Lassen Local Agency Formation Commission

Regular Meeting Agenda

MONDAY - April 10, 2017

3:00 PM

Board of Supervisors Chambers 707 Nevada Street Susanville, CA.

(website: www.lassenlafco.org)

1. Call to order: Pledge of Allegiance

Commissioners

Todd Eid, Chair, Public Member
Brian Wilson, City Member, Vice Chair
Joe Franco, City Member
Jeff Hemphill, County Member
Chris Gallagher, County Member

Alternate Members

David Teeter, County Member Alt. Kevin Stafford, City Member Alt. Andrew Wellborn, Public Alt.

LAFCO Staff

John Benoit, Executive Officer John Kenny, LAFCO Counsel Gwenna MacDonald, Clerk

- 1. Approval of Agenda (Additions and Deletions)
- 3. Correspondence:
- **4. Approval of Minutes**: The February 27th, 2017 minutes will be available at the June Meeting
- 5. Public Comment

This is the time set aside for citizens to address the Commission on any item of interest to the public that is within the subject matter jurisdiction of the Commission. For items that are on the agenda, public comment will be heard when the item is discussed. If your comments concern an item that is noted as a public hearing, please address the Commission after the public hearing is opened for public testimony. The Chairman reserves the right to limit each speaker to three (3) minutes. Please understand that by law, the Commission cannot make decisions on matters not on the agenda.

- Selection of Public Member and Public Member Alternate for a term ending in May 2021.
 - a. Selection of Public Member
 - b. Selection of Public Member Alternate
- 7. WORKSHOP regarding the City of Susanville Sphere of Influence update.
 - Review and Discuss the Draft 2 Sphere of Influence report prepared for the City of Susanville including comments received to date.
 - b. Review Map of Sphere areas as reviewed by the City.
 - c. Set Public Hearing date for 3:00 PM June 12th, 2016
- 8. Public Hearing regarding the proposed 2017-2018 LAFCo Budget for Lassen LAFCo
 - a. Review Proposed Budget report and spreadsheet, Conduct Public Hearing and consider Resolution 2017-0001 adopting a proposed 2017-2018 LAFCo Budget.
- 9. Authorize Payment of Claims for February and March 2017
 - a. Authorize Payment of Claims for February and March 2017
- 10. Executive Officer's Monthly Report

Legislation: Healthcare Districts, Inactive Districts and Special District Representation

11. 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.

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

12. Adjourn to the next meeting to take place on Monday June 12th 2017 at 3:00 P.M.

Any member appointed on behalf of local government shall represent the interests of the public as a whole <u>and not solely the interest of the appointing authority</u> Government Code Section 56325.1

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.

Public Comment

Members of the public may address the Commission on items <u>not</u> appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be of interest to the public and within the Commission's subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person's input to a specified time. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

Agenda Materials

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda area available for review for public inspection in the Clerk's office located at the City of Susanville, 66 North Lassen Street, Susanville CA. and the Lassen Co. Community Development Office located at 707 Nevada Street, Susanville CA. [such documents are also available on the Lassen LAFCo website (www.lassenlafco.org) to the extent practicable and subject to staff's ability to post the documents prior to the meeting] 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.

Disclosure & Disqualification Requirements

Pursuant to Government Code Sections 56700.1 and 57009 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and 82015 and 82025 of the Political Reform Act applicants for LAFCO approvals and those opposing such proposals are required to report to LAFCo all political contributions and expenditures with respect to a proposal that exceeds \$1,000. LAFCO has adopted policies to implement the law, which are available on the Commission's webpage. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. Additional information may be obtained by calling the calling the Fair Political Practices Commission at (916) 322-5660.

A LAFCO Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

Contact LAFCO Staff

LAFCO staff may be contacted at (530) 257-0720 or by email at lafco@co.lassen.ca.us. Copies of reports are located on the LAFCO webpage at: www.lassenlafco.org

Lassen Local Agency Formation Commission

DATE:

April 10, 2017

TO:

Lassen Local Agency Formation Commissioners

FROM:

John Benoit, Executive Officer

RE:

Budget Justification and Proposed Budget for FY 2017-2018

Budget Justification

While LAFCO is mindful of the budget constraints of the City and County the following proposed activity report reflects substantial limitations in the upcoming fiscal year. The proposed budget suggests using staff as much as possible in the preparation of the MSR's and SOI's including using funds from staff services to augment this activity when LAFCO project activity is less than anticipated has been successful. Five years ago the budget was reduced by \$12,911 (18% approximately) with reductions in Executive Officer Services, Clerk Services many services and supplies (since LAFCo has gone to 6 meetings a year), mapping, legal and a substantial reduction in the travel budget.

