

**PLUMAS LAFCo**

**SPECIAL MEETING AGENDA**

**MONDAY August 3, 2020**

**10:00 AM**

This special meeting has the same agenda as, and supersedes, the regular meeting previously scheduled for the same time and date. The meeting is noticed as a special meeting to allow Commissioners and the public to participate in the meeting via teleconference or other electronic means. A roll call vote is required for all items on the agenda. This meeting will be held via the Zoom video conferencing system **only** due to the current statewide shelter-in-place order.

*You may use your computer or smart device to watch the video conference by downloading the Zoom ICloud Conference app or on the Zoom website, or you may dial in with your phone for audio only. See below for instructions on how to join.*

**Join Zoom Meeting Online**

<https://us02web.zoom.us/j/82544153895>

Meeting ID: 825 4415 3895

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(669)900-9128

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If you have any problems joining the meeting, please call LAFCo at (530)283-7069.

This meeting is being agendized to allow staff and the public to participate via teleconference or other electronic means pursuant to the Governor's Executive Orders N-25-20 & N-29-20 and dated March 12 & 17, 2020. These Executive Orders authorize local legislative bodies to hold a public meeting via teleconference and to make public meetings accessible telephonically to all members of the public and staff in effort to observe social distancing recommendations in effect for the entire country.

BOARD OF SUPERVISORS CHAMBERS - PLUMAS COUNTY COURTHOUSE  
520 Main Street  
QUINCY, CALIFORNIA

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

Commissioners:

Kevin Goss, County Member, Chair  
Bill Powers, City Member, Vice Chair  
Tom Cooley, City Member  
Sharon Thrall, County Member  
Matthew Haesche, Public Member  
Terry Swofford, Public Member Alt.  
Jeff Engel, County Member Alt.  
Pat Morton, City Member Alt.

Staff:

Jennifer Stephenson, Executive Officer  
John Benoit, Deputy Executive Officer  
Cheryl Kolb, Clerk  
P. Scott Browne, Counsel

**MEETING - CONVENES AT 10:00 A.M.**

- 1. CALL TO ORDER: Pledge of Allegiance and Roll Call**
- 2. Approval of Agenda (additions or deletions)**
- 3. Correspondence:**
- 4. CONSENT ITEM (S)**

*a) Approval of the June 8th, 2020 LAFCo minutes*

- 5. Public Comment**

*Members of the public are invited to address the Commission on any matter of interest to the public that is not on the agenda for a period of time not exceeding 5 minutes. Pursuant to the Brown Act, the Commission cannot take any action on items not listed on the posted agenda but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.*

- 6. Authorize payment of Claims for June 2020 and July 2020.**

*a) Authorize payment of claims June 2020 and July 2020.*

**PUBLIC HEARINGS and ACTION ITEMS:**

- 7. Public Hearing to Consider Dissolution of 5 Inactive Districts**

- a) Review Executive Officer's report*
- b) Discussion*
- c) Continue Public Hearing to October 5, 2020 Regular Meeting*

**8. Review Plumas LAFCo's conflict of interest code and authorize Chair to sign and file the 2020 Local Agency Biennial Notice for filing**

*a) Review Plumas LAFCo's Conflict of Interest and authorize Chair to sign the 2020 Biennial Notice for filing.*

**9. Consider Letters of Opposition for Legislation**

*a) Consider letters of opposition pending amendment for SB 414  
b) Authorize Chair to sign letters and Executive Officer to transmit*

**10. Nomination for the CALAFCo Board of Directors 2020-2021. Nominate a City Member (and) or a Public Member for the CALAFCO Northern Region.**

*a) Nominate a City and (or) a Public Member to the CALAFCO Board of Directors*

**11. Election of Chair and Vice-Chair for FY 2020-2021**

*a) Election of the LAFCo Chair for FY 2020-2021  
b) Election of the LAFCo Vice-Chair for FY 2020-2021*

**12. Executive Officer's Report**

*a) CALAFCO Conference  
b) Cemetery District Reorganization  
c) Peninsula Fire/Hamilton Branch Reorganization  
d) Emergency Services Study Group*

**13. Commissioner Reports**

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

**14. Adjourn to next regular meeting.**

**LAFCo's next regular meeting to take place 10:00 am on October 5, 2020**

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**

Accessibility

An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting.

The location of this meeting is wheelchair-accessible. If other accommodations are required to assist a person with a disability to participate in the meeting, please contact the Commission Clerk 24 hours before the meeting as indicated below.

*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 Plumas 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.

*Late-Distributed Materials.* Any material submitted to the Commission after this agenda is posted will be made available for public inspection as soon as possible in the Plumas County Planning Department office at 555 Main Street, Quincy, CA. and at the LAFCo Webpage [www.plumaslafco.org](http://www.plumaslafco.org)

*Contact LAFCo Staff* LAFCo staff may be contacted at 530-283-7069 or by mail at LAFCo of Plumas County, 5050 Laguna Blvd #112-711, Elk Grove, CA 95758 or by email at [jennifer@pcateam.com](mailto:jennifer@pcateam.com) or by fax at 888-501-0395.

**PLUMAS LAFCO**

**SPECIAL MEETING MINUTES**

**MONDAY June 8, 2020**

**10:00 AM**

This special meeting has the same agenda as, and supersedes, the regular meeting previously scheduled for the same time and date. The meeting is noticed as a special meeting to allow Commissioners and the public to participate in the meeting via teleconference or other electronic means. A roll call vote is required for all items on the agenda. This meeting will be held via the Zoom video conferencing system **only** due to the current statewide shelter-in-place order.

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Bill Powers, City Member, Vice Chair  
Tom Cooley, City Member  
Sharon Thrall, County Member  
Matthew Haesche, Public Member  
Terry Swofford, Public Member Alt.  
Jeff Engel, County Member Alt.  
Pat Morton, City Member Alt.

Staff:

Jennifer Stephenson, Executive Officer  
John Benoit, Deputy Executive Officer  
Cheryl Kolb, Clerk  
P. Scott Browne, Counsel

**MEETING - CONVENES AT 10:00 A.M.**

**1. CALL TO ORDER: Pledge of Allegiance and Roll Call**

Roll Call.

Present: Chair Kevin Goss, Vice Chair Bill Powers, Co. Member Sharon Thrall, City Member Tom Cooley, Public Member Matthew Haesche and City Member Alt. Pat Morton.

**2. Approval of Agenda (additions or deletions)**

Motion: Approval of agenda with no changes, Action: Approve, Moved by Vice Chair Bill Powers, Seconded by County Member Sharon Thrall.

Motion passed unanimously.

**3. Correspondence: None**

**4. CONSENT ITEM (S)**

*a) Approval of the April 13th, 2020 LAFCo minutes*

**Motion:** Approval of the April 13th, 2020 Minutes as provided, **Action:** Approve, **Moved by** County Member Sharon Thrall, **Seconded by** City Member Tom Cooley. Motion passed unanimously.

**5. Public Comment**

*Members of the public are invited to address the Commission on any matter of interest to the public that is not on the agenda for a period of time not exceeding 5 minutes. Pursuant to the Brown Act, the Commission cannot take any action on items not listed on the posted agenda but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.*

No members of the public were in attendance.

