Lassen Local Agency Formation Commission

Regular Meeting Agenda

MONDAY – April 11, 2016

3:00 PM

Board of Supervisors Chambers 707 Nevada Street Susanville, CA.

(website www.lassenlafco.org)

1. Call to order

Commissioners

Todd Eid, Chair, Public Member Brian Wilson, City Member, Vice Chair Rod De Boer, City Member Jeff Hemphill, County Member Jim Chapman, County Member

Alternate Members

Bob Pyle, County Member Alt. Kathie Garnier, City Member Alt. Andrew Wellborn, Public Member Alt.

LAFCO Staff

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

- 2. Approval of Agenda (Additions and Deletions)
- 3. Correspondence:
- 4. Approval of Minutes: February 8, 2016

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.

PUBLIC HEARING

- 6. Hearing and Discussion RE: LAFCo Commission initiation and Consolidation of the West Patton Village CSD and the Herlong Public Utility District (Hemphill).
 - a) Conduct Public Hearing regarding a LAFCo initiation of consolidation of the West Patton Village CSD and the Herlong Public Utility District.
 - b) Status report and discussion regarding the status of a consolidation initiation from the WPVCSD and HPUD.
 - c) Note: No LAFCo action will be necessary should the HPUD and WPVCSD adopt and initiate the LAFCo process of consolidating the Districts.
 - d) Continue item if needed.
- 7. Public Hearing regarding the proposed Lassen LAFCo 2016-2017 annual budget.
 - a. Discuss and conduct public hearing on regarding the proposed 2016-2017 fiscal year annual budget.
 - b. Consider Resolution 2016-0001 making determinations regarding the proposed FY 2016-2017 proposed LAFCo Budget
- 8. Authorize Payment of Claims for February 2016 and March 2016.
 - a. Approve payment of expenses for February 2016 and March 2016.
- 9. Report regarding the Calafco Annual Staff Workshop in Burbank, CA March 30-April 1st
 - a) Report regarding the Calafco annual staff workshop
- 10. Executive Officer's Monthly Report Information items and (or) Discussion items with Commissioners. No decisions will be made regarding the following:

Fall River Mills FPD-McArthur FPD Consolidation – ongoing Honey Lake RCD to the district for review Southern Cascades CSD waiting for election

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 June 13, 2016.

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.

Lassen Local Agency Formation Commission

DATE: April 11, 2016

TO: Lassen Local Agency Formation Commissioners

FROM: John Benoit, Executive Officer

RE: Budget Justification and Proposed Budget for FY 2016-2017

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. Four 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.

f) 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 16-16 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 2016-2017 will be \$840.00. 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.

Legal Notices/Publications
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 \$2,500 unless the commission wishes to send more than one Commissioner to the annual conference in Santa Barbara on October 26th 28th, 2016. The estimated cost to send one Commissioner is around \$1,600 for this year. This also includes cost to cover 1/7 of staff to attend the Calafco workshops and bring back information.

Sphere of Influence Updates and Municipal Service Reviews

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.

Mapping 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.

File Scanning and Retention

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. Weren't it for Nancy Summers at the Planning Department last month, staff would have had to drive to Susanville for the purpose of complying with a Public Record's Request. In addition, the files will able to be accessed to the public via LAFCo's webpage. 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.

<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 reduced to \$6,440.73.

Anticipated re-budgeting of funds

Notwithstanding unexpected expenses, at current expenditure rates the Commission will be able to rebudget approximately \$24,500.00 from the 2015-2016 fiscal year to the 2016-2017 fiscal year (see budget worksheet attached to Resolution 2016-0001).

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 \$24,500 is realized, a 10 percent LAFCO contingency is funded at \$6,946.23, the amount to be apportioned between the City and County would be \$51,908.53 for FY 2016-2017, 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 2016-

Resolution 2016-0001 of the Lassen Local Agency Formation Commission

A Resolution of Lassen Local Agency Formation Commission Adopting a Proposed Budget for 2016-2017

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 2016-2017 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 2016-2017 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 11th day of April 2016 by the following roll call vote:

AYES: -

NOES: -	
ABSTAINS: -	
ABSENT: -	
Signed and approved by me after its passage this 11th day of April, 2016.	
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Todd Eid, Chair Lassen LAFCO

Attest:

John Benoit, Executive Officer Lassen LAFCO

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CLAIMS February 2016 and March 2016

Authorize payment of the following claims:

Executive Officer

Date of Claim	Description	Amount
Apr 1, 2016 Apr 1, 2016 March 22, 2016 March 22, 2016	Staff Svcs & Expenses –Feb 2016 March 2016 Staff Svcs & Expenses City of Susanville Svcs #1000829 Feather Pub. Prop Budg and Herlong	\$ 3,440.20 \$ 4,218.32 \$ 1,118.15 \$ 44.10
TOTAL:	Feb 2016 and March 2016 Expenses	\$ 8,820.77
DATED:	April 11, 2016	
APPROVED:	April 11, 2016	
Attest:	Todd Eid, Chair or Brian \ Lassen Local Agency Formation	Wilson, Vice-Chair on Commission
John Benoit	· · · · · · · · · · · · · · · · · · ·	

