

AMENDED

PLUMAS LAFCo

SPECIAL MEETING AGENDA

MONDAY February 13, 2023

10:00 AM

CITY COUNCIL CHAMBERS – PORTOLA CITY HALL

**35 THIRD AVENUE
PORTOLA, CA 96122**

Website: www.plumaslafco.org

ZOOM Participation

You may also use your computer or smart device to watch the video conference and make comments 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.

The LAFCO meeting is accessible for public comment via live streaming at:
<https://us02web.zoom.us/j/84740785845?pwd=VjAvVmhRY3ZZL2d6aHVuYyt0TkpmZ09>

or by phone at:

Phone Number 1-669-900-9128

Meeting ID: 847 4078 5845

Passcode: 239354

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 and Pumas LAFCo Resolutions 2021-0006 and 2021-0007. 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.

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

Commissioners:

Tom Cooley, City Member, Chair
Kevin Goss, County Member, Vice Chair
Bill Powers, City Member
Tom McGowan, County Member
Matthew Haesche, Public Member
Vacant, Public Member Alt.
Jeff Engel, County Member Alt.
Pat Morton, City Member Alt.

Staff:

Jennifer Stephenson, 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. Moment of silence in honor of Commissioner Terry Swofford's service on Plumas LAFCO**
- 3. Approval of Agenda (additions or deletions)**

4. Correspondence:

- a) GLCSD protest for rate increase/letter of concerns from public*
- b) EPRFPD Comments on Municipal Service Review attached for Item #9*
- c) SDRMA Notification of Nominations (Plumas LAFCO is not eligible to nominate)*

5. CONSENT ITEM (S)

- a) Approve minutes for December 12, 2022 meetings.*

6. 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.

7. Authorize payment of Claims for December 2022 and January 2023

- a) Authorize payment of claims December 2022 and January 2023.*

PUBLIC HEARINGS and ACTION ITEMS:

- 8. Review conditions regarding Resolutions 2021-0006 and 2021-0007**
 - a) *Provide direction to continue or repeal authorization pursuant to AB 361 to hold remote teleconference meetings of Plumas LAFCo.*
 - b) *Discuss process for Commissioner approval to participate remotely after February 28, 2023 under provisions of AB 2449.*
- 9. Discussion and direction regarding Eastern Plumas Rural Fire Protection District SOI and MSR comments**
 - a) *Review edits made to SOI Report reflecting comments from EPRFPD.*
 - b) *Receive status report from EPRFPD on recommendations in SOI Report.*
 - c) *Review MSR comments provided by EPRFPD.*
 - d) *Provide direction regarding the comments received.*
- 10. Consideration of Termination of CalPERS Contract**
 - a) *Executive Officer Report on Evaluation of Termination of CalPERS Contract*
 - b) *Adopt Resolution 2023-0001 indicating intent to terminate contract with CalPERS and requesting evaluation by CalPERS actuaries to evaluate final payment necessary.*
- 11. Appoint Commissioners to Budget Ad Hoc Committee**
 - a) *Appoint 2 Commissioners to Budget Ad Hoc Committee*

DISCUSSION ITEMS (no action to be taken):

- 12. Executive Officer's Report**
 - a) *Cemetery District Reorganization*
 - b) *County apportionment*
 - c) *Form 700s due April 3rd to County Elections*
 - d) *Corrections to EPRFPD boundary by Board of Equalization*
 - e) *Recruitment for Public Member Alternate*
 - f) *LESSG Report*
- 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. Closed Session pursuant to Government Code Section 54957**
 - a) *Executive Officer Performance Evaluation 2018-2023*
- 15. Adjourn to next regular meeting.**

LAFCo's next regular meeting to take place 10:00 am on April 17, 2023

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, 5050 Laguna Blvd #112-711, Elk Grove, CA 95758 or by email at jennifer@pcateam.com or by fax at 888-501-0395.

Jennifer Stephenson

Plumas LAFCO

Executive Officer

Re: Grizzly Lake Community Services District

A. Rate increase concerns

1. The current “Notice of Public Hearing” concerning the announced water and sewer rates **FAILS** per **CA GOV CODE 54954.6(a)** to present “a fee that does not exceed the reasonable cost of providing the services, facilities or regulatory activity for which the fee is charged.” The Grizzly Lake CSD has increased their revenue by \$176,511.36 a year for all 312 “Residential parcels” and increased their revenue by \$11,023.56 for all 18 “Commercial parcels” for a combined yearly increase of \$187,534.92 for all 330 parcels in hopes of recuperating cost for a poorly run district, where in the past year has incurred over 30 violations with the State Water Resources Control Board for failure in providing lab results, missed lab results, and deficient reporting violations. The most recent violation came in November 2022 which resulted in the Grizzly Lake CSD incurring a \$27,000 (MMP) “Mandatory Minimum Penalty.
2. The current “Notice of Public hearing” concerning the concerning the announced water and sewer rates **FAILS** per **CA GOV CODE 54954.6(2B)** to present a “general description of the purpose or improvements that the assessment will fund.” The notice states: “The Water and Sewer Rate Study, which provides a detailed explanation of the projected inflationary impact on operating costs, was prepared by Rural Community Assistance Corporation (RCAC) and GLCSD and is available for review by the public on the GLCSD website (grizzlylakecsd.com).” **NO SUCH REPORT EXISTS ON THE WEBSITE NOR DID IT EXIST ON THE WEBSITE PRIOR TO PUBLIC HEARING ON 11/14/22 FOR PUBLIC REVIEW.**
3. Most homeowners are purchasing bottled water due to contaminated water.
4. The board of Directors failed to take into consideration the financial burden to the community of Grizzly Lake CSD, which consist of a wide range of low- and fixed-income families.
5. When tabulating the Protest Letters they did not have an outside observer who did not have a vested interest in the outcome, and several were thrown out and we do not know why they were disqualified.

B. Financial Mismanagement

- 1.) The grant money and the fulfillment of these grants, is not on the website or in the financials or the meeting minutes.
- 2.) The person or company writing the grants is also not available on the website and the community is not aware of who this is.
- 3.) Any information asked about the financials, we are told to go to the website, but they are not there.
- 4.) The last audit is also not available on the website.

C. Personal Vendetta of staff against members of the public

1. When you have a question about your bill you are ignored. They retaliate against customers if you question them. They have called the police on customers during several board meetings when questioned about money, equipment and the decisions they have made.
2. They have fired an employee who made a sexual harassment claim against the manager's husband who worked there. Which resulted in another board member quitting because of the nepotism.

D. Illegal removal of a board member

1. Before one board member quit, she was asked to stay so they would have a quorum to illegally remove another board member. Which they did and you have on record as you reviewed their decision and told the board that the removal was illegal. See attached letter.

E. Inadequate wastewater operations and potential health safety concerns.

1. Licenses, certifications or education of current employees have not met qualifications of the positions that they hold are not posted and we do not believe they hold the proper certifications to be working on this equipment.
2. Chief operation's officer is not know or the qualifications they have for the this position.
3. In the past year they have incurred over 30 violations for failure to provide lab results, missed lab results, and deficient reporting violations.
4. We have no fences around our wells.
5. Their lack of proper storage of equipment lead to a broken piece of equipment and resulted in raw sewage going into Humbug Creek for 5 days. They had to pay a outside company to come in and do their jobs.
6. The current employees did not turn the heat on in the chemical shed that houses the analyzing equipment. This resulted in damage to the equipment due to it freezing and we are currently unable to discharge waste water out of the ponds. We do not know the extent of the damage or the cost to repair or replace it.



