

Chair:

John Larrieu

Commissioners:

Terry Swofford,

Kevin Goss, Vice

Chair

Phil Oels

John Hafen

Sherrie Thrall, Alt

Pat Morton, Alt

Jeffrey Greening Alt

Executive Officer

John Benoit

LAFCo Clerk:

Cheryl Kolb



LAFCo

*The Local Agency Formation
Commission Serving Plumas County*

REGULAR MEETING AGENDA

MONDAY December 8, 2014

10:00 AM

**BOARD OF SUPERVISORS CHAMBERS
PLUMAS COUNTY COURTHOUSE
QUINCY, CALIFORNIA**

Website: www.plumaslafco.org

MEETING - CONVENES AT 10:00 A.M.

1. CALL TO ORDER and Roll Call

2. Approval of Agenda (additions or deletions)

3. Correspondence:

4. CONSENT ITEM(S)

a. Approval of the October 6, 2014 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 November 2014 and ratify claims for October 2014

a. Authorize payment of claims for November 2014 and ratify claims for October 2014

7. Continued Ongoing Discussion regarding Service Review Content, the LAFCo Act and Plumas LAFCo Policies. (Continued discussion from previous LAFCo meetings)

a. Continued discussion and provide direction to the Executive Officer for possible future action

PUBLIC HEARING:

8. **Service Review for Districts within Central Plumas County more or less including services provided by the Central Plumas Recreation and Park District, Crescent Mills Cemetery District, Crescent Mills Lighting District, Greenville Cemetery District, East Quincy Community Services District, Indian Valley Healthcare District, Indian Valley Recreation and Park District, Plumas Healthcare District, Quincy Community Services District, Quincy Lighting District, Quincy-La Porte Cemetery District, Taylorsville Cemetery District, County Service Area 6 – Genesee Valley, and County Service Area 11 - Ambulance**

a. Review the Service Review (MSR), provide suggestions for exclusion or inclusion in the Service Review, Conduct Public Hearing and continue the Public Hearing until 10:00 a.m. February 9, 2015 for adoption to afford the district Board of Directors ample time to comment.

ACTION ITEMS:

9. **Review and Ratify Administrative Order 2014-0001 thereby approving an out of area service for the Eastern Plumas Services District to provide sewer and water services to property operated by Plumas Rural Services at 711 East Main Street in Quincy.**
10. **Set Hearing Date of February 9, 2015 for the Sphere of Influence for the Crescent Mills FPD and fire services provided by the Indian Valley CSD.**
 - a. Set hearing date of February 9, 2015*
11. **Discussion regarding the Calafco Conference in October**
12. **Discussion of the Property Tax Exchange Process and possible action thereon.**
13. **Executive Officer's Report**
 - a. Pending and Proposed Changes of Organization before LAFCo - Status*
 - b. Sphere of Influence Updates – Chester PUD, Hamilton Branch and Walker Ranch CSDs*
 - c. Fees and Exactions*
 - d. New Website: www.plumaslafco.org*
14. **Commissioner Reports - Discussion**

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

15. **Adjourn to next regular meeting on February 9, 2015**

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.

Contact LAFCO Staff LAFCO staff may be contacted at 530-283-7069 or by mail at LAFCO of Plumas County, P.O. Box 2694 Granite Bay, CA 95746 or by email at johnbenoit@surewest.net or by fax at (916) 797-7631.

PLUMAS LAFCO MEETING MINUTES

**MONDAY, October 6, 2014
BOARD OF SUPERVISORS CHAMBERS
PLUMAS COUNTY COURTHOUSE
QUINCY, CALIFORNIA**

1. CALL TO ORDER - 10:00 a.m.

Present: John Larrieu, Terry Swofford, Kevin Goss, Phil Oels
Also Present: Sherrie Thrall, Pat Morton, John Benoit
Absent: (Public Member Alternate seat currently vacant), John Hafen

2. Approval of Agenda

John Benoit asked to remove item number 8 as Scott Browne was unable to attend today's meeting. Agenda approved with change.

3. Correspondence

Benoit had no correspondence to address at this time.