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IMYOICE February 2016

John Benoit

P.O. Box 2694 Granite Bay, CA 95746 Tel: (530) 257-0720 Fax (530) 797-7631 Invoice number: 2016-0025

invoice date:

1-Apr-16

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 41.00 Staff Svcs	Start / End Date February 1-29, 2016	Amount \$3,325.00
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		Total activity cost:	\$3,325.00
Reproduction Postage	mmunications	Reason / Vendor Feb 8, 2016 Packets Feb 8, 2016 Packets Phone Internet and fax	Amount \$38.95 \$5.68 \$ 70.57
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			\$115.20
		Total billing:	\$ 3,440.20

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1-Feb-16 email post and organize packets for Ech 8 2016 and Committee in Section 1997.		15.5		South Services
2-Feb-16	copy	\$28.95	2.5	212 50
3-Feb-16 City of Susanville SOI cl	post	\$5.68)	0000
5-Feb-16 Mosting and Succession			2	170.00
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25-Feb-16 CEQA training and Big Valley Water issues Comm) (
26-Feb-16 HLVMSR writing Grand Tury issues			о П	212 50
27-Feb-16			ını Jr.	467 50
28-Feb-16 Statement of Facts for the State Controller's Africa			} 	00:701
29-Feb-16 Fincials and City of Susanyille			+ + -	85.00
1-Mar-16			2,5 \$	212.50
2-Mar-16	comm	\$18.25	∙ ₩-	,
			¥	•

INVOICE Wareh 2016

John Benoit

P.O. Box 2694 Granite Bay, CA 95746 Tel: (530) 257-0720 Fax (530) 797-7631 Invoice number: 2016-0026

Invoice date:

1-Apr-16

Vender ID #

Client name: Lassen LAFCO c/o City of Susanville Address: 66 North Lassen Street

Telephone:

	Fax: PO number:	Address: 66 North Lassen Street City, state, postal code: Susanville, CA 96130-3904
Amount \$3,995.00	Start / End Date March 1-31, 2016	Lafco Staff Hours John Benoit 47.00 Staff Svcs
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\$3,995.00	Total activity cost:	
Amount \$0.00	Reason / Vendor	Materials / Other Expenses Reproduction Costs Postage
\$0.00 \$ 63.15	Phone Internet and fax	Office Supplies
\$160.17	Mar 1-31 Calafco Ann. Wkshp exp	Travel Exp. Web Domain
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\$223.32 4,218.32	Total materials cost: Total billing:	

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1-Mar-16 meet with CSDA re district issues				
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3-Mar-16			₩	
ng RCD issues and the			· (/)	1
5-Mar-16 Financials and budget sb			- 49	85.00
6-Mar-16			+ ∀	255.00
7-Mar-16				233.00
8-Mar-16 Public Notice Lassen AFCo re: Prop Rudost			}	I
9-Mar-16			+	00 38
10-Mar-16 Financials for FY 16-17 Rudget and recognishment.)	93.00
11-Mar-16 HVLRCD report (Strategic plan and Audit Control Will City expense ledgers and HLVRCD report (G) section	uc		7	00 100
12-Mar-16	comm Surewest	\$22.12	4 ۲۰	200.000
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15-Mar-16 Honey Lake Valley RCD writing - Activities			.57 .44	212 50
16-Mar-16			4	340.00
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22-Mar-16 prepare Budget draft for Lassen LAFCs			} ∀	· •
23-Mar-16 prepare Budget Just report			2.5	212 50
24-Mar-16 Pat Williams and info re WPV and HPI in			+ + + +	552 50
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31-Mar-16 HPUD misc comm			+ +49	(
	Staff Wkshp Exp	\$160.17	0.5	42.50
			₩.	ı

CITY OF SUSANVILLE

66 North Lassen Street Susanville CA 96130-3904

Phone: (530) 252-5109 Fax: FAX (530) 257-4725

 Date
 Number
 Page

 03/22/2016
 1000829
 1

INVOICE

Bill To:

LAFCo

JOHN BENOIT EXEC DIRECTOR

PO BOX 2694

GRANITE BAY CA 95746

Customer No. 3176

Due Date 10 DAYS FROM INVOICE DATE

Terms: NET 10 DAYS

Quantity	Description	Unit Price	Net Amount
6	LAFCO CLERK CHARGES OCT - FEB 2016	44.50	267.00
5	LÁFCO FINANCE CHARGES OCT - FEB 2016	143.53	717.65
3	LAFCO CLERK MINUTE CHARGES OCT - FEB 2016	44.50	133.50
			<u> </u>
ŀ			
hank You.		Amount	1,118.15
		Past Due Amount	
		Balance Due	1,118.15

INVOICE

Feather Publishing Co. Inc.

P.O. Box B Quincy, CA 95971

Date: March 22, 2016

LAFCO-Lassen Box 2694 Granite Bay, CA 95746

Publish: Hearing for

1 consolidation of WPV CSD

2. budget

TOTAL DUE: \$ 44.10

Feather Publishing Co., Inc. P.O. Box B Quincy, CA 95971

Feather River Bulletin

Lassen Co. Times

Indian Valley Record Chester Progressive Westwood PinePress

Portola Reporter