LAFCO

Commissioners:

Tom Cooley, City Member, Chair
Kevin Goss, County Member, Vice Chair
Bill Powers, City Member
Sherrie 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
Cheryl Kolb, Clerk
P. Scott Browne, Counsel

MEETING MINUTES

ADJOURNED REGULAR MEETING OF THE LAFCO COUNTY OF PLUMAS, STATE OF CALIFORNIA HELD IN QUINCY ON DECEMBER 12, 2022

STANDING ORDERS

Due to the Coronavirus disease (COVID-19) Public Health Emergency, dated March 16, 2020, the County of Plumas is making several changes related to Board of Supervisors meetings to protect the public's health and prevent the disease from spreading locally.

The Plumas County Health Officer Recommendation Regarding Teleconferencing, issued on September 30, 2021, recommends local legislative bodies, such as commissions, committees, boards, and councils, hold public meetings with teleconferencing as authorized by Government Code section 54953 (e).

Pursuant to Government Code section 54953 (e) and to maintain the orderly conduct of the meeting, the County of Plumas members of the Board of Supervisors may attend the meeting via teleconference or phone conference and participate in the meeting to the same extent as if they were physically present. Due to Government Code section 54953(e), the Boardroom will be open to the public but subject to state or federal social distancing or masking requirements, if applicable. It is strongly recommended that individuals attending meetings wear masks. The public may participate as follows:

Live Stream of Meeting

Members of the public who wish to watch the meeting, are encouraged to view it [LIVE ONLINE](#)

ZOOM Participation

The Plumas County Board of Supervisors meeting is accessible for public comment via live streaming at: <https://zoom.us/j/94875867850?pwd=SGlSeGpLVG9wQWtRSnNUM25mczlvZz09> or by phone at: Phone Number 1-669-900-9128; Meeting ID: 948 7586 7850. Passcode: 261352

Public Comment Opportunity/Written Comment

Members of the public may submit written comments on any matter within the Board's subject matter jurisdiction, regardless of whether the matter is on the agenda for Board consideration or action. Comments will be entered into the administrative record of the meeting.

Members of the public are strongly encouraged to submit their comments on agenda and non-agenda items using e-mail address Public@countyofplumas.com

MEETING - CONVENES AT 10:00 AM

1. CALL TO ORDER: PLEDGE OF ALLEGIANCE AND ROLL C

Tom Cooley led the Pledge of Allegiance.

Roll Call.

Present: Tom Cooley, County Member, Chair; Kevin Goss, City Member, Vice Chair; Bill Powers, City Member; Sherrie Thrall, County Member; Matthew Haesche, Public Member; Terry Swofford, Public Member Alternate and Pat Morton, City Member Alternate.

Absent: Jeff Engel, County Member Alternate.

2. APPROVAL OF AGENDA (ADDITIONS OR DELETIONS)

No additions or deletions.

3. CORRESPONDENCE:

a) SDRMA President's Special Acknowledgment Award

Plumas LAFCo received the SDRMA President's Special Acknowledgment Award.

Kevin Goss received correspondence from a constituent in his former district regarding concerns about the response time of Plumas District Hospital versus Eastern Plumas Healthcare District for the Cromberg area.

4. CONSENT ITEM(S)

a) Approval of the August 8, 2022 and the October 17, 2022 LAFCo minutes

Motion: Approval of the August 8, 2022 and the October 17, 2022 LAFCo minutes, **Action:** Approve, **Moved by** Kevin Goss, **Seconded by** Bill Powers.

Vote: Motion Passed by unanimous roll call vote (**summary:** Yes = 5).

Yes: Kevin Goss, City Member; Bill Powers, City Member; Sherrie Thrall, County Member; Matthew Haesche, Public Member and Tom Cooley, County Member.

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.

Ashley (last name not provided) called in via Zoom with concerns about public records requests.

6. AUTHORIZE PAYMENT OF CLAIMS FOR OCTOBER 2022 AND NOVEMBER 2022

- a) Authorize payment of Claims for October 2022 and November 2022

Motion: Authorize payment of Claims for October 2022 and November 2022, **Action:** Approve, **Moved by** Kevin Goss, **Seconded by** Bill Powers.

Vote: Motion Passed by unanimous roll call vote (**summary:** Yes = 5).

Yes: Kevin Goss, City Member; Bill Powers, City Member; Sherrie Thrall, County Member; Matthew Haesche, Public Member and Tom Cooley, County Member.

PUBLIC HEARINGS and ACTION ITEMS:

7. REVIEW CONDITIONS REGARDING RESOLUTIONS 2021-0006 AND 2021-0007

- a) Provide direction to continue or repeal authorization pursuant to AB 361 to hold remote teleconference meetings of Plumas LAFCo

Direction provided to continue authorization pursuant to AB 361.

- b) Note: Only in effect until February 28, 2023 when the State of Emergency expires. Commissioners may choose to make use of AB 2449 authorization of hybrid teleconference meetings thereafter.

8. ADOPT EASTERN PLUMAS REGIONAL FIRE SPHERE OF INFLUENCE UPDATES

- a) Receive Executive Officer's presentation.

- b) Open public hearing.

Jeanie Graham, Board Member for Eastern Plumas Fire Protection District, submitted a written response requesting a delay in adoption of Resolution 2022-0008. Jennifer Stephenson read the response into the record. Ashley (last name not provided) and Carrie Curtis from Gold Mountain Community Services District, also spoke.

- c) Close public hearing.

- d) Consider adoption of Resolution 2022-0008 confirming Sphere of Influence Updates for Beckwourth Fire Protection District, Eastern Plumas Rural Fire Protection District, Gold Mountain Community Services District, and Sierra Valley Fire Protection District.

Motion: Approve adoption of Resolution 2022-0008 confirming Sphere of Influence Updates for Beckwourth Fire Protection District, Eastern Plumas Rural Fire Protection District, Gold Mountain Community Services District, and Sierra Valley Fire Protection District amended to include edits as appropriate based on recommendations from Eastern Plumas Rural Fire Protection District., **Action:**

Approve, Moved by County Member Kevin Goss, **Seconded by** Public Member Matthew Haesche.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

Yes: County Member Kevin Goss, City Member Bill Powers, County Member Sherrie Thrall, Public Member Matthew Haesche and City Member Tom Cooley.

9. CALAFCO 2022 CONFERENCE PRESENTATION

- a) Receive presentation on lessons learned at 2022 CALAFCO Conference.

Executive Officer Jennifer Stephenson, City Member Tom Cooley and Public Member Matthew Haesche spoke briefly of their experiences at the 2022 CALAFCO Conference.

10. ESTABLISH REGULAR MEETING SCHEDULE FOR 2023

- a) Adopt meeting schedule for 2023.

Motion: Approve the Regular Meeting Schedule for 2023 as submitted, **Action: Approve, Moved by** County Member Kevin Goss, **Seconded by** City Member Member Bill Powers.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

Yes: County Member Kevin Goss, City Member Bill Powers, County Member Sherrie Thrall, Public Member Matthew Haesche and City Member Tom Cooley.

DISCUSSION ITEMS (no action to be taken):

11. EXECUTIVE OFFICER'S REPORT

- a) Cemetery District Reorganization
- b) CALAFCO White Paper - Planning for a Sustainable and Predictable Future: Clarifying LAFCo Authority to Determine Government Code Section 56133(e) Exemption Eligibility.
- c) LESSG Report

12. 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.

13. RECOGNITION OF SUPERVISOR THRALL'S FINAL MEETING AS COUNTY REPRESENTATIVE ON LAFCO

Adjourn to next regular meeting

LAFCO's next regular meeting to take place 10:00 AM on February 13, 2022.