4. CONSENT ITEM(S)

- a. Vice-Chair Goss moved and Commissioner Swofford seconded to approve the August 11, 2014 minutes as submitted. Unanimous approval, motion carried.

5. Public Comment

Chair Larrieu opened the meeting for public comment. No public comment; public comment period was closed.

6. Authorize payment of Claims for September, 2014 and ratify claims for August, 2014

- a. Commissioner Oels moved for the approval for the payment of September, 2014 claims and the ratification of August, 2014 claims. Vice-Chair Goss seconded. Unanimous approval; motion carried.

7. Consider appointment of a Public Member Alternate to fill a vacancy for an unexpired term ending May, 2018.

Sherrie Thrall spoke on behalf of the Committee to Appoint to Public Member Alternate. Thrall states that the Committee met and interviewed all three candidates, and recommended Jeff Greening as the new Public Member Alternate. Commissioner Swofford motioned to approve the recommendation and

Commissioner Oels seconded. Unanimous approval; motion carried.

8. *Item deleted due to Scott Browne's absence.*

ACTION ITEMS:

9. **Presentation from Jennifer Stephenson regarding upcoming municipal service reviews.**

Benoit noted that the goal is to have a Public Hearing at the December meeting.

Jennifer Stephenson pointed out some items of note:

- 1) Cemetery Districts: There are nine cemetery districts in Plumas County, each with their own governing body, meetings, etc. The districts currently do not cover the entire county. Several districts reported that they were unable to fill vacancies and unable to hold meetings due to lack of quorum. There is also a lack of funding and a lack of understanding of the legal requirements. If there were fewer governing bodies, it would be easier to train the governing body(ies). Many of the cemetery districts are open to combining districts.
 - 2) Hospital/Healthcare Districts: There is a potential to consolidate and they seem receptive to reorganization or consolidation. Indian Valley Hospital District still has to finish their bankruptcy process before they can combine or consolidate with any other district.
 - 3) Lighting: There are currently two lighting districts in Plumas County. Ideally there would only be one. Forming a combined lighting district would be fairly simple – the problem is the lighting districts are generally underfunded as it is. Jennifer Stephenson said she would need to look at how underfunded they currently are.
 - 4) Special District Training: There is a general lack of information and training. There also needs to be better fiscal and internal controls. The Special Districts Association is handling the training.
10. **Continued Ongoing Discussion regarding Service Review Content, the LAFCo Act and Plumas LAFCo policies. (Continued discussion from previous LAFCo meetings).**

Benoit pointed out that the goal is to find out what really needs to be on the MSR's. Due to the absence of Scott Browne and Commissioner John Hafen, the discussion will be ongoing.

11. **Discussion regarding fees for Fire Agency Annexations**

Benoit states that LAFCo lowered the fees for fire agency annexations. Other agencies are also starting to charge annexation fees as well. The Sheriff's Department is now charging fees to update the MSAG, and the Beckwourth Fire District is also charging annexation fees.

12. Executive Officer's Report

- a) Benoit gave an update on the annexation of a small parcel to the LaPorte Fire Protection District. They are going through the property tax exchange process now.
- b) Benoit is working on the Sphere of Influence Updates for Chester PUD, Hamilton Branch and Walker Ranch CSDs.
- c) The boards for Indian Valley CSD and Crescent Mills FPD voted to meet and form a consolidation committee to work out any issues prior to consolidation.
- d) Benoit is working on a new website for Plumas LAFCo.

13. Commissioner Reports - Discussion.

Chair Larrieu asked for clarification of the next meeting date as it should be set for December 8th, not December 15th as stated on the agenda.

21. Adjourn to the next LAFCO meeting – December 8, 2014 at 10:00 a.m.

The next meeting will take place on December 8, 2014. Chair Larrieu adjourned the meeting at 10:55 a.m.