**6. Authorize payment of Claims for April 2020 and May 2020.**

- a) *Authorize payment of claims April 2020 and May 2020.*  
*Jennifer Stephenson recommended the transfer of \$5,000 from the agency training budget to the unfunded liability budget.*  
**Motion:** *Authorize payment of claims for April 2020 and May 2020 with the recommended transfer of \$5,000 from the agency training budget to the unfunded liability budget.* , **Action:** Approve, **Moved by** County Member Sharon Thrall, **Seconded by** Public Member Matthew Haesche.  
*Motion passed unanimously.*

## **PUBLIC HEARINGS and ACTION ITEMS:**

### **7. Public Hearing regarding the Final 2020-2021 LAFCo Budget**

- a) *Review Executive Officer's report.*  
b) *Consider LAFCo Resolution 2020-0007 suspending County and City Commissioner stipends for the period of one year.*  
*Jennifer Stephenson noted the Fiscal Year referenced in Subsection Part 1 should have read 2020/2021.*  
**Vote:** *Motion passed (summary: Yes = 3, No = 1, Abstain = 1).*  
**Yes:** *Chair Kevin Goss, City Member Tom Cooley, County Member Sharon Thrall.*  
**No:** *Vice Chair Bill Powers.*  
**Abstain:** *Public Member Matthew Haesche.*  
c) *Conduct public hearing and consider LAFCo Resolution 2020-0008 adopting a Final LAFCo Budget for Fiscal Year 2020-2021.*  
*No public comment.*  
**Vote:** *Motion carried by unanimous roll call vote (summary: Yes = 5).*  
**Yes:** *Chair Kevin Goss, City Member Tom Cooley, County Member Sharon Thrall, Public Member Matthew Haesche, Vice Chair Bill Powers.*

### **8. Initiate Dissolution of 5 Inactive Districts**

- a) *Review Executive Officer's report.*  
b) *Consider adoption of Resolutions 2020-0002, 2020-0003, 2020-0004, 2020-0005, and 2020-0006 initiating the dissolution process for County Service Area #3, County Service Area #6, County Service Area #7, County Service Area #10, and Dixie Valley Community Services District.*  
**Vote:** *Motion carried by unanimous roll call vote (summary: Yes = 5).*  
**Yes:** *Chair Kevin Goss, City Member Tom Cooley, County Member Sharon Thrall, Public Member Matthew Haesche, Vice Chair Bill Powers.*

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

- a) *Streamline Webinar*  
*Jennifer Stephenson reports a successful Streamline Webinar with 21 registered attendees.*

*Also not noted on the agenda; Hamilton Branch Fire Protection District and Peninsula Fire Protection District have begun consolidation discussions and there is one individual who has expressed an interest in joining a Fire Protection District.*

### **11. Commissioner Reports**

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

*None.*

**12. Adjourn to next regular meeting.**

**LAFCo's next regular meeting to take place 10:00 am on August 3, 2020**

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**Chair:**  
Kevin Goss

**Commissioners:**  
Bill Powers, Vice Chair  
Sherrie Thrall, County  
Matthew Haesche, Pub  
Tom Cooley, City  
Jeff Engel, County Alt  
Pat Morton, Alt  
T. Swofford, Pub Alt  
**Executive Officer:**  
Jennifer Stephenson

**Clerk:**  
Cheryl Kolb



**LAFCo**

*The Local Agency Formation  
Commission Serving Plumas County*

**Claim Authorization Form  
June 2020 and July 2020 Expenses**

The Local Agency Formation Commission of Plumas County hereby authorizes the payment of the following claims from the 2019-2020 budget:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
May 30, 2020	Health Care-Gullixson June 20	\$ 635.25
June 8, 2020	Commissioner Per Diems June 20	\$ 200.00
June 15, 2020	AT&T (June 20)	\$ 55.89
July 2, 2020	Staff Svcs June 2020	\$ 7,059.05
July 1, 2020	Planning Staff Svcs Jan – Jun 2020	\$ 223.70

**TOTAL June 2020 (FY 19-20) - LAFCo expenses: \$ 8,173.87**

The Local Agency Formation Commission of Plumas County hereby authorizes the payment of the following claims from the 2020-2021 budget:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
June 22, 2020	Health Care-Gullixson July 20	\$ 634.40
July 1, 2020	Pers unfunded liability (20-21)	\$ 6,804.00
July 15, 2020	SDRMA Insurance	\$ 2,900.00
July 15, 2020	AT&T (July 20)	\$ 55.82
July 17, 2020	CALAFCO Membership	\$ 1,267.00
July 22, 2020	Health Care-Gullixson Aug 20	\$ 634.19

