

**CALAVERAS LAFCO**

**Regular Meeting Minutes**

**Monday – May 15, 2023 – 6:00 p.m.**

**Calaveras Local Agency Formation Commission**

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

**Regular LAFCo Meeting Items:**

**1. Call to Order/Pledge of Allegiance/Roll Call 6:05 PM**

Commissioners, Alternate Commissioners and Staff Present:

Anita Paque, Public Member, Chair  
Kirk Smith, Special District Member, Vice Chair  
Isabel Moncada, City Member  
Jennifer Herndon, City Member  
Jack Garamendi, County Member  
Amanda Folendorf, County Member  
Tony Tyrrell, Special District Member

Ralph Copeland, Public Member Alt.  
Jon Dashner, Special Dist. Member Alt.  
John Benoit, Executive Officer  
Diane Severud, LAFCO Clerk

**Item 1**      **Election of Chair and Vice-Chair for FY2023/2024.** *LAFCo's Bylaws (Section 4.6) calls for the Chair to be elected from the Special District Category and the Vice-Chair to be elected from the City Category*

*1. Election of Chair (Special District Member)*

*Motion: Commissioner Tyrrell  
Second: Commissioner Herndon  
Ayes: All Present  
Noes: None  
Abstain: None*

*Commissioner Smith was elected on a vote of 7-0-0 as the 2023/2024 Chair.*

*2. Election of Vice-Chair (City Member)*

*Motion: Commissioner Tyrrell  
Second: Commissioner Herndon  
Ayes: All Present  
Noes: None*

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

*Email j.benoit4@icloud.com*

*Abstain: None*

*Commissioner Moncada was elected 7-0-0 as the 2023/2024 Vice-Chair.*

**2. Public Comment**

There were no members of the public present.

**3. Consider minutes of March 20, 2023**

*a. March 20, 2023 LAFCo Minutes will be considered at the next LAFCo Meeting*

**4. Consent Agenda:**

a. Review and Authorize Claims for March and April 2023

*Motion: Commissioner Smith  
Second: Commissioner Tyrrell  
Ayes: All Present  
Noes: None  
Abstain: None*

*The Consent Agenda was approved 7-0-0 as presented.*

**Public Hearings:**

**5. Public Hearing regarding the final 2023-2024 LAFCo Budget**

*a) Conduct Public Hearing*

*b) Consider Resolution 2023-0003 adopting a final LAFCo budget for 2023-2024*

John Benoit presented the budget stating there are no changes since the proposed budget adopted in March. Benoit asked who will be attending the CALAFCo Conference in Monterey October 18th-20th 2023,

Those attending will be Jennifer Herndon, Isabel Moncada, Tony Tyrrell, Anita Paque, Jon Dashner and possibly Amanda Folendorf. (Kirk smith has a conflict)

Moved by Tyrrell and seconded by Jenifer Herndon the 2023-2024 LAFCo Budget as adopted by a unanimous roll call vote of 7-0-0.

**6. Discussion and possible action regarding underperforming districts in Calaveras County**

a. Review Executive Officer's Alternatives Memo

b. Provide Direction to staff for further Action (per the purview of LAFCo)

Mr. Benoit provided a summary of alternatives for the districts. He noted that CSDs are independent of the County and they wouldn't be approved today, due to their small size. One problem, is that there have been no inflators included for costs. 3 Cent Flat CSD has a quorum now and Mr. Benoit will help them get things done. He thanked Robin Glanville, Assistant Clerk-Recorder, for helping them to get back on track.

Mr. Benoit reviewed the options for failed CSDs such as, establishing a Permanent Road Division/funded by landowners and managed by Public Works, form a countywide CSA with benefit zones which would be easy to govern; however, this county doesn't have a good history with CSAs. They could form independent property Home Owners Associations where the private roadway is for the benefit of the owners and they share the costs for maintenance. SB938 empowers the Commission to hold poor performers accountable. He stated the Commission that consolidations can be forced, but there may be protests which prevent it from happening. Mr. Benoit stated that if a district is dissolved, it would fall into disrepair and then have to form a CSA again. He continued that the County is the backstop when CSAs fail.