Chair:

John Larrieu

Commissioners:

Kevin Goss, V-Chair

Terry Swafford

Phil Oels

John Hatem

Sherrie Thrall, Alt

Vacant, Alt

Pat Morton, Alt

Executive Officer:

John Benoit

Clerk:

Cheryl Kolb



LAFCo

ITEM #6

*The Local Agency Formation
Commission Serving Plumas County*

**Claim Authorization Form
October and November 2014 Expenses**

The Local Agency Formation Commission of Plumas County hereby authorizes the payment of the following claims from FY 2014-2015 budget:

| <u>Date of Claim</u> | <u>Description</u> | <u>Amount</u> |
|----------------------|--|---------------------|
| Nov 6, 2014 | Staff Svcs October 2014 | \$ 3,685.36 |
| Nov 6, 2014 | MSR for Indian Valley-Quincy | \$ 6,316.25 |
| Oct 12, 2014 | Phone Bill - A T and T* | \$ 22.53 |
| Oct 21, 2014 | Long Distance Costs- Primus* | \$ 15.00 |
| Oct 6, 2014 | Calafco Conference Exp. J. Larrieu | \$ 134.18 |
| Oct 15, 2014 | 10.15.14 Health Care- Gullixson | \$ 555.10 |
| TOTAL: | October Expenses | \$ 10,728.42 |
| Dec 8, 2014 | Staff Svcs October 2014 | \$ 3,685.36 |
| Dec 8, 2014 | MSR for Indian Valley-Quincy | \$ 10,013.75 |
| Nov 12, 2014 | Phone Bill - A T and T* | \$ 22.53 |
| Nov 21, 2014 | Long Distance Costs- Primus* | \$ 15.00 |
| Nov 6, 2014 | Final Calafco Conference Exp. J. Larrieu | \$ 555.04 |
| Nov 15, 2014 | 11.15.14 Health Care- Gullixson | \$ 555.10 |
| TOTAL: | Nov. Expenses | \$ 14,846.78 |

*Communication costs are estimates

DATED: Dec 8, 2014

APPROVED: Dec 8, 2014

**John Larrieu, Chair or Kevin Goss, Vice-Chair Plumas Local
Agency Formation Commission**

Attest:

**John Benoit
Executive Officer**

11/29/2014

11/29/2014

Chair:

John Larrick

Commissioners:

Kevin Goss V-Chair

Perry Swafford

Phil Oels

John Hatten

Sherrill Hall Alt

Jeffery Greening, Alt

Pat Morton, Alt

Executive Officer:

John Benoit

Clerk:

Cheryl Kolb



LAFCo

ITEM #9

*The Local Agency Formation
Commission Serving Plumas County*

ADMINISTRATIVE ORDER APPROVING OUT OF AGENCY SERVICE AGREEMENT

REFERENCE:

LAFCO File No. 2014 OASA-001, a request from the East Quincy Services District (EQSD), and Plumas Rural Services needing EQSD water and wastewater services to be provided on 3.28 acres known as Assessor's Parcels 116-290-035,036,037, and 039 and shown and described in Exhibits #A and #B.

WHEREAS, Plumas Rural Services (PRS), a non profit agency, desires to construct a new building and (or) add an addition to an existing structure to house multiple social service programs and administrative offices on a 3.28-acre site located at 711 East Main Street, Quincy California.

WHEREAS, The purpose of this Out of Area Service Agreement is so the EQSD may continue to provide domestic water and sanitary sewer services to the property including the proposed and existing PRS uses.

WHEREAS, a jurisdictional change is needed to obtain a building permit for a proposed new structure since the territory is within the Quincy Community Services District (QCSD) and served by the EQSD.

WHEREAS, PRS has obtained a Special Use Permit from Plumas County and completed an initial study and certified a Negative Declaration for the construction and reorganization processes on May 15, 2013.

WHEREAS, Based on the uses contemplated for the 3.28-acre site, there is an existing need for domestic water and wastewater collection service to be provided by the East Quincy Services District.

WHEREAS, the EQSD passed Resolution 271 on April 16, 2014 consenting to and supporting the annexation of property located at 711 East Main Street also known as APN 116-290-039 and had issued a "Certificate of Availability for Water and Sewer" on January 10, 2014.

WHEREAS, The QCSD passed Resolution 2014-02 on April 14, 2014 requesting the Plumas Local Agency Formation Commission to take proceedings for the detachment of lands including 3.28 acres known as Assessor's Parcels 116-290-035,036,037, and 039 as shown and described as Exhibits A and B to that resolution.