Since the passage of AB-2838, based on the recommendations of the Commission for Local Governance, LAFCO has become an independent agency. Many of the start-up activities have been completed, many more activities need to take place such as the mandated Municipal Service Reviews and Sphere of Influence updates and continuing increases in unfunded mandates.

The legislature continues to empower LAFCO's through legislation since there is no other vehicle available to them.

On November 14th, 2005 Lassen LAFCO adopted expanded budgeting policies as part of its operational bylaws. These policies are as follows:

3.2 Budget

- a) The Commission shall serve as the LAFCO Budget Committee and shall prepare and submit a budget to the Commission for review each spring in coordination with the Lassen County and City of Susanville budgeting process. When the Commission has finalized the budget, the Executive Officer shall promptly send it on to the County and the City as provided by the LAFCO Act, Section 56381.
- b) The Commission may at any time and at its own discretion modify its approved budget.
- c) The LAFCO Executive Officer shall be responsible for managing the day-to-day business of the Commission and for directing expenditures for that purpose within the guidelines established by the adopted budget.
- d) LAFCO's budget for the next fiscal year shall normally be set at level that allows the agency to complete the essential tasks of the approved work program. If the Commission determines that it cannot reasonably require funding at the level necessary to fund the work program, the Commission shall eliminate or modify items in the work program to reflect the reductions in funding prior to approval of the reduced budget. The proposed and final budget shall be equal to or greater than the budget adopted for the previous fiscal year unless the commission finds that there is a diminished work load and reduced staffing or program costs will nevertheless allow the commission to fulfill its purposes and programs as required by the LAFCO Law. (§56381)
- e) Where feasible, LAFCO shall re-budget rollover from the prior fiscal year to reduce costs to the funding agencies. Alternatively, LAFCO may wish to use rollover monies to fund a Contingency

Fund not exceeding 10% of LAFCO's total expenditures for a given fiscal year. Appropriations and Expenditures from the Contingency shall require Commission approval.

Since Government Code 56381 (c) does not expressly require the City of Susanville (City) share of LAFCO's operating expenses to be deposited with the County Auditor. As long as the City is managing LAFCO's finances it is the policy of LAFCO to allow the City to transfer the City's share of LAFCO's operating costs, as apportioned by the County Auditor, to the LAFCO fund account. The City shall notify the auditor of the date and amount of the transfer.

In the sheet attached to the resolution, I have provided a "Proposed" budget based on the costs to provide LAFCO.

The overall goal of this budget is to conduct LAFCO business in a proactive manner involving the Community and to meet the overall requirements of the Cortese-Knox-Hertzberg Act at a reasonable cost.

Summary of the Proposed Budget:

<u>Insurance:</u> LAFCO is required to carry insurance as an independent agency. Fortunately, the Board of Supervisors has approved that LAFCO be covered under the County's insurance program. LAFCO's share of insurance costs continues to be \$1,000.00 per year.

Office Expense This covers copy costs, postage, communication and publications. In FY 2013-14 and FY 14-15, FY 15-16, and FY 15-16 \$2,100 was budgeted for this item. Due to public noticing this budget was increased. Office Expenses since FY 2016-17 and again in this budget have been split into 4 budget categories as follows: For FY 17-18 General Office Expenses are proposed to be \$250.00, Copies at \$750.00, Communications at \$1,000.00 and Postage at \$300.00.

Memberships The Calafco members voted to increase CALAFCO dues. Therefore the Calafco Dues in 2017-2018 will be \$899.00 from \$840.00 this year. It is important LAFCO remain in its statewide professional organization and participate in LAFCO issues of common concern for the benefit of Lassen LAFCO and its agencies.