**TOTAL July 2020 (FY 20-21) - LAFCo expenses: \$ 12,295.41**

**DATED: August 3, 2020**

**APPROVED: August 3, 2020**

\_\_\_\_\_  
**Kevin Goss, Chair Plumas LAFCo**

**Attest:**

\_\_\_\_\_  
**Jennifer Stephenson, Executive Officer**

Item	Insurance	Office	Copies	Communications	Postage	Memberships	Legal Svcs	Ex. OFF. Svcs	Clerk	Publications	Travel	Mileage	MSR/SOIs	Commiss	File Management	County	Health	CalPERS	Agency	TOTAL	RESERVE
Account Number	SDRMA	Expense									Commission			Stipends		Contract	Insurance	Unfunded	Training	BUDGET	
Total Budgeted	\$ 1,380.00	\$ 300.00	\$ 800.00	\$ 900.00	\$ 300.00	\$ 1,576.00	\$2,000.00	\$ 43,000.00	\$1,035.00	\$ 1,300.00	\$ 2,500.00	\$ 1,500.00	\$ 16,000.00	\$1,200.00	\$ 3,700.00	\$ 1,300.00	\$ 7,903.00	\$ 64,192.00	\$ -	\$ 150,886.00	\$44,529.92
Pers unfunded liability Jul19																	\$ (650.40)	\$ (531.24)		\$ (531.24)	
Health Care-Gullixson Jul 19																	\$ (650.40)			\$ (650.40)	
Health Care-Gullixson Aug 19																	\$ (650.69)			\$ (650.69)	
AT&T (Jul 19)				\$ (55.90)																\$ (55.90)	
Calafco dues						\$ (1,075.00)														\$ (1,075.00)	
SDRMA	\$ (1,380.00)																			\$ (1,380.00)	
Feather Publishing Legal Notice (File 2018-2)																				\$ -	
Staff Svcs Jul 19				\$ (27.98)				\$ (3,500.00)												\$ (3,527.98)	
Pers unfunded liability Aug19																		\$ (531.24)		\$ (531.24)	
Pers unfunded liability Sep19																		\$ (531.24)		\$ (531.24)	
Health Care-Gullixson Sep 19																	\$ (650.69)			\$ (650.69)	
Health Care-Gullixson Oct 19																	\$ (650.69)			\$ (650.69)	
CalPERS Admin Expense																		\$ (350.00)		\$ (350.00)	
AT&T (Aug 19)				\$ (56.42)																\$ (56.42)	
AT&T (Sep 19)				\$ (55.84)																\$ (55.84)	
Commissioner Mileage												\$ (160.78)								\$ (160.78)	
Benoit Staff Svcs																				\$ -	
Pers unfunded liability Oct19																		\$ (531.24)		\$ (531.24)	
CALAFCO Registration											\$ (1,560.00)									\$ (1,560.00)	
Feather Publishing Legal Notice (File 2019-1)										\$ (197.60)										\$ (197.60)	
Feather Publishing Legal Notice (Bylaws)																				\$ (197.60)	
Staff Svcs Aug19			\$ (233.49)					\$ (3,500.00)	\$ (172.50)							\$ (17.50)				\$ (3,923.49)	
Staff Svcs Sept19				\$ (27.98)				\$ (3,500.00)					\$ (855.00)							\$ (4,382.98)	
Health Care-Gullixson Nov 19																	\$ (650.69)			\$ (650.69)	
AT&T (Oct 19)				\$ (55.75)																\$ (55.75)	
Benoit Svcs Oct 19																				\$ -	
Staff Svcs October 19			\$ (178.79)	\$ (27.98)	\$ (6.15)			\$ (3,500.00)	\$ (172.50)											\$ (3,885.42)	
Pers unfunded liability Nov 19																		\$ (531.24)		\$ (531.24)	
Health Care-Gullixson Dec 19																	\$ (650.69)			\$ (650.69)	
CALAFco Conference Travel (Powers)											\$ (492.18)									\$ (492.18)	
CALAFco Conference Travel (Haesche)											\$ (189.68)									\$ (189.68)	
CALAFco Conference Travel (Goss)											\$ (535.66)									\$ (535.66)	
Per Diem (Haesche/Swofford Oct Meeting)														\$ (200.00)						\$ (200.00)	
AT&T (Nov 19)				\$ (55.72)																\$ (55.72)	
CSDA Membership						\$ (500.00)														\$ (500.00)	
Plumas County Clerk Recorder																				\$ -	
Commissioner Mileage Oct 19												\$ (226.66)								\$ (226.66)	
Health Care-Gullixson Jan 20																	\$ (650.40)			\$ (650.40)	
Staff Svcs Nov 2019			\$ (27.98)	\$ (58.52)				\$ (3,500.00)			\$ (320.50)		\$ (180.00)							\$ (4,087.00)	
Pers unfunded liability Dec 19																		\$ (531.24)		\$ (531.24)	
AT&T (Dec 19)				\$ (55.72)																\$ (55.72)	
Staff Svcs Dec 19				\$ (27.98)				\$ (3,500.00)												\$ (3,527.98)	
County Staff Support Svcs																\$ (370.75)				\$ (370.75)	
Pers unfunded liability Jan 19																		\$ (531.24)		\$ (531.24)	
Health Care-Gullixson Feb 20																	\$ (634.40)			\$ (634.40)	
AT&T (Jan 20)				\$ (55.85)																\$ (55.85)	
Staff Svcs Jan 20				\$ (27.98)				\$ (3,500.00)					\$ (360.00)							\$ (3,887.98)	
Health Care-Gullixson Mar 20																	\$ (634.40)			\$ (634.40)	
Pers unfunded liability Feb 20																		\$ (531.24)		\$ (531.24)	
Pers unfunded liability Mar 20																		\$ (531.24)		\$ (531.24)	
AT&T (Feb 20)				\$ (55.76)																\$ (55.76)	
AT&T (Mar 20)				\$ (55.97)																\$ (55.97)	
Transfer from Contingency																				\$ -	
Staff Svcs Feb 20			\$ (69.71)	\$ (27.98)	\$ (4.80)			\$ (3,500.00)	\$ (172.50)						\$ (26.25)					\$ (3,801.24)	
Per Diem (Haesche/Swofford Feb Meeting)														\$ (200.00)						\$ (200.00)	
Commissioner Mileage Feb 20												\$ (230.24)								\$ (230.24)	
County Staff Support Svcs (Previous FY)																\$ (371.15)				\$ (371.15)	
Staff Svcs Mar 20		\$ (14.99)		\$ (27.98)				\$ (3,500.00)												\$ (3,542.97)	
Pers unfunded liability Apr 20																		\$ (531.24)		\$ (531.24)	
Pers unfunded liability May 20																		\$ (531.24)		\$ (531.24)	
Pers unfunded liability Jun 20																		\$ (531.24)		\$ (531.24)	
Pers unfunded liability prepayment																		\$ (56,877.00)		\$ (56,877.00)	
Health Care-Gullixson Apr 20																	\$ (634.40)			\$ (634.40)	
Health Care-Gullixson May 20																	\$ (634.40)			\$ (634.40)	
AT&T (Apr 20)				\$ (55.79)																\$ (55.79)	
AT&T (May 20)				\$ (55.80)																\$ (55.80)	
Staff svcs Apr 20		\$ (73.96)		\$ (27.98)	\$ (4.60)			\$ (3,500.00)	\$ (172.50)				\$ (2,452.50)							\$ (6,231.54)	
Staff svcs May 20		\$ (14.99)		\$ (27.98)	\$ (55.00)			\$ (3,500.00)					\$ (3,217.50)							\$ (6,815.47)	
Per Diem April 20														\$ (200.00)						\$ (200.00)	
Feather River Publishing Budget Hearing										\$ (197.60)										\$ (197.60)	
Per Diem Jun 20														\$ (200.00)						\$ (200.00)	
Planning Dept Staff Svcs																\$ (223.70)				\$ (223.70)	
Staff Svcs Jun 20		\$ (14.99)	\$ (75.08)	\$ (27.98)	\$ (6.00)			\$ (3,500.00)	\$ (172.50)				\$ (3,262.50)							\$ (7,059.05)	
AT&T (Jun 20)				\$ (55.89)																\$ (55.89)	
Health Care-Gullixson June 20																	\$ (635.23)			\$ (635.23)	
																				\$ -	
TOTAL EXPENDED	\$ (1,380.00)	\$ (118.93)	\$ (557.07)	\$ (978.19)	\$ (135.07)	\$ (1,575.00)	\$ -	\$ (42,000.00)	\$ (862.50)	\$ (395.20)	\$ (3,098.02)	\$ (617.68)	\$ (10,327.50)	\$ (800.00)	\$ (43.75)	\$ (965.60)	\$ (7,727.08)	\$ (63,601.88)	\$ -	\$ (135,183.47)	\$ -
TOTAL REMAINING	\$ -	\$ 181.07	\$ 242.93	\$ (78.19)	\$ 164.93	\$ 1.00	\$ 2,000.00	\$ 1,000.00	\$ 172.50	\$ 904.80	\$ (598.02)	\$ 882.32	\$ 5,672.50	\$ 400.00	\$ 3,656.25	\$ 334.40	\$ 175.92	\$ 590.12	\$ -	\$ 15,702.53	\$ 44,529.92

Item	Contingency	EP Consolidation	IV Consolidation	CHP Annex
Account Number	4451	File 2018-0001	File 2018-0002	File 2019-0001
Total Budgeted	\$ 5,000.00	\$ 10,254.76	\$12,622	\$9,835
Pers unfunded liability Jul 19				
Health Care-Gullixson Jul 19				
Health Care-Gullixson Aug 19				
AT&T (Jul 19)				
Calafco dues				
SDRMA				
Feather Publishing Legal Notice (File 2018-2)			\$ (187.20)	
Staff Svcs Jul 19			\$ (1,665.00)	
Pers unfunded liability Aug 19				
Pers unfunded liability Sep 19				
Health Care-Gullixson Sep 19				
Health Care-Gullixson Oct 19				
CalPERS Admin Expense				
AT&T (Aug 19)				
AT&T (Sep 19)				
Commissioner Mileage				
Benoit Staff Svcs			\$ (765.00)	
Pers unfunded liability Oct 19				
CALAFCO Registration				
Feather Publishing Legal Notice (File 2019-1)				\$ (98.90)
Feather Publishing Legal Notice (Bylaws)				
Staff Svcs Aug 19			\$ (1,485.00)	
Staff Svcs Sept 19			\$ (682.50)	\$ (225.00)
Health Care-Gullixson Nov 19				
AT&T (Oct 19)				
Benoit Svcs Oct 19			\$ (803.39)	
Staff Svcs October 19			\$ (225.00)	\$ (1,648.79)
Pers unfunded liability Nov 19				
Health Care-Gullixson Dec 19				
CALAFCo Conference Travel (Powers)				
CALAFCo Conference Travel (Haesche)				
CALAFCo Conference Travel (Goss)				
Per Diem (Haesche/Swofford Oct Meeting)				
AT&T (Nov 19)				
CSDA Membership				
Plumas County Clerk Recorder	\$ (50.00)			
Commissioner Mileage Oct 19				
Health Care-Gullixson Jan 20				
Staff Svcs Nov 2019	\$ (112.50)	\$ (600.00)		\$ (113.75)
Pers unfunded liability Dec 19				
AT&T (Dec 19)				
Staff Svcs Dec 19			\$ (333.04)	
County Staff Support Svcs				
Pers unfunded liability Jan 19				
Health Care-Gullixson Feb 20				
AT&T (Jan 20)				
Staff Svcs Jan 20				\$ (315.00)
Health Care-Gullixson Mar 20				
Pers unfunded liability Feb 20				
Pers unfunded liability Mar 20				
AT&T (Feb 20)				
AT&T (Mar 20)				
Transfer from Contingency	\$ (1,300.00)			
Staff Svcs Feb 20				\$ (157.50)
Per Diem (Haesche/Swofford Feb Meeting)				
Commissioner Mileage Feb 20				
County Staff Support Svcs (Previous FY)				
Staff Svcs Mar 20		\$ (517.50)		\$ (427.50)
Pers unfunded liability Apr 20				
Pers unfunded liability May 20				
Pers unfunded liability Jun 20				
Pers unfunded liability prepayment				
Health Care-Gullixson Apr 20				
Health Care-Gullixson May 20				
AT&T (Apr 20)				
AT&T (May 20)				
Staff svcs Apr 20			\$ (17.50)	
Staff svcs May 20				
Per Diem April 20				
Feather River Publishing Budget Hearing				
Per Diem Jun 20				
Planning Dept Staff Svcs				
Staff Svcs Jun 20				
AT&T (Jun 20)				
Health Care-Gullixson June 20				
TOTAL EXPENDED	\$ (1,300.00)	\$ (162.50)	\$ (7,263.63)	\$ (2,986.44)
TOTAL REMAINING	\$ 3,700.00	\$ 10,092.26	\$ 5,358.35	\$ 6,848.06

