 15, 2021

# 4

1. **Call to Order/Roll Call** – Order was called by Chair Callaway at 6:04 p.m. on Monday, November 15, 2021.

**Commissioners Present**

Merita Callaway, County Member, Chair  
Gary Tofanelli, County Member  
Jennifer Herndon, City Member  
Isabel Moncada, City Member  
Kirk Smith, Special Dist. Member

**Commissioners Absent**

Roark Weber, Public Member Alt.  
Anita Paque, Public Member, Vice-Chair  
Alvin Broglio, City Member Alt.  
Tony Tyrrell, Special Dist. Member  
Amanda Folendorf, County Member Alt.  
Travis Owens, Special Dist. Mem. Alt.

**Staff Present**

John Benoit, Executive Officer  
Nancy Mees, LAFCO Clerk

**Others Present**

2. **Public Comment:**

There was no public comment.

3. **Approval of Agenda:**

**MOTION** by Commissioner Smith to approve the Agenda as presented, second by Commissioner Tofanelli. Motion passed 5 yes, 0 no, 2 absent.

**MOTION** by Commissioner Tofanelli to remove Approval of the Agenda as an item on future agendas, second by Commissioner Moncada. Motion passed 5 yes, 0 no, 2 absent.

4. **Consider Minutes of the September 20, 2021, LAFCo meeting:**

**MOTION** by Commissioner Herndon to approve the minutes of the September 20, 2021, LAFCo meeting as presented, second by Commissioner Moncada. Motion passed 5 yes, 0 no, 2 absent.

5. **Consent Agenda:**

*Review and authorize claims for July and August 2021*

**MOTION** by Commissioner Tofanelli to approve the Consent Agenda and Claims for September and October 2021 as presented, second by Commissioner Smith. Motion passed 5 yes, 0 no, 2 absent.

6. **Correspondence:**

a. *Bill Chiat Memorial Fund Scholarships*



Executive Officer Benoit explained that this item was on the agenda because several of the Commissioners knew Mr. Chiat since he was a former CALAFCO Executive Director.

- b. *CALAFCO Central Region Roundtable December 8, 2021, 10:30 AM*  
Mr. Benoit stated that this will likely be a Zoom meeting.
- c. *State Controller Identification of Inactive Districts (not on original agenda)*  
Mr. Benoit reported that he had received the annual letter from the State Controller's office identifying inactive districts that should be dissolved, but that Calaveras LAFCo has already dissolved the districts listed. He will forward a copy of the resolution and the district audits to the Controller's office.

#### **Workshop:**

#### **7. Initial Workshop Regarding Community Services Districts in Calaveras County – Review and Discuss and Continue Workshop to LAFCo's regular meeting on January 24, 2022:**

Executive Officer Benoit reported that he will invite the special districts to the next meeting. The Community Services Districts include road maintenance districts, most of which are residential and slow growing. Some of them do annual audits; some do not. They provide varying levels of service, none have paid staff, and all collect revenue. One district has lost its entire board. None have websites and it is very hard to get information from them, which is why this process is taking so long.

There was some discussion among the Commissioners regarding the difficulty small districts have in fulfilling all the requirements now required by state law, and what LAFCO, CSDA and other agencies could do to help these districts. There was also discussion about the pros and cons of special districts versus community service areas. Mr. Benoit recommended that the districts each be sent their portion of the draft MSR for review and comment, and that once the MSR is adopted that LAFCo have a policy for follow-up with each district as needed.

#### **Other Business:**

#### **8. Discussion Regarding AB361 – New Teleconferencing Legislation and Possible Adoption of Resolution 2021-0008 Authorizing Teleconference Meetings:**

Executive Officer Benoit explained that a resolution could be placed on the consent or regular agenda for each meeting for adoption if the meeting is also held by teleconference. After some discussion, the consent agenda was determined to be the best location.

**MOTION** by Commissioner Herndon to approve Resolution 2021-0008 authorizing teleconference meetings as presented, second by Commissioner Moncada. Motion passed 5 yes, 0 no, 2 absent.

**9. LAFCO Regular Meeting Schedule for 2022:**

**MOTION** by Commissioner Tofanelli to approve the 2022 LAFCo meeting schedule as presented, second by Commissioner Herndon. Motion passed 5 yes, 0 no, 2 absent.

**10. Recruitment for Public Member and Alternate Public Member; Review Letter of Appreciation to Roark Weber and Request Chair to Sign**

Executive Officer Benoit explained that an ad is ready to be published for a Public Member and Alternate Public Member once the best platform(s) for posting it is determined. Commissioner Paque will be re-applying.

Commissioner Tofanelli requested that he be able to also sign the letter of appreciation to Commissioner Weber. Mr. Benoit made changes to the letter so that Commissioner Tofanelli could also sign.

**11. Executive Officer’s Report:**

*a. Union Public Utility District MSR and SOI*

Executive Officer Benoit reported that he is working on these documents, and that they had not been updated in years. He had a conference call with the district’s attorney as well as other staff. The district is looking for a new general manager.

