

**LASSEN COUNTY LOCAL AGENCY FORMATION COMMISSION**  
Board of Supervisors Chambers 707 Nevada Street Susanville, CA 96130

REGULAR MEETING  
August 11, 2014 - 3:00 p.m.

Meeting was called to order at 3:02 p.m. by Vice-Chairperson Wilson.

Roll call of members present: Larry Wosick, Jim Chapman, Kathie Garnier and Brian Wilson. Absent: Todd Eid and Rod De Boer.

Staff Present: John Benoit, Executive Officer and Gwenna MacDonald, Clerk.

Motion by Commissioner Wosick to approve the agenda as submitted; Commissioner Garnier provided a second and the motion carried. Ayes: Wosick, Garnier, Chapman and Wilson.

It was noted that the October 16, 2014 meeting would be rescheduled to October 6, 2014.

**Correspondence**

There was no correspondence.

**Election of Chair and Vice-Chair for Fiscal Year 2014-2015**

Motion by Commissioner Chapman to re-appoint Todd Eid to serve as Chair and Brian Wilson to serve as Vice-Chairperson; Commissioner Wosick provided a second and the motion carried. Ayes: Chapman, Wosick, Garnier, and Wilson.

**Minutes**

The minutes of June 9, 2014 were not available for review and consideration of the item was tabled until October 6, 2014.

**Public Comments**

**Pat Williams**, General Manager, Herlong PUD, requested that the Commission consider adding special district representation to serve on the LAFCO Board. He had been directed by his Board to investigate that option and would also be reaching out to other special districts.

Commissioner Chapman commented that the challenge with representation on the Commission was that it also incurs a cost. The City and County bear the burden of financing LAFCO and the addition of members would result in a sharing of the financing responsibility.

Mr. Benoit added that budget is a struggle for many special districts, and the addition of members from special districts would probably mean an allocation of budget based on size, with districts like LMUD or Susanville Sanitary District paying a larger share.

There was a general discussion with regards to budget challenges and options for special districts to gain a seat at the table. Commissioner Chapman stated that he supported reaching out to the special districts to make sure that the information they receive is consistent.

**7 Public Hearing: Municipal Service Review for Herlong Area; Consideration of establishment of Sphere of Influence for Herlong PUD and West Patton Village CSD**

Mr. Benoit reported that the public review period for the Herlong Public Utility District (HPUD) and West Patton Village Community Services District (WPVCS D) Municipal Services Review and Sphere of Influence update ended on July 11, 2014. He noted that a comment log had been included in the packet, and that no representatives of the WPVCS D were in attendance for the public hearing. He stated that the MSR process to review two different agencies had proved to be challenging, largely with the issue of services overlap and conflicting information received. There are two districts and a consolidation committee representing both Districts has been working towards the best solution to provide comprehensive services to the residents of the area. Mr. Benoit stated that it was his understanding that the Committee has voted to proceed with the consolidation of the two Districts. It would offer more efficiency overall and as such he recommended adoption of the resolution of acceptance for the Municipal Services Review, and continuing discussion of the Sphere of Influence update until he has met with the Consolidation Committee and the General Manager for the Herlong PUD to discuss the next steps for consolidation. Mr. Benoit requested comments or questions from the Commission.

Commissioner Chapman noted that the document referenced State Route 395 and requested that it be corrected to U.S. 395, as it is not a State highway.

Vice Chairperson Wilson opened the public hearing at 3:28 p.m. and requested comments from the public.

**Pat Williams**, General Manager, Herlong Public Utility District, informed the Commission that both Boards voted unanimously to consolidate and he was directed to move forward with the process. He discussed some of the issues regarding fire service boundaries, staffing and working through the asset transfer process as well as options to provide services that a Utility District could not provide, such as parks or a library.

Commissioner Wosick asked if approval of the resolution accepting the Municipal Service Review would impede that process.

Mr. Benoit responded that approval of the MSR by resolution was an important first step in the process of consolidation. It was his recommendation to table the sphere of influence discussion.

Commissioner Wosick expressed concern with the lack of representation at the meeting by the West Patton Village CSD.

Commissioner Chapman noted that Mr. Williams had been appointed by the Consolidation Committee to speak on their behalf at the meeting and the Committee includes representatives from the WPVCS D, so he was comfortable moving forward.

Commissioner Garnier expressed concern that the residents in the area would be without services such as the Library, if the districts were to consolidate.

Mr. Williams responded that the library is owned by a private party and is currently closed, however it is important for the District that area residents have the services they need, including things such as garbage collection, parks, and a library district.