Item	Insurance	Office	Copies	Communications	Postage	Memberships	Legal Svcs	Ex. OFF. Svcs	Clerk	Publications	Travel	Mileage	MSR/SOIs	Commiss	File Management	County	Health	CalPERS	Agency	TOTAL
Account Number	SDRMA	Expense									Commission			Stipends		Contract	Insurance	Unfunded	Training	BUDGET
Total Budgeted	\$ 2,398.00	\$ 300.00	\$ 800.00	\$ 900.00	\$ 300.00	\$ 1,767.00	\$2,000.00	\$ 43,000.00	\$ 1,120.00	\$ 1,000.00	\$ 3,000.00	\$ 1,500.00	\$ 24,000.00	\$1,200.00	\$ 3,700.00	\$ 1,300.00	\$ 8,000.00	\$ 6,804.00	\$ -	\$ 103,089.00
SDRMA Insurance 20-21	(\$2,900)					\$ (1,267.00)														\$ (2,900.00)
CALAFCO Membership																				\$ (1,267.00)
AT&T (Jul 20)				\$ (55.82)																\$ (55.82)
Healthcare Gullixson July 20																	\$ (634.40)			\$ (634.40)
Healthcare Gullixson Aug 20																	\$ (634.19)			\$ (634.19)
CalPERS Unfunded Liability (20-21)																		\$ (6,804.00)		\$ (6,804.00)
																				\$ -
																				\$ -
TOTAL EXPENDED	\$ (2,900.00)	\$ -	\$ -	\$ (55.82)	\$ -	\$ (1,267.00)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (1,268.59)	\$ (6,804.00)	\$ -	\$ (12,295.41)
TOTAL REMAINING	\$ (502.00)	\$ 300.00	\$ 800.00	\$ 844.18	\$ 300.00	\$ 500.00	\$2,000.00	\$ 43,000.00	\$ 1,120.00	\$ 1,000.00	\$ 3,000.00	\$ 1,500.00	\$ 24,000.00	\$1,200.00	\$ 3,700.00	\$ 1,300.00	\$ 6,731.41	\$ -	\$ -	\$ 90,793.59

**Invoice #PLUMAS-2020-6**  
**Policy Consulting Associates, LLC**

39774 Via Careza  
Murrieta, CA 92563  
(310) 936-2639  
EIN #: 27-2523069

Date: July 13, 2020

Plumas LAFCO  
520 Main St  
Quincy, CA 96971

**Staff Services**

	Hours	Rate	Amount
Jennifer Stephenson, Executive Officer		\$3,500	\$3,500.00
Cheryl Kolb, Clerk (Minutes and agenda mailing)		\$172.50	\$172.50
Cheryl Kolb, Clerk (Records digitization)		\$35	\$0.00
Dennis Miller, GIS	1.50	\$60	\$90.00
<b>Subtotal</b>			<b>\$3,762.50</b>

**Projects: Applications, MSRs and SOI Updates**

	Hours	Rate	Amount
Jennifer Stephenson, Applications/Projects - File 2019-0001 & 2019-0002	0.00	\$ 90.00	\$0.00
Jennifer Stephenson, MSR and SOI Updates - Dissolutions	35.25	\$ 90.00	\$3,172.50
Oxana Wolfson Analyst	0.00	\$ 80.00	\$0.00
Cheryl Kolb, Applications/Projects	0.00	\$ 35.00	\$0.00
<b>Subtotal</b>			<b>\$3,172.50</b>

**Reimbursements**

Reproduction Costs	\$75.08
Postage	\$6.00
Phone and Communications	\$27.98
Office Supplies (Zoom Pro and paper/envelopes)	\$14.99
Mileage	\$0.00
Transportation and Travel	\$0.00
<b>Subtotal</b>	<b>\$124.05</b>

<b>Amount Due</b>	<b>\$7,059.05</b>
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*Please remit invoices to Policy Consulting Associates, LLC*

Jennifer Stephenson, Principal

7/13/20

Date

### Jennifer Stephenson June 2020 Timesheet

Date	Hours	Description	Special Project
6/1/20	8.5	Agenda comilation	
6/2/20	7.25	Agenda comilation	
6/3/20	5.25	Dissolution staff report	X
6/4/20	1	Communication with HB/Penn fire	
6/5/20			
6/6/20			
6/7/20	3.25	Meeting Preparation	
6/8/20	2.75	Meeting and meeting prep	
6/9/20			
6/10/20			
6/11/20	4	Research re: public notification	X
6/12/20	6.5	Research re: public notification	X
6/13/20			
6/14/20	2.5	Coordination re: unfunded liability payment	
6/15/20			
6/16/20			
6/17/20			
6/18/20	3.25	Data collection - fire reorganization	
6/19/20			
6/20/20			
6/21/20	5.5	Data collection - fire reorganization	
6/22/20			
6/23/20	3.25	Coordination re: dissolution with County	X
6/24/20			
6/25/20			
6/26/20			
6/27/20	2.5	Data collection - fire reorganization	
6/28/20			
6/29/20	7.5	Drafting Dissolution resolutions	X
6/30/20	8.75	Drafting Dissolution resolutions	X

# Plumas LAFCo

## STAFF REPORT

**MEETING DATE:** August 3, 2020

**TO:** LAFCo Commissioners

**FROM:** Jennifer Stephenson, Executive Officer

**SUBJECT:** Dissolution of Inactive Districts Public Hearing

There are five inactive districts within Plumas County, meaning no services are provided, no revenues or expenditures are made, and the districts have no assets or debts. Inactive districts in Plumas County consist of the following:

- ❖ County Service Area #3 (Hamilton Branch)
- ❖ County Service Area #6 (Genesee Valley)
- ❖ County Service Area #7 (Warner Valley)
- ❖ County Service Area #10 (Big Meadows)
- ❖ Dixie Valley Community Services District

LAFCo is empowered to initiate dissolution according to Government Code Section 56375(a)(2)(B). LAFCo initiated dissolution for all five of the districts on June 8, 2020 in Resolutions 2020-0002, 2020-0003, 2020-0004, 2020-0005, and 2020-006.