<u>Legal Services</u> This year I am recommending this item remain the same as last year at \$2,500.00. Fortunately, LAFCO has not needed Counsel present at its meetings and costs have been very minimal. In most cases, the need for Counsel to attend a meeting would be directly billable to a project applicant. Since the Legislature has made LAFCO independent, separate LAFCO Counsel is necessary to represent LAFCO's interest as distinct from the County, independent special districts and the City. Project related legal costs would be billed to the project proponent through LAFCO's adopted fee structure.

Executive Officer Services This line item was reduced to \$30,000 in FY 2012-2013, which is proposed to remain the same. Other administrative and activity costs have been placed into the Brown Act Budget Item below as well as MSR and SOI activities. Project activity may consist of a City Annexations. This category includes general administrative work, project processing, meeting with Special Districts, the Grand Jury and environmental review on Spheres of Influence updates and the staff activities enumerated in the "activities" report. Notwithstanding a very complex reorganization (application), controversial service review, sphere of influence or incorporation project for Lassen LAFCO, this amount should also cover LAFCO administration and potentially also allow time to work to continue on the Municipal Services Reviews and Sphere Studies.

Note: project related cost overruns relating to an application would normally be fee supported if an augmentation is needed in this category. A project proponent will pay all project related costs including legal costs.

Brown Act Compliance In FY 2012-2013, this item was reduced to \$3,500. This item has been requested by the Commission in previous years to be included in the budget by the Commission. This includes staff and legal time for compliance with the Brown Act and Public Records Act. LAFCO is required to comply with these laws as a part of its normal operation. Funds have been taken from Legal and Executive Officer Services since these could be considered administrative (and) or legal services.

<u>Legal Notices/Publications</u> I am recommending \$400 for this item the same as last year. Legal notices are required by state law and must be prepared for Municipal Service Reviews and Sphere of Influence Updates, all public hearings before the commission and protest hearings. Public hearing notices are required for many LAFCO actions.

<u>Transportation/Travel/Conf. Registration</u> I am recommending \$1,700 unless the commission wishes to send more than one Commissioner to the annual conference in San Diego on October 24th 27th, 2017. The estimated cost to send one Commissioner is around \$1,400 for this year. This also includes cost to cover 1/7 of staff to attend the Calafco workshops and bring back information.

<u>Sphere of Influence Updates and Municipal Service Reviews</u> I am recommending \$14,000 to cover the costs of working on Municipal Service Reviews and \$3,000 for Spheres of Influence Updates as required by the LAFCO Act. This amount is the same as this fiscal year. This includes funding for completing the Sphere of Influence update for the City of Susanville.

<u>Mapping</u> LAFCO has set aside funds for mapping Spheres of Influence and District Boundaries. The amount set aside has been reduced to \$2,000 to provide GIS service in a timely manner. A LAFCo map book should also be created. LAFCo has most of the maps in electronic format.

<u>File Scanning and Retention</u> Lassen LAFCo has generated several files over the years. Lassen LAFCo adopted a File Retention Policy on December 9, 2013. To implement the policy, the files need to be scanned and placed into electronic format as are files in most county and city departments. This is a one-time expense estimated to be \$5,000. The immediate tasks are to review and dispose of files consistent with LAFCo's adopted Records Retention Policy and to scan and index these files for accessibility to agencies, the public and lafco staff. Once the files are scanned, these files will then be made more accessible. It will be later determined if LAFCo will need to prepare a Microsoft Access database for LAFCo. This item is rebudgeted from this fiscal year.

<u>Financial Services</u> LAFCO is no longer in the A-87 program. The total cost of City financial services is projected to be \$1,722.30. This is a fixed cost and unless an agreement is renegotiated, this amount cannot be changed.

<u>LAFCO Clerk Services</u>: The City has proposed \$2,377.72 be budgeted for use of city staff for LAFCO minute taking services. Since the LAFCo Commission will meet 6 times next year I propose continuing this item with a budget of \$1,500.00. This represents the minimum costs of clerking services to LAFCO to be paid to the City of Susanville. This assumes LAFCo will meet 6 times this year and possibly a seventh time.

Contingency LAFCO established a contingency budget policy in November 2005 which states: "Where feasible, LAFCO shall re-budget rollover from the prior fiscal year to reduce costs to the funding

agencies. Alternatively, LAFCO may wish to use carryover monies to fund a Contingency Fund not exceeding 10% of LAFCO's total expenditures for a given fiscal year." In the event there is no cash on hand at the commencement of the next fiscal year the LAFCO statute calls for the County Auditor to follow the regulations in the Cortese-Knox Act and advance the Commission for two-months operational costs of LAFCO as of July 1st, 2009. This will not be the case this year.