**Jared Hancock**, City Administrator, commented that the legislation regulating Utility Districts is different than the regulations for Community Services Districts, and that it might be worthwhile to have that discussion to address existing and future needs of residents in the Herlong area.

**Erik Nysven** spoke in favor of a consolidation that would result in dissolving of the West Patton Village Community Services district. He discussed various deficiencies in service regarding wastewater and fire protection, adding that the Board members are nice people, just not the right people for the job.

Mr. Williams shared that the Consolidation Committee discussed the type of District that would most appropriately serve the community, and voted to maintain the PUD. As a PUD, revenue bonds are an option to provide financing that is a tremendous financial gain to the District. The community has worked hard and will continue to do so in order to ensure that the residents are provided the services that they deserve.

Motion by Commissioner Wosick to approve Resolution No. 14-0005 approving the MSR; Commissioner Chapman provided a second and the motion carried. Ayes: Wosick, Chapman, Garnier and Wilson.

It was the consensus of the Commission to table discussion regarding the Sphere of Influence until October 6, 2014. At 3:58 p.m., Vice Chairperson Wilson continued the public hearing to October 6, 2014.

#### **8 2014 Biennial Conflict of Interest Code Review**

Mr. Benoit explained that the Commission is required to review its Conflict of Interest code biennially and amend according to any changes that might occur in the organization. After review or approval of the Code, LAFCO is required to submit any proposed changes to the Board of Supervisors who acts as the code reviewing body. Mr. Benoit indicated that he had review the Conflict of Interest code and determined that no amendments were necessary at this time.

Motion by Commissioner Wosick to authorize submittal of 2014 Local Agency Biennial Notice with no amendments to the County as required; Commissioner Chapman provided a second and the motion carried. Ayes: Wosick, Chapman, Garnier and Wilson.

#### **9 Payment of Claims: June 2014 and July 2014**

Motion by Commissioner Chapman to approve claims for June 2014 and July 2014 in the amount of \$7,677.40; Commissioner Wosick provided a second and the motion carried. Ayes: Wosick, Chapman, Garnier and Wilson.

#### **10 Calafco Achievement Awards**

The Commission discussed the opportunity to nominate a staff member or Commissioner for recognition of LAFCO service which is presented at the annual conference. The Commission did not support any nominations.

#### **11 Nominations for Calafco Board of Directors**

The Commission discussed a vacancy on the Calafco Board, and declined to submit a name for consideration from Lassen LAFCO.

#### **12 Calafco Annual Conference Travel Authorization: October 15-17, 2014**

The Commission discussed annual conference which would be held in Ontario this year. It was the consensus of the Commission that no members would attend.

#### **13 Calafco Annual Conference: Appointment of Voting Delegate**

Motion by Commissioner Chapman to appoint Executive Officer John Benoit as voting delegate; Commissioner Garnier provided a second and the motion carried. Ayes: Chapman, Garnier, Wosick and Wilson.

**14 Executive Officers Report**

Mr. Benoit announced that the firm of Best, Best & Krieger would again offer ethics training at no cost to local government officials. The training has been held in the City of Susanville council chambers and has been so successful that this year, a change in venue was being considered. He would provide more information to the Commission as it becomes available.

Mr. Benoit reported that the Southern Cascades Community Services District had a measure on the June ballot which did not pass, and would be bringing resolutions back and proposing a possible special election, which would be appropriate as the District cannot form without the establishment of revenue.

Regarding the Meyers Healthcare District, a meeting was scheduled for August 21, 2014 to discuss annexation, with the primary focus being bonded indebtedness. Shasta LAFCO would act as lead agency, working in conjunction with Modoc LAFCO and Lassen LAFCO, as the proposed district includes portions of all three counties.

Commissioner Chapman discussed the issue of taxation without providing voters an opportunity to cast their ballot and while Shasta LAFCO might be acting as lead agency, their authority stops at the border of Modoc and Lassen counties. Any agreements and proposals need to be brought back to Lassen LAFCO for review and consideration.

Mr. Benoit provided an update regarding recent legislation regarding groundwater and the potential impact it would have on Lassen County as it affects several critical water basins, anticipating that much of the monitoring will be a local responsibility with oversight from the State.

**15 Commissioner Reports**

There were no reports.

Motion by Commissioner Chapman, second by Commissioner Wosick to adjourn until October 6, 2014; motion carried. Ayes: Chapman, Wosick, Garnier and Wilson.

The meeting adjourned at 4:35 p.m.

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Brian Wilson, Vice Chairperson

Approved

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Gwenna MacDonald, Recording Secretary