A public hearing to consider approving the dissolutions was scheduled for LAFCo's August 3, 2020 meeting. Given that the local newspaper is not presently in print, meeting public notice requirements is a challenge for the public hearing to consider this action, as well as the protest hearings that would be required upon approval of dissolution. The Downieville paper is being used by other local public agencies to meet publishing requirements; however, most important to the intent of the public notice requirement, it does not provide for widespread dissemination of the information to Plumas residents and residents of the affected districts. Additionally, noticing for the protest hearings needs to be conducted specifically to areas within the five districts proposed for dissolution. Fortunately, Feather Publishing recently began posting public notices on its website to aid in spreading the word; however, this did not begin until after the deadline for noticing this meeting lapsed. While efforts were made to circulate public notices by posting on our website and in multiple locations in the County, **it is recommended that the public hearing to consider the five dissolutions be continued to the next regular meeting** to allow for posting on the Feather Publishing site and for mailings of notification to all impacted residents. Hopefully, continuation of the public hearing will also allow for an in-person meeting to consider the dissolutions.

# Plumas LAFCo

## STAFF REPORT

**MEETING DATE:** August 3, 2020

**TO:** LAFCo Commissioners

**FROM:** Jennifer Stephenson, Executive Officer

**SUBJECT:** Biennial Conflict of Interest Review

**ATTACHMENTS:**

1. Adopted Plumas LAFCo's Conflict of Interest Code
2. 2020 Local Agency Biennial Notice

Government code section 87300 et. seq. (the Political Reform Act) requires each local government agency to keep a conflict of interest code and update it to reflect changes that occur in the organization of an entity. The Local Agency Formation Commission (as well as other local agencies) is required to review and amend its Conflict of Interest code on even-numbered years. A biennial notice is normally sent out by the County Clerk 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. After review or approval of the Conflict of Interest Code, LAFCo is required to submit any proposed changes to the Board of Supervisors acting as the code reviewing body.

Government Code §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. The most recent conflict of interest code was adopted on October 15, 2018 (Resolution 2018-0006).

**Recommendation:**

Authorize the Chair to sign and file the 2020 Local Agency Biennial Notice to the County Clerk (or person designated by the Board of Supervisors) declaring LAFCo has reviewed its Conflict of Interest code and no amendment is required at this time.



1 **Plumas Local Agency Formation Commission, COUNTY OF PLUMAS**

2 **STATE OF CALIFORNIA**

3 **October 15, 2018**

4 **RESOLUTION**  
5 **NO. 2018-0006**

6 **RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE AND**  
7 **APPENDIX OF DESIGNATED POSITIONS**

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

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

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

17 **ON A MOTION** by Commissioner MORTON, seconded by Commissioner  
18 THRALL, the foregoing Resolution was duly passed and adopted by the **Plumas Local**  
19 **Agency Formation Commission (LAFCo)** of the County of Plumas, State of California this 15<sup>th</sup> day of  
20 October 2018, by the following vote:

21 **AYES:** COOLEY, SANCHEZ, THRALL, LOSCHIAVO, MORTON

22 **NOES:** NONE

23 **ABSENT:** NONE

24 **ABSTAINED:** NONE

25 Tom Cooley  
26 Tom Cooley, Chair  
27 Plumas LAFCo

28 **ATTEST:**

Jennifer Stephenson  
Jennifer Stephenson, Executive Officer

## **EXHIBIT A**

### **PLUMAS 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 **Plumas Local Agency Formation Commission**

Individuals holding designated positions shall file their statements of economic interests with the **Plumas County Clerk**, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) All statements will be retained by the **Plumas County Clerk**.

## **CONFLICT-OF-INTEREST CODE (Plumas LAFCo)**

### **APPENDIX A-DESIGNATED POSITIONS**

<u>Designated Positions</u>	<u>Disclosure Category</u>
Members of the Commission**	1, 2
Executive Officer	1, 2
Deputy 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 (Plumas 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.

## 2020 Local Agency Biennial Notice

Name of Agency: Plumas Local Agency Formation Commission  
Mailing Address: 5050 Laguna Blvd #112-711, Elk Grove, CA 95758  
Contact Person: Jennifer Stephenson Phone No. 530-283-7069  
Email: Jennifer@pcateam.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.*

**August 3, 2020**

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

\_\_\_\_\_  
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 1, 2020**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

**Chair:**

Kevin Goss

**Commissioners:**

Sherrie Thrall

Bill Powers

Tom Cooley

Matthew Haesche

Pat Morton, Alt.

Jeff Engel, Alt.

Terry Swofford, Alt

**Executive Officer:**

Jennifer Stephenson

**Clerk:**

Cheryl Kolb



# Plumas LAFCo

*The Local Agency Formation Commission  
Serving Plumas County*

August 3, 2020

The Honorable Anna Caballero  
California State Senate  
State Capitol, Room 5052  
Sacramento, CA 95814

**RE: SB 414 – Small System Water Authority Act of 2020 – OPPOSE PROPOSED AMENDMENTS**

Dear Senator Caballero:

The Plumas Local Agency Formation Commission (LAFCO), joins the California Association of Local Agency Formation Commissions (CALAFCO) in opposing the proposed pending amendments for your bill **SB 414**. It is our understanding you are planning amendments to be done in Assembly Appropriations where the bill is currently being held in Suspense.

We support efforts to ensure all Californians have safe, affordable drinking water. However, the proposed amendments have such a substantive negative impact to local agency formation commission (LAFCos) that we must now oppose them.

It is our understanding these changes are an effort to reduce the cost of the bill, and to closer align processes and State Water Resources Control Board (SWRCB) authority existing in SB 88 (2015, Committee on Budget & Fiscal Review) and AB 2501 (2018, Chu). These laws deal with consolidation of existing water systems, whereas SB 414 creates a new type of public water system and reflects the formation of a new public entity (as well as dissolving existing public and private systems). One simply should not be compared to the other.

The proposed amendments strip LAFCos of their part and authority in the formation of the new water authority – a public agency that would otherwise be formed at the discretion of and by the authority of LAFCo. Additionally, they remove LAFCos' authority to dissolve a public water system as authorized by the SWRCB and as part of the formation process of the new authority. As you know, formation of a new, local public agency has been the authority of LAFCo since 1963 when the Legislature created them. To now turn that authority over to the SWRCB in an effort to "save money" or "streamline the process", we believe, creates a false perception that the cost will be reduced and sets a dangerous precedent.

SECTION 1 of the bill is being completely stricken and therefore divests LAFCo of all involvement in the formation process and it removes LAFCo from the process of dissolving any public water system identified by the SWRCB as mandated for dissolution and inclusion into the new authority except for holding a public

hearing on the matter. Not only does this removal divest LAFCo of their authority and give it to the SWRCB, it eliminates the Plan for Service requirements to be included in the draft conceptual formation plan. All other public agencies are subject to submit a comprehensive Plan for Service when applying to provide services and exempting the authority from doing so sets a precedent.

Code Section 78038(b) proposes to give quasi-legislative authority to the SWRCB in the action to form the new authority. The Legislature created LAFCo as a quasi-legislative body decades ago to do this very thing. While the Legislature has exercised its authority to create new service providers in the past, until now there has been no state agency with that authority. We fail to understand the need to create an entity at the state level to do something LAFCos have been effectively doing for 57 years – forming new districts – that happen at the local level.