Alternate Commissioner Copeland suggested that several districts get a contract with a paving contractor to do the work over a set amount of time and potentially get a lower price.

Commissioner Paque asked how many of the districts with problems would fall under SB938, to which Director Benoit answered that most would.

Commissioner Folendorf reported that CSD Rocky Road members filed their Form 700s, have a website and have meetings at Black Creek Park and seem to be moving in the right direction.

Director Benoit stated that these groups should continue to work with their district supervisor and/or LAFCo and not shelve their service report.

It was determined that Director Benoit will contact the districts to see how they're doing in the next four months and report back to the Commission regarding the progress. The Clerk-Recorder's Office will provide sample bylaws to the CSAs/CSDs.

Lastly, Mr. Benoit noted that several districts are proposing rate increases in the near future.

**7. Consider nomination for the Calafco Central Section City and (or) Public Member for the Calafco Board of Directors**

Consider Nomination for the City and (or) Public member for the Central Region Board Member to run for a two-year term of office. Central Region (Kern to Sacramento) Public Member.

Motion: Commissioner Smith  
Second: Commissioner Tyrell

Ayes: All Present  
Noes: None  
Abstain: None

Commissioner Paque was nominated as the Public Member to represent Calaveras County.

Motion: Commissioner Herndon  
Second: Commissioner Tyrell  
Ayes: All Present  
Noes: None  
Abstain: None

Commissioner Moncada was Nominated as the City Member to represent Calaveras County.

Motion: Commissioner Herndon  
Second: Commissioner Tyrell  
Ayes: All Present  
Noes: None  
Abstain: None

## **8. Consider Calafco Achievement Award Nominations**

Review Categories and Consider Calafco Achievement Award Nomination for 2024 To recognize people that have done outstanding work for LAFCos.

Motion: Commissioner Tyrell  
Second: Commissioner Garamendi  
Ayes: All Present  
Noes: None  
Abstain: None

Commissioner Paque was nominated to apply as the outstanding volunteer.

## **9. Executive Officer' s report**

- a) UPUD and RCD MSR status update: Mr. Benoit gave everyone a bag from the recent staff workshop and reported that the UPUD MSR report, RCD MSR report will be reviewed at the next meeting. There are active people on the RCD Board and have an active conservationist.
- b) Calafco Staff Workshop in Murphys: Mr. Benoit thanked Commissioners Paque and Herndon for their participation at the recent staff workshop. He always learns something new and attended the Independent LAFCo session. LAFCos are independent of the County which enabled EOs to act independently from the counties and not be governed by the counties. Sessions on mapping disadvantaged communities, getting grants, mobile workshop went to the UWPA tour, but couldn't

- access the  $\frac{3}{4}$  Flume, due to mud on the roadway and an irritated neighbor. It was great conference. He added that he hired Ms. Severud as the new Calaveras Clerk..
- c) City of Angels Proposed Annexations. The City and the Board of Supervisors will see this before the LAFCo Board does. It is basically regarding tax sharing agreements. Mr. Benoit stated that it could go to LAFCo first, but that hasn't been done in the past. Commissioner Folendorf suggested that the City should have a conversation with the County first.

## **10. Commissioners Reports**

Commissioner Tyrell said that the County should be nice to the city and give them what they want.

Commissioner Paque welcomed Ms. Severud and thanked Mr. Benoit for helping to get the workshop in the County (at Ironstone).

Commissioner Smith asked Mr. Benoit if he will ease the Board into the process of finding a new Executive Officer when he retires.

Commissioner Paque added that Roseanne Chamberlain is currently the interim EO in Amador.

Mr. Benoit noted that there may be a community member, knowledgeable in local government, that is trainable and could be a good fit.

Commissioner Folendorf reported that she met with the City Administrator and the County CEO regarding the tax sharing and then proceed as they see fit.

The meeting was adjourned at 7:00 PM.

## **11. NEXT LAFCO MEETING will take place on: July 17, 2023 - 6:00 PM in San Andreas**