Gov Code Section 56381(c) in part states "...Between the beginning of the fiscal year and the time the auditor receives payment from each affected city and district, the board of supervisors shall transmit funds to the commission sufficient to cover the first two months of the commission's operating expenses as specified by the commission. When the city and district payments are received by the commission, the county's portion of the commission's annual operating expenses shall be credited with funds already received from the county "

The above section also states as follows: "If, at the end of the fiscal year, the commission has funds in excess of what it needs, the commission may retain those funds and calculate them into the following fiscal year's budget."

As a practical matter and as stated in LAFCO's policies, the Commission should consider retaining a portion (10%) of its carryover funds from one fiscal year to another to fund a contingency budget and develop a reserve as would any special district in the event of cost overruns such as litigation. As shown in this budget, this figure would be \$6,952.13.

Anticipated re-budgeting of funds

Notwithstanding unexpected expenses, at current expenditure rates the Commission will be able to rebudget approximately \$24,000.00 from the 2016-2017 fiscal year to the 2017-2018 fiscal year (see budget worksheet attached to Resolution 2017-0001).

Costs to City and County

The City and County uses accrual accounting so all LAFCo activities during this fiscal year should be paid from this year's budget. Assuming a carryover of \$24,000 is realized, a 10 percent LAFCO contingency is funded at \$6,952.13, the amount to be apportioned between the City and County would be \$52,473.43 for FY 2017-2018, which is slightly higher than last year due to the increase in the CALAFCO Dues.

Recommendation:

Conduct a public hearing, review the proposed budget and work program and consider Resolution 2017-0001

Resolution 2017-0001 of the Lassen Local Agency Formation Commission

A Resolution of Lassen Local Agency Formation Commission Adopting a Proposed Budget for 2017-2018

WHEREAS, Lassen LAFCO is required by Government Code Section 56381(a) to adopt annually, following a noticed public hearing, a proposed budget by May 1st and a final budget by June 15th; and,

WHEREAS, the Commission has prepared a proposed budget for public review; and,

WHEREAS, the Executive Officer has given notice of hearing in the form and manner specified by law for adoption of the proposed budget and upon the date, time and place specified in said notice of hearing, the Commission heard, discussed and considered all oral and written testimony submitted including, but not limited to, the approved budget priorities for Fiscal Year 2017-2018 and the Executive Officer's report and recommendations; and

WHEREAS, the Commission has considered the attached Budget in light of the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

NOW THEREFORE, Lassen Local Agency Formation Commission does hereby determine, resolve, and order the following:

- 1. That Lassen LAFCO hereby adopts the attached 2017-2018 proposed budget (Exhibit A).
- 2. Directs the Executive Officer to transmit the proposed budget to the Auditor and all parties specified in Government Code Section 56381 (a) as promptly as possible.

PASSED AND ADOPTED by Lassen Local Agency Formation Commission at a regular meeting of said Commission held on the 10th day of April 2017 by the following roll call vote:

NOES: -	
ABSTAINS: -	
ABSENT: -	
Signed and approved by me after its passage this 10th day of April, 20)17

Todd Eid, Chair Lassen LAFCO

Attest:

John Benoit, Executive Officer Lassen LAFCO

AYES: -

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Lassen Local Agency Formation Commission

CLAIMS

February and March 2017

Authorize payment of the following claims (FY 2016-2017):

Executive Officer

Date of Claim	Description	Amount
Apr 1, 2017 Apr 1, 2017 2.28.2017 3.21.2027	Staff Svcs & Expenses – Feb 2017 March 2017 Staff Svcs & Expenses Feather Pub Public member recruit Proposed Budget Hearing	\$ 3,712.78 \$ 3,695.77 \$ 78.95 \$ 30.00
	TOTAL:	\$ 7,514.50
DATED: APPROVED:	April 10, 2017 April 10, 2017	
Attest:	Todd Eid, Chair or Brian Lassen Local Agency Formati	Wilson, Vice-Chair ion Commission
John Benoit		

Publications 4540 \$ 400 00			(ct.o.)	(75.95) (30.00)
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INVOICE

Feather Publishing Co. Inc.