LAFCo is being excluded from several critical notification points:

- Code Section 78033(a)(1) excludes LAFCo from the list of entities the SWRCB is to notify of their intent to form the authority. *LAFCo needs to be included in the list of other local agencies receiving such notification* (such as cities, county, water districts, etc.). Further, this section allows the SWRCB to invite other public water suppliers to consider dissolving and join the authority. Without including LAFCo on the notification under this section, we would be in the dark regarding those local districts (both independent and dependent) that may consider dissolving.
- Code Section 78033(a)(2)(A) excludes LAFCo notification from an entity wishing to consolidate into a proposed authority. *LAFCo needs to be included in this notification.*
- Code Section 78033(a)(2)(B) provides that customers of an entity wishing to join a proposed authority petition the SWRCB directly. Not only does this keep LAFCo in the dark, it is a run-around of the current service provider as there appears to be no notification to them.
- Code Section 78033(b) allows the governing board of a county or city dependent special district to notify the formation coordinator they wish to opt into the new authority. Here again, without LAFCo receiving this notification there is no way for us to know of the pending dissolution.

In addition to removing LAFCos' existing authority from the formation process of a public agency service provider, we are concerned about Code Section 78037(a)(3) which requires the LAFCo to hold a public hearing to allow for public comment on the dissolution of the public water system mandated for dissolution by the SWRCB and requires the LAFCo to provide all comments back to the SWRCB for consideration (without the funding to do either). The section also states the dissolution shall be ordered upon completion of the public hearing. We question the purpose of reporting back the public comments to the SWRCB for consideration if the dissolution is ordered immediately upon closure of the public hearing.

If one of the goals of these amendments is to closer align processes with SB 88, then it would stand to reason the SWRCB would be the entity conducting the public hearing (pursuant to Code Section 116682 of the Health and Safety Code), especially given the fact that with these amendments, the LAFCo no longer has any other part in the actual dissolution.

Ordering a dissolution for a service provider who is currently providing service requires a successor agency to assume the delivery of service as well as all the assets and liabilities of the entity being dissolved. Code Section 78037(a)(4) requires the order of dissolution to make appropriate equitable arrangements for the interim operation of the public water system until the formation of the authority is complete, and they are prepared to take over service delivery. While that "interim" service provider may be identified in the draft conceptual formation plan, 78037(a)(4) does not explicitly state to whom the service, assets and liabilities should be transferred. We suggest language be added to explicitly state the interim operator as identified in the approved conceptual formation plan.

Proposed amendments to the draft conceptual plan

We have a few concerns relating to the draft conceptual plan as noted below.

- Code Section 78035(c) requires the formation coordinator to submit the draft conceptual formation plan to the SWRCB and any applicable LAFCo for comments within 60 days of its receipt. Further, the formation coordinator shall finalize the plan for public comment no later than 30 days after receiving comments from the SWRCB. What is left out of this section are the comments on the plan from the LAFCo. Undoubtedly, as the local agency who is responsible for the formation of public agencies, LAFCOs know what to look for and consider when reviewing formation plans. *The LAFCo comments need to be considered by the SWRCB and the formation coordinator before the document is available for public comment.*
- Code Section 78038 requires LAFCo to hold two public hearings on the draft conceptual formation plan and to subsequently submit a report to the SWRCB summarizing public comment and any recommendations the LAFCo may have for the SWRCB on the plan. *We would like to see amendments requiring the SWRCB to specifically adopt or reject each of our recommendation on the draft plan and explain their response for those decisions.*

#### Removing funding for LAFCo mandates

The current version of the bill reflects a cost of up to \$10.65 million to LAFCOs for authority formations, which represents only 11.5% of the total cost estimate of \$89.15 million. Using these projections, the costs associated with LAFCo are far below every other entity and related provision (with one exception) of the dissolutions; formations; administration; SWRCB support and support for the authorities once formed. The cost for LAFCOs to perform the dissolution of public water systems and to form the new authority are far likely to be less than having the SWRCB perform these functions. Consequently, we believe this creates a false perception that the overall cost will be reduced by removing LAFCo from the process. Transitioning these processes to a state agency rather than keeping them at the local level does not in fact reduce costs – it simply transfers the cost from the local level to the state level. Further, we would assert the cost is less at the LAFCo level.

Finally, the proposed pending amendments require LAFCOs to (1) review the proposed plan and provide recommendations to the SWRCB; (2) hold a public hearing to allow for public comment on the dissolution of the public water system mandated by the SWRCB for dissolution and provide all comments to the SWRCB; (3) hold two public hearings to receive input on the proposed plan for the new authority, summarize comments received and provide a report to the SWRCB; (4) review a report on the authority's performance for the first three years; and (5) hold a public hearing as directed by the SWRCB if the new authority is failing to comply with the plan to review the authority's performance and provide a report back to the SWRCB on comments received at the hearing.

The proposed pending amendments remove all the funding for LAFCo for all the actions still required by the bill as noted above. Section 78038(a) adds a clause to address funding for only the two public hearings to consider the draft conceptual plan and prepare the required report – and only if – they (LAFCo) “incur extraordinary costs over and above its normal budgeted operating expenses for conducting the public hearing and preparing the report to the state board”. All of the LAFCo expenses related to SB 414 are over and above normal operating budget costs and in order to cover them should the state not, it is highly likely we will have to increase fees to the local government agencies that pay into the LAFCo annually (cities, counties, and special districts).

*We strongly believe LAFCOs need to be added to the language in Section 78115 (a)(1).* All other entities, including the Public Utilities Commission, have some level of funding in the proposed pending amendments. To eliminate the funding for the one local agency involved and retain funding for all state agencies involved puts the collection of that funding on the backs of local government.

Please do not hesitate to contact me if you have any questions about our OPPOSE position to the proposed amendments on **SB 414**.



Yours Sincerely,

Kevin Goss  
Plumas Local Agency Formation Commission, Chair

Cc: Assembly Local Government Committee  
Assembly Environmental Safety & Toxic Materials Committee  
Senate Governance and Finance Committee  
Senate Environmental Quality Committee  
Pamela Miller, Executive Director, CALAFCO

**Chair:**

Kevin Goss

**Commissioners:**

Sherrie Thrall

Bill Powers

Tom Cooley

Matthew Haesche

Pat Morton, Alt.

Jeff Engel, Alt.

Terry Swofford, Alt.

**Executive Officer:**

Jennifer Stephenson

**Clerk:**

Cheryl Kolb



# Plumas LAFCo

*The Local Agency Formation Commission  
Serving Plumas County*

August 3, 2020

The Honorable Lorena Gonzalez  
Chair, Appropriations Committee  
California State Assembly  
State Capitol, Room 2114  
Sacramento, CA 95814

**RE: SB 414 – Small System Water Authority Act of 2020 – OPPOSE PROPOSED AMENDMENTS**

Dear Chair Gonzalez:

The Plumas Local Agency Formation Commission (LAFCo), joins the California Association of Local Agency Formation Commissions (CALAFCO) to oppose the proposed pending amendments for **SB 414** (Caballero). The bill is currently being held in your committee. While there are vast policy issues with the proposed amendments, this letter will focus our concerns to you and your committee on the fiscal issues of the proposed amendments.

According to the sponsors, in an effort to reduce costs associated with the bill, the role of LAFCos that exist in the current version of the bill (dated June 25, 2019) is being drastically reduced. The proposed amendments strip LAFCos of their authority in the formation of the new water authority – a public agency that would otherwise be formed at the discretion of and by the authority of LAFCo. Additionally, they remove LAFCos' authority to dissolve a public water system as authorized by the State Water Resources Control Board (SWRCB) and as part of the formation process of the new authority.

The sponsors have also indicated the proposed amendments that change numerous processes in SB 414 are intended to reflect closer alignment with processes and SWRCB authority existing in SB 88 (2015, Committee on Budget & Fiscal Review) and AB 2501 (2018, Chu). These laws deal with consolidation of existing water systems, whereas SB 414 creates a new type of public water system and reflects the formation of a new public entity (as well as dissolving existing public and private systems). One simply should not be compared to the other.