WHEREAS, The Plumas Local Agency Formation Commission adopted Resolution No. 2001-0005 on September 24, 2001 which delegated to the Executive Officer the administrative authority to review and approve Out of Agency Service Agreements pursuant to Government Code § 56133; and

WHEREAS, Relevant provisions of the Government Code give to Local Agency Formation Commissions the power to authorize a city or a special district to provide new or extended services outside its jurisdictional boundaries within the Sphere of Influence in anticipation of annexation; and

WHEREAS, The East Quincy Services District through the Plumas Rural Services has filed a Plumas LAFCO Application for Out of Agency Service Agreement approval has provided evidence it is willing and able to serve and provide the 3.28 acre sports territory with district services including water and wastewater; and

WHEREAS, The Executive Officer received appropriate deposits with the application and documentation sufficient to review the proposed service obligations; and

NOW, THEREFORE, the Executive Officer of the Plumas Local Agency Formation Commission does hereby make determinations and orders on the application as follows:

1. That the Executive Officer has reviewed this proposal for services per Government Code Section 56133, and other relevant parts of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, LAFCo Policies, and he has done a site inspection of the properties upon which the agreement for services relates and constructed improvements are installed.
2. That the extension of service is categorically exempt (Class 19) under Section 15061 (b)(3) of the CEQA Guidelines.
3. That the provision of domestic water and wastewater services provides a benefit to the present health and safety needs of the residents and businesses in and around the Community of Quincy and Plumas County who will benefit from the services provided through Plumas Rural Services.
4. That the East Quincy Services District is equipped with a modern and efficient sanitation and water treatment plants manned by licensed and technicians and it has sufficient administrative and technical staff to maintain the operations of the sewer and water systems and the sewer (and) or water lines that transport effluent to the system. The District has the capacity in its overall system to provide sewer and water treatment services to the areas outside its jurisdiction such as the parties seek in this agreement without negatively impacting the ability of the District to provide such services to the present constituent users within its own jurisdiction. That the Executive Officer has reviewed the information provided by PRS and County staff, the QCSD and the EQSD and he finds no objection to the extension of services sought in this agreement by the parties thereto.
5. That the EQSD is the logical provider of water delivery and sewer services into the areas sought by the parties in that it has the infrastructure in place and is currently providing the services.
6. That the project herein will extend services through existing infrastructure.
7. That the approval of this agreement will enhance the public welfare and safety through the construction of a water delivery and sanitation sewer line extension to serve the entire property.

8. That it is logical for the areas encompassed by this out of area service agreement be subject to detachment from the QCSD and annexation to the EQSD due to the fact that it is contiguous and within the sphere of influence of the District.
9. That this Out-of-Agency service agreement is approved as proposed subject to the following terms, conditions and caveats:
 - a. The EQSD is hereby authorized to provide domestic water and wastewater services to the 3.28-acre area (see Exhibits A and B) operated by the Plumas Rural Services subject to the terms and conditions included herein.
 - b. An application meeting LAFCo's application requirements for a reorganization is to be filed with LAFCo including the detachment of the 3.28 acres from the QCSD and annexation to the EQSD along with all requirements, maps and descriptions meeting State Board of Equalization Requirements, and fees including all LAFCo fee deposits of \$2,887.50 and \$200.00 (for GIS Mapping) within and the State Board of Equalization (SBOE) fees of \$350 Payable to the State Board of Equalization within 60 days of execution of this Administrative Order otherwise this order shall be null and void and automatically terminated.
 - c. This Out of Agency Agreement shall expire on December 1st, 2015 or upon the completion of LAFCo proceedings including acceptance by the California State Board of Equalization, whichever occurs earlier unless otherwise extended in writing by the LAFCo Executive Officer.
 - d. This Out of Agency Agreement shall no longer be in effect upon annexation of the subject property to the EQSD and detachment from the QCSD.
 - e. Each party agency to this agreement will agree to and cooperate and not oppose a future annexation of the property served by this out of area agreement.

IT IS SO ORDERED, this twenty-fourth day of November 2014 at Quincy, California.