Chair:

Tom Cooley

Commissioners:

Kevin Goss, Vice Chair
 Tom McGowan, County
 Matthew Haesche, Pub
 Bill Powers, City
 Jeff Engel, County Alt
 Pat Morton, Alt
 Vacant, Pub Alt

Executive Officer:

Jennifer Stephenson

Clerk:

Cheryl Kolb

**LAFCo**

Agenda Item #7

*The Local Agency Formation
 Commission Serving Plumas County*

**Claim Authorization Form
 December 2022 and January 2023 Expenses**

The Local Agency Formation Commission of Plumas County hereby authorizes the payment of the following claims from the 2022-2023 budget:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
December 5, 2022	Health Care-Gullixson Nov. 22	\$ 690.01
January 3, 2023	Staff Svcs December 2022	\$ 5,495.33
January 3, 2023	Health Care-Gullixson December 22	\$ 758.81
January 15, 2023	Commissioner Per Diem (December 2022)	\$ 700.00
January 15, 2023	Commissioner OASI (December 2022)	\$ 91.80
January 15, 2023	Commissioner Mileage	\$ 116.75
February 2, 2023	Staff Svcs January 2023	\$ 6,307.36
TOTAL Dec. 22-Jan. 2023 (FY 22-23) - LAFCo expenses:		\$ 14,160.06

DATED: February 13, 2023

APPROVED: February 13, 2023

 Tom Cooley, 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
Account Number	SDRMA	Expense									Commission			Stipends		Contract
Total Budgeted	\$3,699.00	\$ 750.00	\$ 400.00	\$ 500.00	\$ 150.00	\$1,815.00	\$2,000.00	\$ 45,000.00	\$ 1,120.00	\$ 800.00	\$ 5,000.00	\$ 1,500.00	\$ 25,000.00	\$ 7,167.00	\$ 3,000.00	\$ 1,000.00
SDRMA Insurance 22-23	(\$2,825)															
CALAFCO Membership 22-23						\$ (1,315.00)										
Healthcare Gullixson July 22																
CalPERS Unfunded Liability (22-23)																
Staff Services (Jul 22)				\$ (15.33)				\$ (3,750.00)					\$ (585.00)			
Healthcare Gullixson Aug 22																
Healthcare Gullixson Sept 22																
Commissioner Mileage Aug												\$ (42.25)				
CalPERS GASB																
Commissioner Stipends Aug														\$ (500.00)		
CALAFCO Conference Registration											\$ (1,475.00)					
Staff Services (Aug 22)				\$ (15.33)				\$ (3,750.00)	\$ (242.50)		\$ (307.50)		\$ (607.50)			
Staff Services (Sept 22)		\$ (49.23)						\$ (3,750.00)	\$ (87.50)				\$ (2,137.50)			
Staff Services (Oct 22)				\$ (15.33)				\$ (3,750.00)	\$ (286.25)		\$ (261.41)	\$ (39.38)	\$ (1,395.00)			
Staff Services (Nov 22)		\$ (83.72)		\$ (15.33)	\$ (75.20)			\$ (3,750.00)					\$ (1,620.00)			
CSDA Membership						\$ (500.00)										
Healthcare Gullixson Oct 22																
Healthcare Gullixson Nov 22																
Conference Reimbursements											\$ (2,015.57)					
Commissioner Stipends Oct														\$ (791.80)		
Commissioner Mileage Oct												\$ (82.00)				
BOE Filing Fees																
Staff Services (Dec 22)				\$ (15.33)				\$ (3,750.00)	\$ (120.00)				\$ (1,575.00)		\$ (35.00)	
Staff Services (Jan 23)	\$ (587.50)		\$ (64.53)	\$ (15.33)				\$ (3,750.00)					\$ (1,890.00)			
Healthcare Gullixson Dec 22																
Healthcare Gullixson Jan 23																
Commissioner Stipends Dec														\$ (791.80)		
Commissioner Mileage Dec												\$ (116.75)				
TOTAL EXPENDED	(\$3,412)	(\$132.95)	(\$64.53)	(\$91.98)	(\$75.20)	(\$1,815)	\$0	(\$26,250)	(\$736)	\$0	(\$4,059)	(\$280)	(\$9,810)	(\$2,084)	(\$35)	\$0
TOTAL REMAINING	\$ 286.58	\$ 617.05	\$ 335.47	\$ 408.02	\$ 74.80	\$ -	\$ 2,000.00	\$ 18,750.00	\$ 383.75	\$ 800.00	\$ 940.52	\$ 1,219.62	\$ 15,190.00	\$ 5,083.40	\$ 2,965.00	\$ 1,000.00

Item	Health	CalPERS	Agency	TOTAL	RESERVE	Contingency	GCSO	Seneca Annex	EP Consolidation	IV Consolidation	CHP Annex
Account Number	Insurance	Unfunded	Training	BUDGET	\$63,987.13	4451	File 2022-05	File 2021-02	File 2018-0001	File 2018-0002	File 2019-0001
Total Budgeted	\$ 8,500.00	\$ 527.00	\$ -	\$ 107,928.00	\$10,000.00	\$ 5,000.00	\$ 2,750.00		\$ 10,092.26	\$5,358	\$6,848
SDRMA Insurance 22-23				\$ (2,824.92)							
CALAFCO Membership 22-23				\$ (1,315.00)							
Healthcare Gullixson July 22	\$ (690.01)			\$ (690.01)							
CalPERS Unfunded Liability (22-23)		\$ (656.00)		\$ (656.00)							
Staff Services (Jul 22)				\$ (4,350.33)							
Healthcare Gullixson Aug 22	\$ (690.01)			\$ (690.01)							
Healthcare Gullixson Sept 22	\$ (690.01)			\$ (690.01)							
Commissioner Mileage Aug				\$ (42.25)							
CalPERS GASB		\$ (350.00)		\$ (350.00)							
Commissioner Stipends Aug				\$ (500.00)							
CALAFCO Conference Registration				\$ (1,475.00)							
Staff Services (Aug 22)				\$ (4,922.83)							
Staff Services (Sept 22)				\$ (6,024.23)							
Staff Services (Oct 22)				\$ (8,042.37)			\$ (2,295.00)				
Staff Services (Nov 22)				\$ (6,388.01)			\$ (382.50)		\$ (230.63)	\$ (230.63)	
CSDA Membership				\$ (500.00)							
Healthcare Gullixson Oct 22	\$ (690.01)			\$ (690.01)							
Healthcare Gullixson Nov 22	\$ (690.01)			\$ (690.01)							
Conference Reimbursements				\$ (2,015.57)							
Commissioner Stipends Oct				\$ (791.80)							
Commissioner Mileage Oct				\$ (82.00)							
BOE Filing Fees				\$ (4,100.00)					\$ (3,800.00)	\$ (300.00)	
Staff Services (Dec 22)				\$ (5,495.33)							
Staff Services (Jan 23)				\$ (6,307.36)							
Healthcare Gullixson Dec 22	\$ (690.01)			\$ (690.01)							
Healthcare Gullixson Jan 23	\$ (758.81)			\$ (758.81)							
Commissioner Stipends Dec				\$ (791.80)							
Commissioner Mileage Dec				\$ (116.75)							
				\$ -							
				\$ -							
TOTAL EXPENDED	(\$4,899)	(\$1,006)	\$0	(\$61,990.42)	\$ -	\$ -	\$ (2,677.50)		\$ (4,030.63)	\$ (530.63)	\$ -
TOTAL REMAINING	\$ 3,601.13	\$ (479.00)	\$ -	\$ 45,937.58	\$73,987.13	\$ 5,000.00	\$ 72.50		\$ 6,061.63	\$ 4,827.37	\$ 6,848.06

Invoice #PLUMAS-2023-1
Policy Consulting Associates, LLC
39774 Via Careza
Murrieta, CA 92563
(310) 936-2639
EIN #: 27-2523069