There was some discussion as to the location of certain water lines and whether they were in UPUD’s or the city’s sphere.

**12. Commissioner Reports:**

Commissioner Smith stated that the county fire entities are looking at tax measures and, referring to the earlier discussion on the problems small CSDs have, that perhaps LAFCo should hold a workshop on how to help small districts.

**11. Adjournment**

Meeting was adjourned at 7:07 p.m. The next regular meeting will be Monday, January 24, 2022, at 6:00 p.m. in San Andreas.

Minutes submitted by Nancy Mees.

**DATED:**

\_\_\_\_\_

**APPROVED:**

\_\_\_\_\_

\_\_\_\_\_  
Merita Callaway, Chair,  
Calaveras Local Agency Formation

#5a

# CALAVERAS LAFCO

## LAFCO CLAIM AUTHORIZATION FORM

for

**November and December 2021**

Authorize payment of the following claims:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
<b>FY 2021-2022 Expenses:</b>		
November 15, 2021	Commission meeting stipends	\$ 250.00
Aug 1, 2021	Staff Svcs and Expenses November 2021	\$ 7,311.70
Jan 1, 2022	Staff Svcs and Exp December 2021	\$ 4,666.33
Nov 15, 2021	Valley Springs News – Pub Mem Recruit	\$ 36.00
	TOTAL:	\$ 12,264.03

DATED: January 24, 2022

APPROVED: January 24, 2022

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Merita Callaway, Chair  
Calaveras Local Agency Formation Commission

Attest:

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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	Training
		62001	62050	62051	62052	62053	62054	62055	62057	62058	62059	62060	62061	62062
Total Budgeted		\$ 2,300.00	\$ 2,500.00	\$ 800.00	\$ 2,117.00	\$ 350.00	\$ 500.00	\$ 1,500.00	\$ 25,000.00	\$ 20,000.00	\$ 45,000.00	\$ 3,600.00	\$ 500.00	\$ 4,000.00
Calafco dues 21-22					\$ (1,617.00)									
SDRMA Insurance 21-22			\$ (2,325.00)											
Staff Svcs July 2021				\$ (54.76)		\$ (36.88)	\$ (13.70)	\$ (67.60)	\$ (1,200.00)		\$ (3,250.00)			\$ (1,560.00)
Conf Registrations smith, paque and tyrell														
July 19, 2021 Comm stipend		\$ (400.00)						\$ (5.00)	\$ (1,000.00)		\$ (3,000.00)			
Staff Svcs August 2021				\$ (86.69)										
Sept 20, 2021 Comm Stipend		\$ (250.00)												
Staff SVCS September 2021				\$ (59.99)		\$ (10.00)	\$ (3.16)	\$ (114.98)	\$ (2,450.00)		\$ (2,000.00)			
Staff SVCS October 2021				\$ (60.06)	\$ (500.00)				\$ (2,600.00)		\$ (2,000.00)			
CSDA Dues for 2022														
Nov 15, 2021 Payroll		\$ (250.00)												
Staff Svcs Nov 2021				\$ (61.12)			\$ (3.16)	\$ (82.30)	\$ (2,450.00)		\$ (4,595.00)		\$ (36.00)	
Valley Springs News														
Staff Svcs Dec 2021				\$ (66.33)					\$ (3,050.00)		\$ (1,550.00)			
<b>TOTAL EXPENDED</b>		\$ (900.00)	\$ 175.00	\$ 411.05	\$ -	\$ 303.12	\$ 479.98	\$ 1,230.12	\$ 12,250.00	\$ 20,000.00	\$ 28,605.00	\$ 3,600.00	\$ 464.00	\$ (1,560.00)
<b>TOTAL REMAINING</b>		\$ 2,400.00	\$ 175.00	\$ 411.05	\$ -	\$ 303.12	\$ 479.98	\$ 1,230.12	\$ 12,250.00	\$ 20,000.00	\$ 28,605.00	\$ 3,600.00	\$ 464.00	\$ 2,440.00



#5b

**RESOLUTION NO. 2022-0001**

**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 24<sup>th</sup> day of January 2022 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Merita Callaway, Chair

Calaveras Local Agency Formation Commission

ATTEST:

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John Benoit, Executive Officer

CALAVERAS LOCAL AGENCY FORMATION COMMISSION,

## Municipal Service Review (MSR) Follow-up Policy

### 3.3 (e) Municipal Service Review (MSR) Follow up

Upon adoption of a service review (MSR) LAFCo staff shall initiate a follow-up regarding the adopted Service Review (MSR) determinations with the agency (ies) responsible for providing the service (s). The purpose of this procedure is to assist the district in providing improved service to its customers. The service provider will be asked to attend a LAFCo meeting within a year (more or less) to inform the Commission how it is addressing the determinations made by LAFCo during the time since the Service Review was adopted.