P.O. Box B Quincy, CA 95971

Date: March 21, 2027

LAFCO-Lassen Box 2694 Granite Bay, CA 95746

Publish: Budget hearing

TOTAL DUE: \$30.00

INVOICE

Feather Publishing Co. Inc.

P.O. Box B Quincy, CA 95971

Date: February 28, 2017

LAFCO-Lassen Box 2694 Granite Bay, CA 95746

Publish: Lafco Commission notice of opening

TOTAL DUE: \$ 75.95

INVOICE February 2017

John Benoit

Invoice number: 2017-0030

Invoice date:

1-Apr-17

P.O. Box 2694 Granite Bay, CA 95746 Tel: (530) 257-0720 Fax (530) 797-7631

Vender ID #

Client name: Lassen LAFCO c/o City of Susanville

Address: 66 North Lassen Street

City, state, postal code: Susanville, CA 96130-3904

Telephone:

Fax:

PO number:

Lafco Staff John Benoit

Hours 46.50 Staff Svcs

Start / End Date

Feb 1-28, 2017

\$3,580.00

\$

Total activity cost:

\$3,580.00

Materials / Other Expenses Reproduction Costs Postage Phone & Communications Office Supplies Trave! Exp. Web Domain

Reason / Vendor Amount Misc Copy and Feb 27th Packets \$58.40 Feb 27, 2017 Packets \$10.92 Comm Feb 2017 63.46

> Total materials cost: \$132.78 Total billing: \$ 3,712.78

DNVOICE March 2017

John Benoit

Invoice number: 2017-0031

Invoice date:

1-Apr-17

P.O. Box 2694 Granite Bay, CA 95746 Tel: (530) 257-0720 Fax (530) 797-7631

Vender ID #

Client name: Lassen LAFCO c/o City of Susanville

Address: 66 North Lassen Street

City, state, postal code: Susanville, CA 96130-3904

Telephone:

Fax:

PO number:

	Lafco Staff
John	Benoit

Hours

42.50 Staff Svcs

Start / End Date

Mar 1-31, 2017

Amount \$3,612.50

Total activity cost:

\$3,612.50

 Materials / Other Expenses	
Reproduction Costs	
Postage	
Phone & Communications	
Office Supplies	
Travel Exp.	
Web Domain	

Reason / Vendor	Amount
misc Copy	\$10.00
Comm Mar 2017	\$ 73,27

Total materials cost: \$83.27 Total billing: \$ 3,695.77

TIMESHEET for John Benoit

DATE	Direct Evhance	130		
1-Mar-17 Financials		***	neurs Amount	mount
2-Mar-17			4	1
3-Mar-17				127.50
4-Mar-17			/} €	
5-Mar-17			↑ •	İ
6-Mar-17			? > €	ı
7-Mar-17 Reso revised for HPUD and Comm			ም ቴ	ı
8-Mar-17 Public Notice for Budget April 10th			A €	, i
9-Mar-17			i. Ui-	127.50
10-Mar-17 Misc comm			/} +	85.00
11-Mar-17	comm	423 27	^ ←	ı
12-Mar-17		17.674	^ (
13-Mar-17 Admin (,5) HPUD man			A (I
14-Mar-17				1 2
15-Mar-17	сошш	¢31 61	 ⊕	127.50
16-Mar-17 Discussion re: City of Sisanville SOT		+	+	
17-Mar-17 Records request LMUD and 17-18 Burdaet			↑ +	- 30
18-Mar-17			4 4	240.00
19-Mar-17				340.00
20-Mar-17 misc comm and 17-18 budget			↑ ₩	1
21-Mar-17 17-18 budget				, 02
22-Mar-17 Budget memo and resoluition				170.00
23-Mar-17 Susanville Soi changes and new hirdner				207 50
24-Mar-17 Census Data misc Admin and Susanville McP Graffin 20 August 24-Mar-17			ייר זר	557.50
25-Mar-17 Agenda for April 12				332.30 435.00
26-Mar-17			9 V	120.00
27-Mar-17			1	7.000
28-Mar-17 LAFCo Packet for April 10th.	copy	\$10.00	1	ı
29-Mar-17 Posting LAFCo Packet and mapping (2)	comm	\$18.39	\$ /	595.00
31-Mar-17			4 *	340.00
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