Date: February 2, 2023

Plumas LAFCO
520 Main St
Quincy, CA 96971

Staff Services

	Hours	Rate	Amount
Jennifer Stephenson, Executive Officer		\$3,750	\$3,750.00
Cheryl Kolb, Clerk (Minutes and agenda mailing)		\$120.00	\$0.00
Cheryl Kolb, Clerk (Records digitization)	0.00	\$35	\$0.00
Dennis Miller, GIS - Mapping for Cemetery Reorg		\$70	\$0.00
Subtotal			\$3,750.00

Projects: Applications, MSRs and SOI Updates

	Hours	Rate	Amount
Jennifer Stephenson, Application/Projects	0.00	\$ 90.00	\$0.00
Jennifer Stephenson, MSR and SOI Updates - East Plumas Fire, Cemeteries	21.00	\$ 90.00	\$1,890.00
Oxana Wolfson Analyst	0.00	\$ 80.00	\$0.00
Jill Hetland, Research Assistant	0.00	\$ 45.00	\$0.00
Cheryl Kolb, Applications/Projects	0.00	\$ 35.00	\$0.00
Subtotal			\$1,890.00

Reimbursements

Reproduction Costs	\$64.53
Postage	\$0.00
Workers Comp Insurance	\$587.50
Phone and Communications	\$15.33
Office Supplies (Folders)	\$0.00
Mileage	\$0.00
Transportation and Travel	\$0.00
Subtotal	\$667.36

Amount Due	\$6,307.36
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Please remit invoices to Policy Consulting Associates, LLC

Jennifer Stephenson

Jennifer Stephenson, Principal

2/2/23

Date

Jennifer Stephenson January 2023 Timesheet			
Date	Hours	Description	Special Project
1/1/23			
1/2/23			
1/3/23			
1/4/23	1	Meeting re: Seneca Annexation	
1/5/23			
1/6/23			
1/7/23			
1/8/23			
1/9/23			
1/10/23			
1/11/23			
1/12/23	2.25	Consolidation meeting, updating of reso per comments	X
1/13/23			
1/14/23			
1/15/23			
1/16/23	1.5	Addressing employee status changes	
1/17/23			
1/18/23	1	Follow up with BOE re: filing confirmation	
1/19/23	2	Call with Portola Legal Counsel re CEQA, changes to initiating resolution, CEQA support	X
1/20/23	4.5	Archiving of documents	
1/21/23			
1/22/23			
1/23/23	6.25	Meeting with EPRFPD board members re: SOI Report and prep/follow up, addresses for affected agencies to Colette	X
1/24/23	2.5	LESSG Meeting, updating of resolution	X
1/25/23			
1/26/23	2.5	Meeting re: proposed FPD boundaries and EPRFPD boundary corrections	X
1/27/23	6.25	Getting Workers Comp Insurance, Addressing boundary issues with BOE	
1/28/23	3.5	SDRMA Renewal Questionnaire, addressing EDD delinquency	
1/29/23	3.75	Updating website	
1/30/23	5.5	Updating initiating resolution for fire reorg, research re: cemetery boundary description	X
1/31/23	8.75	Completing CalOSHA reporting requirements, addressing boundary issues with BOE, correspondence with GLCSD concerned citizen, research re: terminating CalPERS contract	

Invoice #PLUMAS-2022-13
Policy Consulting Associates, LLC
39774 Via Careza
Murrieta, CA 92563
(310) 936-2639
EIN #: 27-2523069

Date: January 4, 2023

Plumas LAFCO
520 Main St
Quincy, CA 96971

Staff Services

	Hours	Rate	Amount
Jennifer Stephenson, Executive Officer		\$3,750	\$3,750.00
Cheryl Kolb, Clerk (Minutes and agenda mailing)		\$120.00	\$120.00
Cheryl Kolb, Clerk (Records digitization)	1.00	\$35	\$35.00
Dennis Miller, GIS - Mapping for Cemetery Reorg		\$70	\$0.00
Subtotal			\$3,905.00

Projects: Applications, MSRs and SOI Updates

	Hours	Rate	Amount
Jennifer Stephenson, Application/Projects	0.00	\$ 90.00	\$0.00
Jennifer Stephenson, MSR and SOI Updates - East Plumas Fire	17.50	\$ 90.00	\$1,575.00
Jennifer Stephenson, Applications/Projects (File 2022-0005: GCSD Latent)	0.00	\$ 90.00	\$0.00
Oxana Wolfson Analyst	0.00	\$ 80.00	\$0.00
Jill Hetland, Research Assistant	0.00	\$ 45.00	\$0.00
Cheryl Kolb, Applications/Projects	0.00	\$ 35.00	\$0.00
Subtotal			\$1,575.00

Reimbursements

Reproduction Costs	\$0.00
Postage	\$0.00
Phone and Communications	\$15.33
Office Supplies (Folders)	\$0.00
Mileage	\$0.00
Transportation and Travel	\$0.00
Subtotal	\$15.33

Amount Due	\$5,495.33
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Please remit invoices to Policy Consulting Associates, LLC

Jennifer Stephenson

Jennifer Stephenson, Principal

1/4/23

Date

Jennifer Stephenson December 2022 Timesheet			
Date	Hours	Description	Special Project
12/1/22			
12/2/22			
12/3/22	4.25	Compiling Agenda	
12/4/22	5.5	Compiling agenda	
12/5/22	6.5	Compiling agenda	
12/6/22			
12/7/22	7	Compiling and distribution of agenda	
12/8/22			
12/9/22			
12/10/22			
12/11/22			
12/12/22	7.5	Commission Meeting, Prep, travel, follow up, meeting with new CAO	
12/13/22	1.5	LESSG Meeting	X
12/14/22	2.25	Meeting follow up	
12/15/22			
12/16/22	1.5	Correspondance with LAFCO Legal Counsel re: initiating resolution	X
12/17/22			
12/18/22	4.25	Drafting cemetery district notification	X
12/19/22			
12/20/22			
12/21/22	4.25	Drafting of GLCSD MSR	
12/22/22			
12/23/22			
12/24/22			
12/25/22			
12/26/22			
12/27/22	3.5	Meeting with County re: tax sharing and follow up	X
12/28/22			
12/29/22			
12/30/22	2.5	Changes to initiating resolution per comments and legal counsel review	X
12/31/22			

Process for Approving Remote Participation of Commissioners in Regular Meetings per AB 2449

Limitations

1. At least a quorum of the Commission must participate in person from a singular physical location identified on the agenda, which location must be open to the public and within the boundaries of the agency.
2. A Commissioner may only teleconference for publicly disclosed "just cause" or in "emergency circumstances" as approved by the legislative body.
3. A Commissioner may only teleconference for a limited number of meetings during a calendar year – no more than 3 consecutive months or 20% of meetings or no more than 2 if there are 10 or less meetings in the calendar year

Process for Requesting Remote Participation

1. Notify LAFCO Executive Officer at the earliest opportunity possible, including at the start of a regular meeting, of the need to participate remotely for "just cause", including a general description of the circumstances relating to the need to appear remotely at the given meeting; or request to participate in the meeting remotely due to "emergency circumstances." Must include a general description (generally not exceeding 20 words) of the circumstances relating to the need to appear remotely at the given meeting.

"Just cause" is limited to one or more of the following:

- a. *a childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely*
- b. *a contagious illness that prevents a member from attending in person*
- c. *a need related to a physical or mental disability as defined by statute; or*
- d. *travel while on official business of the legislative body or another state or local agency*

"Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person

2. The Commission then takes action at the beginning of a meeting to approve or deny the request.
3. The Commissioner shall publicly disclose at the meeting, before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with the individual(s).
4. The Commissioner must participate through *both* audio and visual technology.
5. If the request does not allow sufficient time to place the proposed action on the posted agenda, the Commission may take action on an item not on the agenda by two-thirds vote of the members present or unanimous vote if less than two-thirds are present indicating that there is a need to take immediate action and the need for action came to the attention of the agency after the agenda was posted. The Commission may then approve such a request for remote participation by a member by a majority vote of the Commission.