The current version of the bill, as noted in last fiscal analysis on August 21, 2019 in your committee, reflects a cost of up to \$10.65 million to LAFCos for authority formations, which represents only 11.5% of the total cost estimate of \$89.15 million. Using the fiscal projections in the current bill, the costs associated with LAFCo are far below every other entity and related provision (with one exception) of the dissolutions; formations; administration; SWRCB support and support for the authorities once formed. The cost for LAFCos to perform the dissolution of public water systems and to form the new authority are far likely to be less than having the SWRCB perform these functions. Consequently, we believe this creates a false perception that the overall cost will be reduced by removing LAFCo from the process. Transitioning these

processes to a state agency rather than keeping them at the local level does not in fact reduce costs – it simply transfers the cost from the local level to the state level. Further, we would assert the cost is less at the LAFCo level.

Finally, the proposed pending amendments require LAFCos to (1) review the proposed plan and provide recommendations to the SWRCB; (2) hold a public hearing to allow for public comment on the dissolution of the public water system mandated by the SWRCB for dissolution and provide all comments to the SWRCB; (3) hold two public hearings to receive input on the proposed plan for the new authority, summarize comments received and provide a report to the SWRCB; (4) review a report on the authority's performance for the first three years; (5) hold a public hearing as directed by the SWRCB if the new authority is failing to comply with the plan to review the authority's performance and provide a report back to the SWRCB on comments received at the hearing.

The proposed pending amendments remove all the funding for LAFCo for all the actions still required by the bill as noted above. Section 78038(a) adds a clause to address funding for only the two public hearings to consider the draft conceptual plan and prepare the required report – and only if – they (LAFCo) *“incur extraordinary costs over and above its normal budgeted operating expenses for conducting the public hearing and preparing the report to the state board”*. All of the LAFCo expenses related to SB 414 are over and above normal operating budget costs and in order to cover them should the state not, it is likely we will have to increase fees to the local government agencies that pay into the LAFCo annually (cities, counties, and special districts).

*LAFCos need to be added to the language in Section 78115 (a)(1)*. All other entities, including the Public Utilities Commission, have some level of funding in the proposed pending amendments. To eliminate the funding for the one local agency involved and retain funding for all state agencies involved is inappropriate and puts the collection of that funding on the backs of local government.

For these fiscal reasons, we oppose the proposed pending amendments to **SB 414** and strongly urge your committee to reject the amendments and hold the bill.

Please do not hesitate to contact me if you have any questions about our OPPOSE position to the proposed amendments on **SB 414**.

Yours Sincerely,

Kevin Goss  
Plumas Local Agency Formation Commission, Chair

cc: Members, Assembly Appropriations Committee  
Honorable Senator Caballero  
Jennifer Galehouse, Assembly Appropriations Committee Deputy Chief Consultant  
Suzanne Sutton, Consultant, Senate Republican Caucus  
Pamela Miller, Executive Director, CALAFCO

June 19, 2020

**To:** Local Agency Formation Commission  
Members and Alternate Members

**From:** Shiva Frentzen, Committee Chair  
CALAFCO Board Election Committee  
CALAFCO Board of Directors



**RE: Nominations for 2020/2021 CALAFCO Board of Directors**

Nominations are now open for the fall elections of the CALAFCO Board of Directors. Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal and operational issues that affect us all. The Board meets four to five times each year at alternate sites around the state. Any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat.

CALAFCO's Election Committee is accepting nominations for the eight (8) seats noted below on the CALAFCO Board of Directors. There are two (2) open in each region as follows:

**Central Region**

County Member  
District Member

**Southern Region**

City Member  
Public Member

**Northern Region**

City Member  
Public Member

**Coastal Region**

County Member  
District Member

The election will be conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 22, 2020 at the Hyatt Regency in Monterey, CA. *If we are unable to have an in-person annual conference due to the COVID-19 pandemic, the elections will be conducted by all mail ballot. This means there will be no nominations from the floor as part of the usual caucus procedures.*

**Please inform your Commission that the CALAFCO Election Committee is accepting nominations for the above-cited seats until Tuesday, September 22, 2020 at 5:00 p.m.**

Incumbents are eligible to run for another term. Nominations received by September 22 will be included in the Election Committee's Report and will be on the ballot. The Report will be distributed to LAFCo members no later than October 7, 2020 and ballots made available to Voting Delegates at the Annual Conference. Nominations received after this date will be returned; however, nominations will be permitted from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting an electronic ballot will be made available if requested in advance. **The ballot request must be made no later than Tuesday, September 22, 2020. Completed absentee ballots must be returned by 8:00 a.m., Monday, October 19, 2020.**

*Should your Commission nominate a candidate, the Chair of your Commission must complete the attached Nomination Form and the Candidate's Resume Form or provide the specified information in another format other than a resume. Commissions may also include a letter of recommendation or resolution in support of their nominee.*

**The nomination forms and materials must be received by the CALAFCO Executive Director no later than Tuesday, September 22, 2020 at 5:00 p.m.** Here is a summary of the deadlines for this year's nomination process:

- **June 23** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 22** – Completed Nomination packet due
- **September 22** – Request for an absentee/electronic ballot due
- **September 22** – Voting delegate name due to CALAFCO
- **October 7** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 7** – Distribution of requested absentee/electronic ballots.
- **October 19** – Absentee ballots due to CALAFCO
- **October 22** – Elections

Returning the nomination form prior to the deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received should there be multiple candidates. Electronic filing of nomination forms and materials is encouraged to facilitate the recruitment process. Please send e-mails with forms and materials to [info@calafco.org](mailto:info@calafco.org). Alternatively, nomination forms and materials can be mailed or faxed to the address or fax number below. Please forward nominations to:

CALAFCO Election Committee c/o Executive Director  
California Association of Local Agency Formation Commissions  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, California 95814  
FAX: 916-442-6535  
EMAIL: [info@calafco.org](mailto:info@calafco.org)

Questions about the election process can be sent to the Chair of the Committee, Shiva Frentzen, at [sfrentzen@calafco.org](mailto:sfrentzen@calafco.org) or by calling her at 530-621-5390. You may also contact CALAFCO Executive Director Pamela Miller at [pmiller@calafco.org](mailto:pmiller@calafco.org) or by calling 916-442-6536.

Members of the 2020/2021 CALAFCO Election Committee are:

Shiva Frentzen, Chair <a href="mailto:sfrentzen@calafco.org">sfrentzen@calafco.org</a>	El Dorado LAFCo (Central Region) 530-621-5390
David Couch <a href="mailto:dcouch@cityofarcata.org">dcouch@cityofarcata.org</a>	Humboldt LAFCo (Northern Region) 530-242-1112
Jo MacKenzie <a href="mailto:jmackenzie@calafco.org">jmackenzie@calafco.org</a>	San Diego LAFCo (Southern Region) 858-614-7755
Tom Murray <a href="mailto:tmurray@calafco.org">tmurray@calafco.org</a>	San Luis Obispo LAFCo (Coastal Region) 805-781-5795

Attached please find a copy of the CALAFCO Board of Directors Nomination and Election Procedures as well as the current listing of Board Members and corresponding terms of office.