JOHN BENOIT, Executive Officer
Plumas Local Agency Formation Commission

Acknowledgement of Terms, Conditions and Caveats:

Mike Green, Manager, East Quincy Services District

Michele Lynn Pillar, Authorized Representative, PRS

Portions of Section 13 and 24, Township 24 North, Range 9 East, MDM
WEST - 100'



SCALE: 1"=80'

116-290-035
County of Plumas

Proposed boundary between
Quincy Community Services District
East Quincy Community Services District

Easterly line of the Northwest 1/4 of Section 13
(Existing boundary between QCSD and EQSD)

116-090-028
Plumas
Christian School

RADIO HILL ROAD

2014 OR 4775

40' wide access
easement to
County of Plumas

116-290-038
County of Plumas

Chinese
Cemetery

Plumas
Rural Services

1/4 Corner
N89°09'07"E - 150.00'

Existing
Office Bldg.

This portion of PRS
parcel already within
EQSD service district

116-290-043
Brian Plocki
& Danielle Wagner

Section 13
Section 24

116-090-029
Plumas
Christian School

711 E. Main St.

N86°42'W
100.17'

N87°39'55"W - 147.89'

Northerly line of California State Highway 70

STATE ROUTE 70

(EAST MAIN STREET)

Westerly line of the East 1/2 of Section 24

EXHIBIT A

Exhibit B

PRS Annexation to EQSD Service Area

Legal Description

All the lands within Section 13, Township 24 North, Range 9 East, MDM described in that certain deed recorded in Book 2014 of Official Records at Page 4775 in the Plumas County Recorder's Office owned by Plumas Rural Services Corporation situated at 711 East Main Street in Quincy, Plumas County, California, to wit:

Beginning at the quarter Section corner common to said Sections 13 and 24 of said Township and Range, thence North, along the east line of the southeast one-quarter of the southwest one-quarter of said Section 13, 1,320 feet, more or less, to the northeast corner of the of the southeast one-quarter of the southwest one-quarter of said Section 13; thence West, 100 feet; thence South and parallel to the east line of the southeast one-quarter of the southwest one-quarter of said Section 13, 1,320 feet, more or less, to the south line of said Section 13; thence continuing South and parallel to the east line of the northeast one-quarter of the northwest one-quarter of said Section 24, 94.82 feet to the northerly right-of-way line of California State Highway 70 (formerly US 40-A); thence along said right-of-way line, South 86°42' East, 100.17 feet; thence South 87°39'55" East, a distance of 147.89 feet, more or less; thence North, 107.80 feet to the southerly line of said Section 13 to the southerly line of said Section 13; thence along said southerly line, South 89°09'07" West, a distance of 150.00 feet to the point of beginning.

Excepting therefrom that portion of the above-described parcel which lies easterly of the west line of the east ½ of Section 13, Township 24 North, Range 9 East, MDM, to wit:

Beginning at the north quarter corner of said Section 24, thence North 89°09'07" East, a distance of 150.00 feet to a point on the north line of said Section 24; thence South, 107.80 feet to the northerly right-of-way line of California State Highway 70; thence North 87°39'55" West, a distance of 147.89 feet, more or less, to the west boundary of said northeast quarter of said Section 24; thence North 01°16'32" West, a distance of 99.58 feet, more or less, to the point of beginning.

Guidelines for Tax Exchange Negotiations for Annexations
(Approved December 18, 2007)

1. It is not the policy of Plumas County to share any portion of the County tax base, and this policy applies only to the sharing of tax increment. Exchanges will be based on public policy reasons.
2. The district will be expected to provide financial justification for the request of tax exchange. This justification must include both how the sharing would benefit the district and how the exchange benefits the County.
3. The District must approve a special tax, assessment, or other funding mechanism prior to the County agreement to a tax exchange.
4. The District must present its plan for uses for the revenues generated by the exchange.
5. The County shall make the following two findings:
 - (a) The County shall determine that revenues are available for the transfer.
 - (b) The transfer will not impair the ability of the County to provide existing services.
6. Any emergency response district shall implement a cost reimbursement system.
7. Districts must notify the County of their desire to negotiate.
8. The County may choose not to negotiate with any district that is not part of the Special District Association. The Special District Association may provide negotiators.