PLUMAS LOCAL AGENCY FORMATION COMMISSION

| ***ADOPTED FINAL~~HEARING DRAFT~~***

EASTERN PLUMAS REGIONAL FIRE PROTECTION AGENCIES

SPHERES OF INFLUENCE UPDATE

| ***Adopted December 12, 2022***

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2 BECKWOURTH FIRE PROTECTION DISTRICT 13

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3 EASTERN PLUMAS RURAL FIRE PROTECTION DISTRICT

Eastern Plumas Rural Fire Protection District (EPRFPD) provides structural fire suppression, wildland fire suppression, emergency response, basic life support, rescue and occasional fire prevention programs. A municipal service review was last completed for the District in October 2011.

EPRFPD was formed in 1975 as an independent special district to provide structural fire, emergency medical and emergency rescue services.⁴ The reason for its formation was the need to provide fire protection to the growing urban areas around the City of Portola. For the first few years EPRFPD contracted with the City of Portola for the provision of fire and emergency services within the District's boundaries.⁵ Eventually, EPRFPD started providing fire suppression, emergency services, rescue and some fire prevention programs on its own.

Presently, EPRFPD provides contract services to C-Road Community Services District and Gold Mountain Community Services District. In 2014, C-Road CSD began contracting for fire protection and EMS services with EPRFPD.

Additionally, when the City of Portola disbanded its fire department in 2018, the City and GMCSD, which was receiving contract services from the City, began contracting with EPRFPD for fire and EMS services. The City of Portola transitioned to contracting with Beckwourth FPD for services in 2021, and GMCSD recently cancelled its contract with EPRFPD and will also be contracting with Beckwourth FPD for services beginning January 1, 2023.

EPRFPD is located in the eastern part of Plumas County. The District surrounds the City of Portola and borders Beckwourth Fire Protection District in the northeast. EPRFPD's boundaries consist of two non-contiguous parts. The larger part surrounds the City of Portola and stretches from Willow Creek in the west to Grizzly Ranch in the east. The smaller of the two areas is located by Lake Davis.

Existing Sphere of Influence

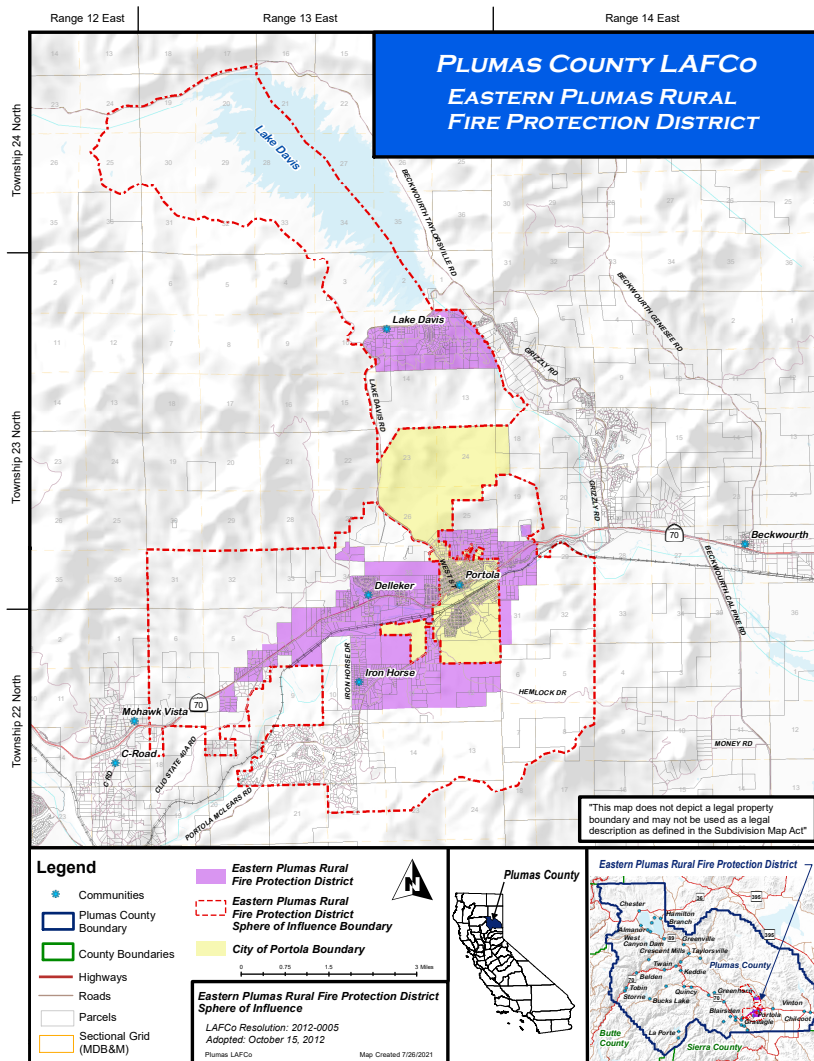
The SOI for EPRFPD was first adopted in 1975. The District's SOI was amended in 2007 and most recently updated in 2012. The current SOI includes areas southeast of its boundary along A-15, west along SR 70 to Mohawk Vista, and north of SR 70. In addition, the Gold Mountain Community Service District (GMCSD) territory is included in the District's SOI. EPRFPD's existing SOI excludes the City of Portola. In the 2012 SOI study and the subsequently adopted SOI, the Sphere line between the Beckwourth Fire Protection District and the Eastern Plumas Rural Fire Protection District was adjusted from the middle of Lake Davis to the eastern shore of the Lake.

The current SOI encompasses approximately 22.5 square miles, of which approximately one-third is within the District's boundaries. EPRFPD's existing boundaries and SOI are shown in Figure 3-1.

⁴ Plumas LAFCo, Resolution No. 75-2766.

⁵ Plumas LAFCo, *EPRFPD Municipal Service Review & Sphere of Influence Amendment*, 2007, p. 7.

Figure 3-1: Eastern Plumas Rural Fire Protection District and Sphere of Influence



Sphere of Influence Options and Recommendations

Options for EPRFPD's SOI consist of the following:

- 1) Maintain existing Annexable SOI
- 2) Coterminous SOI in consideration of limited operational capacity and identified challenges
- 3) Provisional Zero SOI to address identified concerns within a defined time period

During the MSR process, concerns were identified regarding EPRFPD's accountability and transparency, operational reliability, and financial sustainability, consisting of the following:

- 1) The District struggles with ongoing accountability and transparency concerns. The District is in an ongoing law suit from former staff in 2020. Additionally, the District has received three formal Cease and Desist communications regarding concerns of violations of Brown Act requirements by the District to date in 2022. These communications indicated concerns of 1) preventing members of the public from commenting on agenda items, 2) delayed communication of a director's resignation, and 3) not properly posting an agenda on the District's website prior to a meeting. The District's legal counsel has reviewed the Cease and Desist orders related to items #2 and #3 and determined that they were unfounded, which was communicated to the complainant. In order to ensure transparency of communications with legal counsel about these issues, the District has instituted a practice of two board members involved in all communications with legal counsel.