*Please consider joining us!*

Enclosures

# Board of Directors Nomination and Election Procedures and Forms

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

## 1. APPOINTMENT OF AN ELECTION COMMITTEE:

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.<sup>8</sup>
- b. The Board shall appoint one of the members of the Election Committee to serve as Chairman. The CALAFCO Executive Officer shall appoint a CALAFCO staff member to serve as staff for the Election Committee in cooperation with the CALAFCO Executive Director.<sup>8</sup>
- c. Each region shall designate a regional representative to serve as staff liaison to the Election Committee.<sup>8</sup>
- d. Goals of the Committee are to provide oversight of the elections process and to encourage and solicit candidates by region who represent member LAFCOs across the spectrum of geography, size, and urban suburban and rural population if there is an open seat for which no nominations papers have been received close to the deadline.<sup>8</sup>

## 2. ANNOUNCEMENT TO ALL MEMBER LAFCOs:

- a. No later than three months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:<sup>8</sup>
  - i. A statement clearly indicating which offices are subject to the election.
  - ii. A regional map including LAFCOs listed by region.
  - iii. The dates by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Elections Committee action."<sup>8</sup>
  - iv. The names of the Election Committee members with the Committee Chairman's LAFCo address and phone number, and the names and contact information for each of the regional representatives.<sup>8</sup>
  - v. The address to send the nominations forms.
  - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
- b. No later than four months before the annual membership meeting, the Election Committee Chairman shall send an announcement to the Executive Director for distribution to each member LAFCo and for publication in the newsletter and on the web site. The announcement shall include the following:<sup>8</sup>

### Key Timeframes for Nominations Process

Days*	
90	Nomination announcement
30	Nomination deadline
14	Committee report released

\*Days prior to annual membership meeting

- i. A statement clearly indicating which offices are subject to the election.
  - ii. The specific date by which all nominations must be received by the Election Committee. Nominations received after the closing dates shall be returned to the proposing LAFCo marked "Received too late for Election Committee action."<sup>8</sup>
  - iii. The names of the Election Committee members with the Committee Chair's LAFCo address and phone number, and the names and contact information for each of the regional representatives.<sup>8</sup>
  - iv. Requirement that nominated individual must be a commissioner or alternate commissioner from a member in good standing within the region.
- c. A copy of these procedures shall be posted on the web site.

### **3. THE ELECTION COMMITTEE:**

- a. The Election Committee and the regional representatives have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.<sup>8</sup>
- b. At the close of the nominations the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated seats. Caucus elections must be held prior to the annual membership meeting at the conference. The Executive Director or assigned staff along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the staff and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.<sup>8</sup>
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.<sup>8</sup>
- f. Post the candidate statements/resumes organized by region on a bulletin board near the registration desk.
- g. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election.<sup>8</sup>
- h. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.<sup>8</sup>

**4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING<sup>6</sup>**

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCOs requesting an electronic ballot shall do so in writing no later than 30 days prior to the annual meeting.
- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the executive director no later than three days prior to the annual meeting.
- e. LAFCOs voting under this provision may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCOs voting under this provision may only vote for the candidates nominated by the Election Committee and may not vote in any run-off elections.<sup>8</sup>

**5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING:**

- a. The Election Committee Chairman, another member of the Election Committee or the Chair's designee (hereafter called the Presiding Officer) shall:<sup>8</sup>
  - i. Review the election procedure with the membership.
  - ii. Present the Election Committee Report (previously distributed).
  - iii. Call for nominations from the floor by category for those seats subject to this election:
    1. For city member.
    2. For county member.
    3. For public member.
    4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy.
- e. The Presiding Officer shall then conduct the election:
  - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
    1. Name the nominees and offices for which they are nominated.
    2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.



- ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
  1. Poll the LAFcos in good standing by written ballot.
  2. Each LAFco in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.
  3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.<sup>8</sup>
  4. With assistance from CALAFco staff, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
  1. The nominee receiving the majority<sup>6</sup> of votes cast is elected.
  2. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).<sup>6</sup>
  3. In case of tie votes<sup>6</sup>:
    - a. A second run-off election shall be held with the same two nominees.
    - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.
  4. In the case of two vacancies, any candidate receiving a majority of votes cast is elected.<sup>6</sup>
    - a. In the case of no majority for either vacancy, the three nominees receiving the three highest number of votes cast shall face each other in a run-off election.
    - b. In the case of no majority for one vacancy, the two nominees receiving the second and third highest number of votes cast shall face each other in a run-off election.
    - c. In the event of a tie, a second run-off election shall be held with the tied nominees. If there remains a tie after the second run-off election the winner shall be determined by a draw of lots.

## **6. ADDITIONAL PROCEDURES**

- a. For categories where there are more candidates than vacancies, names will be listed in the order nominated.
- b. The Election Committee Chair shall announce and introduce all Board Members elected at the Regional Caucuses at the annual business meeting.<sup>8</sup>
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFco may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after

election of new board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

## **7. LOSS OF ELECTION IN HOME LAFCo**

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

## **8. FILLING BOARD VACANCIES**

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

*These policies and procedures were adopted by the CALAFCO Board of Directors on 12 January 2007 and amended on 9 November 2007<sup>1</sup>, 8 February 2008<sup>2</sup>, 13 February 2009<sup>3</sup>, 12 February 2010<sup>4</sup>, 18 February 2011<sup>5</sup>, 29 April 2011<sup>6</sup>, 11 July 2014<sup>7</sup> and 27 October 2017<sup>8</sup>. They supersede all previous versions of the policies.*

# **CALAFCO Regions**

## **FOUR REGIONS**



The counties in each of the four regions consist of the following:

**Northern Region**

Butte  
Colusa  
Del Norte  
Glenn  
Humboldt  
Lake  
Lassen  
Mendocino  
Modoc  
Nevada  
Plumas  
Shasta  
Sierra  
Siskiyou  
Sutter  
Tehama  
Trinity  
Yuba

**CONTACT:** Steve Lucas  
Butte LAFCo  
slucas@buttecounty.net

**Southern Region**

Orange  
Los Angeles  
Imperial  
Riverside  
San Bernardino  
San Diego

**CONTACT:** Gary Thompson  
Riverside LAFCo  
gthompson@lafco.org

**Coastal Region**

Alameda  
Contra Costa  
Marin  
Monterey  
Napa  
San Benito  
San Francisco  
San Luis Obispo  
San Mateo  
Santa Barbara  
Santa Clara  
Santa Cruz  
Solano  
Sonoma  
Ventura

**CONTACT:** Martha Poyatos  
San Mateo LAFCo  
mpoyatos@smcgov.org

**Central Region**

Alpine  
Amador  
Calaveras  
El Dorado  
Fresno  
Inyo  
Kern  
Kings  
Madera  
Mariposa  
Merced  
Mono  
Placer  
Sacramento  
San Joaquin  
Stanislaus  
Tulare  
Tuolumne  
Yolo

**CONTACT:** Christine Crawford, Yolo LAFCo  
christine.crawford@yolocounty.org

# Board of Directors 2020/2021 Nominations Form

## *Nomination to the CALAFCO Board of Directors*

In accordance with the Nominations and Election Procedures of CALAFCO,

\_\_\_\_\_ LAFCo of the \_\_\_\_\_ Region

Nominates \_\_\_\_\_

for the (check one)    ☐ City    ☐ County    ☐ Special District    ☐ Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual  
Membership Meeting of the Association.

\_\_\_\_\_  
LAFCo Chair

\_\_\_\_\_  
Date

### **NOTICE OF DEADLINE**

Nominations must be received by **September 22, 2020**  
at 5:00 p.m. to be considered by the Election Committee.  
Send completed nominations to:  
CALAFCO Election Committee  
CALAFCO  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, CA 95814

## Board of Directors 2020/2021 Candidate Resume Form

Nominated By: \_\_\_\_\_ LAFCo Date: \_\_\_\_\_

Region (please check one): ☐ Northern ☐ Coastal ☐ Central ☐ Southern

Category (please check one): ☐ City ☐ County ☐ Special District ☐ Public

Candidate Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Office \_\_\_\_\_ Mobile \_\_\_\_\_

e-mail \_\_\_\_\_

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

**NOTICE OF DEADLINE**

Nominations must be received by **September 22, 2020**  
at 5:00 p.m. to be considered by the Election Committee.  
Send completed nominations to:  
CALAFCO Election Committee  
CALAFCO  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, CA 95814