4) LAFCO has observed the District's meetings, which are often challenged with procedural disputes, which is exacerbated by high governing body turnover. While these disputes and debates are not prohibited, the conflictive environment does not promote public involvement nor support healthy debate to be able to address the District's challenges. There is a need for thorough training of board members and staff to ensure that not only are all Brown Act requirement adhered to, but that meetings are conducted in a smooth manner to invite public participation and volunteerism as board members and firefighters. The District has instituted procedures to address the public's concerns and is committed to upholding the Brown Act, such as Brown Act training of all new Board Members. Additionally, in order to give members of the public adequate opportunity to provide comment during meetings, the District has increased its comment time from two to three minutes and now provides two opportunities to comment on each agenda item.

- 2) During its annual review of EPRFPD, Gold Mountain CSD identified a lack of leadership depth and availability leading to communication and coordination concerns. GMCSD stated that there has generally been a lack of communication and communication protocols on the part of EPRFPD. EPRFPD provided a response to the review negating all findings and recommendations in GMCSD's review. It is apparent that there was a breakdown in communication challenging the working relationship between the two agencies. Additionally, interaction between LAFCO and EPRFPD during the MSR process and after confirms that the District struggles with staffing and governing body capacity, which confuses the District's internal organizational structure and impedes external engagement with other agencies and reliable inter-agency communications. There needs to be clarity as to the District's communication structure and identified public liaisons to ensure that the District remains involved in local and regional discussions that affect the EPRFPD and its constituents. The District reported that it has made efforts to address this issue by ensuring two board members are involved in all inter-agency communications to 1) ensure accuracy of statements, 2) provide another perspective on all issues, 3) create consistency in communications, and 4) ensure transparency. Additionally, in an effort to better

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communicate with LAFCO, the District has appointed an ad hoc committee to liaise with LAFCO staff.

- 3) Retention of volunteers was reported as a significant challenge for the District, similar to neighboring fire protection providers. The District reported that it has experienced a cumulative loss of three positions over the last decade. However, most recently the District's Fire Chief, ~~Administrative Captain~~, district secretary, and a board member have also resigned, and additional resignations are anticipated. The Administrative Captain and retired Fire Chief (in another capacity) plan to be available seasonally. Staffing levels appear to be the primary capacity constraint for the District. Over the last year 2021 to 2022, response to incidents has on occasion been unpredictable and disorganized due to these staffing constraints, which have limited response capabilities as well as communication and coordination with neighboring agencies. Additionally, there has been an increase in requests for mutual aid calls within EPRFPD's boundaries, also as a result of lack of adequate personnel. This decline in volunteerism is affecting the District's current operations, but also calls into question EPRFPD's sustainability should this trend continue. The District needs to design a plan aimed at focused efforts to promote additional volunteerism or another long-term plan for maintain adequate staffing levels.
- 4) The District struggles ensuring adequate funding sources to maintain adequate service levels. While financing levels have been improved over the last decade, primarily due to new contract revenues and grant funds, the District continues to struggle to fund capital needs and to meet any cost sharing mandatory commitments for grant funding. Additionally, due to the City of Portola and GMCSD both cancelling their contracts for services, the District's budget will no longer be augmented by those funds. It is essential for the District to find ways to increase its funding as its recently reduced budget is not sufficient to sustainably finance rising costs into the future. A long-term financing plan is necessary to educate district board members and the public regarding the viability of EPRFPD over the next 5-10 years and ideally identify additional funding sources.

Commented [JS1]: Provide specific dates.

Commented [JS2]: Get specific numbers.

Because of the concerns outlined here, it is not prudent to allow the District to continue with an Annexable SOI nor a Coterminous SOI until EPRFPD has demonstrated that it has 1) fully addressed the concerns listed and 2) has the continued and sustainable capacity and ability to provide services within its boundaries and any proposed SOI area outside of its bounds. Consequently, it is recommended that the Commission consider a Provisional Zero SOI for EPRFPD, which would allow the District the opportunity to address the concerns indicated and return to LAFCO in one year, at which time EPRFPD's SOI will be reviewed and updated based on the District's efforts. In order to ensure that the District is in regular communication with LAFCO, it is recommended that EPRFPD report at LAFCO's April 2023 meeting regarding any progress made.

Eastern Plumas Rural Fire Protection District Sphere of Influence Determinations

The following proposed Sphere of Influence determinations are based on information compiled and reported in the recently adopted *Eastern Plumas Regional Fire Municipal Service Review* (October 17, 2022). Refer to the MSR for greater detail.

The present and planned land uses in the area, including agricultural and open space lands

- 3-1 The estimated population of EPRFPD is 3,284 based on number of residential units and average household size in Plumas County. Over the past decade, the District has

- experienced a reduction in residential population; however, there has been an increase in tourists and related demand.
- 3-2 The State Department of Finance (DOF) projects that the population of Plumas County will decline by 0.27 percent annually through 2040. Based on these projections, the District's population would decline from 3,284 in 2020 to approximately 3,111 in 2040. It is anticipated that demand for service within the District will remain at least constant based on the DOF population growth projections through 2040 given the seasonal recreational and wildfire demand for services on the fire and EMS providers in the area.
- 3-3 Ninety-eight percent of the existing land uses within the District's boundary area are agricultural and undeveloped properties, with some forest zones. Residential, commercial and industrial uses are mostly concentrated around the City of Portola. There are some residential and recreational areas in the Lake Davis portion of the District.

The present and probable need for public facilities and services in the area

- 3-4 The District faces challenges providing adequate services to the existing population and will face similar challenges providing adequate service levels to any increase in demand in the future without additional funding.
- 3-5 There will be a continued need for fire protection and emergency medical services in the area. Although population is projected to decline there has been enhanced demand associated with seasonal recreational tourists and more severe wildfire seasons. In the short-term demand for EPRFPD's services is anticipated to demand as GMCSD transitions to another contract service provider.

Commented [JS3]: Edit based on findings for #3.

The present capacity of public facilities and adequacy of public services which the agency provides, or is authorized to provide

- 3-6 The District's current facilities have ~~minimally~~ adequate capacity to serve current demand. In particular, water supply is necessary at the Iron Horse Station (property owned by the Homeowners Association); however, the residents of the community voted to not fund the improvement 10 years ago. EPRFPD does not have the capacity to serve future growth with existing fire stations and financial resources. The District indicated that any prioritized or critical facility needs would be adequately funded through loans, grants, and savings. The District anticipates that future growth will appropriately fund any related needs associated with the increase in demand.
- 3-7 The District struggles with ongoing accountability and transparency concerns. There is a need for thorough training of board members and staff to ensure that not only are all Brown Act requirement adhered to, but that meetings are conducted in a smooth manner to invite public participation and volunteerism as board members and firefighters. In response to these concerns, the District has instituted procedures to address the public's concerns and is committed to upholding the Brown Act, such as Brown Act training of all new Board Members. Additionally, in order to give members of the public adequate opportunity to provide comment during meetings, the District has increased its comment time from two to three minutes and now provides two opportunities to comment on each agenda item.
- 3-8 The District identified a ~~need-desire~~ for station expansion and upgrades, a new Type 3 engine, and a water tank at the Iron Horse station. Because these are considered noncritical

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~~desires, the District has not prioritized these projects. The District indicated it will review these projects as demand necessitates. However, EPRFPD does not have plans to address these needs in the near future due to financing constraints.~~

- 3-9 Staffing limitations are the primary capacity constraint for EPRFPD, which has resulted in unpredictable response capabilities and occasional leadership and communication issues.

Commented [JS4]: Review after #3.

- 3-10 While financing levels have been improved over the last decade for EPRFPD, primarily due to new contract revenues and grant funds, the District, ~~like many fire protection districts,~~ continues to struggle to fund capital needs and to meet any cost sharing mandatory commitments for grant funding. ~~Without these supplemental funding sources, the District will not be financially sustainable.~~ A long-term financing plan is necessary to educate district board members and the public regarding the viability of EPRFPD over the next 5-10 years and ideally identify additional funding sources.

The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency

- 3-11 ~~Eastern Plumas RuralBeekwourth~~ FPD serves communities outside of its boundaries without revenue to offset costs for these services. Additionally, without an identified local fire provider, residents of these communities either pay exorbitant insurance rates or are refused insurance. These areas are considered communities of interest.

Present and probable need for public facilities and services of any disadvantaged unincorporated communities within the existing Sphere of Influence

- 3-12 Based on American Community Survey 2016-2020 Census Tract information, the entirety of the study area and the boundaries within and immediately adjacent to each of the five reviewed fire providers is defined as disadvantaged. While the City of Portola is incorporated, the remainder of the territory meets the definition of a disadvantaged unincorporated community as defined in Water Code §79505.5. Census Tract 000300 encompasses the entirety of the service area and has a population of 4,484 comprising 2,051 households with a median income of \$48,238.
- 3-13 The territory throughout EPRFPD's existing SOI is afforded the same access to fire and emergency medical services offered by the District, as it is all within the District's dispatch service area.

EPRFPD Draft SOI Input

Pg 17 item 1

The lawsuit was filed on December 29, 2020. When the District first got notice of the initial complaint it immediately started working with counsel to correct any deficiencies. This lawsuit is can easily be settled, the board is committed to settlement and to upholding the brown act currently and in the future. As this is an ongoing legal case we cannot discuss further. All of the additional complaints, cease and desist were turned over to council and were unfounded.

Pg 17 item 3

The third sentence states *the Chief, Administrative Captain and a board member resigned...* In fact the Chief Retired as the Chief, the Admin Captain did not resign.

In the recent past board members have resigned for personal and medical reasons. There are no other resignations anticipated.

Responses to incidents have not been unpredictable and disorganized. Do not know where this is coming from.

For a structure fire it is standard procedure to call in mutual aid.

The decline in volunteerism affects all volunteer departments, not just EPRFPD.

Pg 18 item 4

The District has an OES strike team that is available for wildfires which supplement the budget. OES wildfire money is not lined item in the original budget each fiscal year, but is added as a supplement to the budget. This has provided a significant source of income in the last few years and more than offsets the contracts from the City of Portola and Gold Mountain. Additionally, the Firefighters Association does fund raisers to supplement the training, equipment, and clothing budget.

Pg 19

3-4 Disagree with. We are able and do provide adequate services.

3-6. Facilities are adequate. With the exception of Iron Horse.

3-7. Open to suggest in how to deal with public, especially those not in the district, that disruptive to the meetings. With the current change in board member responsibilities we are optimistic this will change.

3-8. A new Type 3 engine would be nice but is not mandatory. A water tank at Iron Horse would be beneficial. About 10 years ago, Iron Horse Board wanted to put in a water tank. The majority of home owners did not want to, because of cost.

3-9. Disagree. Yes staffing limitations are a challenge; however, it has not resulted in unpredictable response capabilities and leadership communication issues.

EPRFPD Draft SOI Input

3-10. The District has an OES strike team that is available for wildfires which supplement the budget. OES wildfire money is not lined item in the original budget each fiscal year, but is added as a supplement to the budget. This has provided a significant source of income in the last few years and more than offsets the contracts from the City of Portola and Gold Mountain. Additionally, the Firefighters Association does fund raisers to supplement the training , equipment, and clothing budget.

3-11 Typo says “Beckwourth FPD” should be EPRFPD?

Pg 74 Last paragraph under Planning and Management Practices.

Audit has been in progress since 2020. Auditor has had multiple challenges.

Pg 75 under Existing Demand

The majority of the call increase is from when District was contracted with Portola, not "C" Rd and Gold Mountain

Pg 80 The District has faced....

"The District has consistently over the last three fiscal years not investing in its capital assets.

Categorically not true, we have invested in capital assets, however the way the county has us doing the budget it does not show, radios, trucks etc.

Pg 80 The County keeps accounts

Because of the county's bookkeeping it does not show that the majority of the budget was from OES fires.

Pg 81 Figure 6-4

Shows a negative \$66,000 net income for fy21-22. District fy 21-22 budget submitted to county was balanced \$183,624.92. Looking at them when the format that made two members of the public happy the carryover from fy20-21 was inadvertently left off showing a negative \$66,000.

Pg 81 below figure 6-4

Mentions hose grant but does not mention SCBA grant.

Pg 82 Service Overview

The District does not have any certified paramedics, but all firefighters are trained in basic life support. No mention of certified EMTs.

Pg 82 Service Agreements

Our mutual aid agreement is the county wide agreement. We do not have separate formal mutual aid agreements with surrounding districts.

Pg 84 paragraph 2 Staffing

Our response to calls has not been unpredictable and disorganized. I believe the only increase in mutual aid calls is for structure fires, which standard protocol.

Pg 84 Infrastructure Needs

About 10 years ago, Iron Horse Board wanted to put in a water tank. The majority of home owners did not want to because of cost.

The need for a new Type 3 is a desire not a need.

Pg 84 & 85 Challenges

Annual Homeowners meetings are attended by the Chief. Education is provided regarding clearing of trees and brush. Education is provide both orally and handouts. Additionally, Firewise provides makes information to all homeowners.

Contract negotiations with USFS are ongoing for all districts.

Pg 86 Annual review Gold Mountain

Item 1) The concern was that an engine was not brought to scene on 21 October 2021.

What was not reported in the review is that first on scene was in contact with 9800 and giving a scene size up. There was no smoke or flame. 9800 and 9813 were in route from "C" Rd and would have stopped at the Delleker or Iron Horse station and picked up and engine if necessary.

Item 2) Lack of partnership with other fire agencies resulting in a refusal to request mutual aid from neighboring agencies.

This is absolutely untrue. If a scene requires mutual aid, the nearest Fire District (Beckwourth or Graeagle) are requested through dispatch. EPRFPD has never not called for mutual aid when needed.

Item 3) Familiarization training did not occur within GMSCD during the review period.

Yes it was. Again this was a breakdown in communication within GMSCD. That is way several months before the review all emails had several people on them.

Item 4) Not conforming to NFPA 1629 Pre-Incident Planning

The training that is referred to in GM review was to develop a plan for drafting from the pond. Challenges identified during the training are an action item for GM maintenance so that a Pre-Incident Plan can be developed.

Item 5) Lack of leadership availability resulting in delayed fire inspection follow ups.

Communication was sent. No one objected to the delay. If an objection had been received the reinspection would have been done sooner

Last paragraph.

.....Dixie Fire. Prior to the Dixie Fire; drills and evacuation plans had been performed with the residents of GM. EPRFPD did not receive any phone calls or correspondence regarding Dixie fire concerns to the District, Chief or Board members.

The communication issue has been a challenge; that is way prior to the annual review it was decided all communication with GM would have more than one person on the email and cc to EPRFPD that way items would not fall through the cracks because one person forgot to tell another. Additionally, another point of contact was added at the March meeting.

Pg 88 & 89 Present and Planned....

Disagree that we do not have capacity to serve future growth with existing stations. Future growth would be new homes and additional tax dollars.

A new type 3 is a nice to have. Not an operational need.

We do work with the Sheriff's Department regarding 911 challenges. They have constraints with turnover/training and equipment. The supervisor is responsive to concerns and does additional training.

Agree we should have a capital improvement plan.

We do track response time.

Yes staffing limitations are a challenge; however, it has not resulted in unpredictable response capabilities and leadership communication issues.

Pg 89 Financial Ability

The District finances have increased also with CAL OES fires

The District does charge fees for services rendered. Yes Prop C failed.

The Audit has been in progress since 2020 We have been working with the auditor to get the Audit finalized.

Pg 89 Accountability

#3 Yes there have had challenges maintain a 5 member board. Only once in the last decade has the District appointed a board member that was not qualified, this was based on information from the County Clerk's office that was incorrect. Also, one time the District secretary did not receive the election packet in the mail, resulting in the directors up for election did not put in paperwork. As soon as this was made know, County Board of Supervisors appointed so that there was a quorum, all actions the board had taken during that time period were ratified. The District has kept the County Clerk informed about board changes.

#4. The board had been in the LESSG study group. At the time that a Cease and Desist Brown Act complaint from Ms Sims, alleging the study group violated the Brown Act and along with concerns from some residents of the District. The majority of the board decided that in current environment with the lawsuit, that the District should pull out of the study group.



California Public Employees' Retirement System
Financial Office | Pension Contracts and Prefunding Programs Division
P.O. Box 942703, Sacramento, CA 94229-2703
888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442 | www.calpers.ca.gov

February 1, 2023

CalPERS ID#2922828258

Ms. Jennifer Stephenson
Executive Officer
Plumas Local Agency Formation Commission
555 Main Street
Quincy, CA 95971

Dear Ms. Stephenson,

This is in response to your recent inquiry about termination of your agency's contract with the System.

Please review the enclosed Contract Termination Guidelines, form (CON-34), carefully. This is information about the termination process, the financial obligations of the agency and the potential impact of a contract termination on the agency employees' retirement benefits.

The enclosed Resolution of Intention is for adoption by the governing body declaring your agency's intent to terminate the contract. To initiate the termination process, return an original or certified copy to this office. The contract termination may not be effective earlier than 90 days and not more than one year following the adoption of the initial Resolution of Intention to terminate.

CalPERS is committed to assisting our members and employers in all matters related to their retirement within the scope of the statutory authority available to us. If you have any questions, please visit our website www.calpers.ca.gov or call our Customer Contact Center at 888 CalPERS (or 888-225-7737).

Sincerely,

A handwritten signature in black ink, appearing to read "Sunni Esparza-Aguilar".
Sunni Esparza-Aguilar

Pension Contract Analyst
Pension Contracts & Prefunding Programs Division

Enclosures

**RESOLUTION OF INTENTION
TO TERMINATE THE CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
COMMISSION
PLUMAS LOCAL AGENCY FORMATION COMMISSION**

WHEREAS, the Commission of the Plumas Local Agency Formation Commission entered into a contract with the Board of Administration, Public Employees' Retirement System pursuant to Government Code Section 20460, effective July 28, 2002, for participation of said agency in the Retirement System; and

WHEREAS, Section 20570 provides that the governing body may terminate the contract between the Board of Administration of the Public Employees' Retirement System and the governing body of the contracting agency by the adoption of a resolution giving notice of intention to terminate, and, not less than ninety days later, the adoption by affirmative vote of two-thirds of the members of the governing body of a resolution terminating the contract;

NOW, THEREFORE, BE IT RESOLVED, that the Commission of the Plumas Local Agency Formation Commission hereby finds that it is in the best interests of the agency to terminate the contract entered into with the Board of Administration, Public Employees' Retirement System; and

BE IT FURTHER RESOLVED, that the governing body of the above agency does hereby give notice to the Board of Administration, Public Employees' Retirement System, pursuant to Section 20570, of the intention to terminate said contract.

By: _____
Presiding Officer

Title

Date adopted and approved



California Public Employees' Retirement System
Financial Office | Pension Contracts and Prefunding Programs Division
P.O. Box 942703, Sacramento, CA 94229-2703
888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442 | www.calpers.ca.gov

PENSION CONTRACT TERMINATION GUIDELINES—AGENCY IMPACT

California Government Code Sections 20570 through 20583 pertain to the termination of a Public Agency's contract with CalPERS. The following information is provided for careful consideration as to the potential impact on the employees and the financial obligation of the agency.

Agency Information

A contracting agency may terminate the contract with CalPERS if the contract has been in effect at least **five years**. A resolution giving notice of intention to terminate must be adopted by affirmative vote of two-thirds of the members of the governing body. The termination may be effective not less than 90 days following the adoption of the resolution of intention by adoption of a final resolution or ordinance terminating the contract. If the original contract was approved by an ordinance adopted by a majority vote of the electorate, a majority vote of the electorate is also required for termination. The contract termination mandatorily applies to all groups covered in the contract.

Upon receipt of the Resolution of Intention to terminate, the agency will be requested to review the data on active and inactive members, retirees, beneficiaries of members (name, social security number, birth date, sex, service credit, current salary) and to list any recent hires, retirements, deaths, or separations. CalPERS will perform a preliminary valuation based on all current members leaving their contributions on deposit. The final valuation will be based on data validated by the agency and performed three to six months after the effective date of the contract termination. The terminating agency is responsible for sufficient funding to continue paying the retirement and death benefits being paid. Retirees and beneficiaries receiving CalPERS benefits monthly must remain with the System. Based on the actuarial valuation, sufficient funding for future benefits payable to members or beneficiaries of members electing to have their funds remain on deposit with the System, is also the responsibility of the agency.

A comparison is made of funds needed to pay the member benefits and the agency's funds on deposit. Any excess funds as of the termination effective date are refunded to the agency. In the event of a shortage of funds, the agency is required to pay the deficit upon contract termination. Failure to fund the deficit may result in proportionately reduced benefits for all members and/or a lien being placed on the assets of the terminating agency.

If an agency is currently participating in CalPERS health benefits program, eligibility for participation under the Public Employees' Medical & Hospital Care Act terminates when an agency terminates their CalPERS contract. A contracting agency can elect to continue participation in the CalPERS health benefits program as a "special district". To be eligible for continued participation the agency must continue to meet the definition of a public agency and must file a new resolution adopted by the agency's governing body.

An agency that terminates their contract may again contract with CalPERS. The contract, however, may not be effective earlier than three years after the termination effective date.



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PENSION CONTRACT TERMINATION GUIDELINES—MEMBER IMPACT

Withdrawal of Contributions

Members not employed by a CalPERS employer may elect to withdraw their member contributions (including interest) or leave them on deposit with the System, regardless of the amount of service credit.

Members electing to withdraw their contributions will not be entitled to any future benefits based on their employment with the terminated agency. They may not redeposit the contributions for service credit regardless of any future employment with a CalPERS agency, unless the terminated agency again contracts with CalPERS.

Contributions on Deposit

Members who leave their funds on deposit and meet the requirements that apply to other members, may retire for service or disability. The disability must occur prior to contract termination and the application must be received by the System within four months of the contract termination effective date. The minimum service requirement does not apply.

Benefits are frozen and calculations are based on the benefit level in effect on the date of contract termination. However, the agency may enter into an agreement to ensure the final compensation used in the calculation of benefits is based on a higher payrate if the member later works for another CalPERS employer or reciprocal system.

The annual cost of living increase factor is frozen at the percentage applicable on the date of contract termination. Retirees will not be entitled to any one-time allowance increases provided by legislation affecting public agencies, or legislation allowing such increases as optional benefits for public agencies.

Credit for unused sick leave (if offered by the terminating agency) will only be used in calculating the retirement allowance if the retirement becomes effective no later than four months after the contract termination date.

The beneficiary of a member who leaves funds on deposit and dies after the contract termination effective date, and prior to retirement, will not be entitled to elect a monthly allowance, but will receive a refund of the contributions and interest on deposit.

The 1957 Survivor Benefit is not payable unless the member is employed by a CalPERS agency at the time of death.

Unless the member is employed by a CalPERS agency that provides this benefit at the time of death, the 1959 Survivor Benefit is not payable.