

Lassen Local Agency Formation Commission

Special Meeting Agenda

MONDAY – December 7, 2020

**3:00 PM**

Note Location Change

**SUSANVILLE CITY HALL  
66 North Lassen Street  
Susanville, CA.**

*(All meeting materials are available on LAFCo's Website: [www.lassenlafco.org](http://www.lassenlafco.org))*

**1. Call to order: Pledge of Allegiance**

Commissioners

Todd Eid, Chair, Public Member

Kevin Stafford, City Member

Mendy Schuster, Vice-Chair, City Member

Jeff Hemphill, County Member

Chris Gallagher, County Member

Alternate Members

David Teeter, County Member Alt.

Quincy McCourt, City Member Alt.

vvVacant, Public Alt.

LAFCO Staff

John Benoit, Executive Officer

Jennifer Stephenson, Deputy Executive Officer

Ruth McElrath, Clerk

John Kenny, LAFCO Counsel

**1. Approval of Agenda (Additions and Deletions)**

**2. Approve LAFCo meeting Schedule for 2021**

*a. Approve LAFCo 2021 meeting schedule*

**3. Correspondence:**

**4. Approval of the August 10, 2020 and October 19, 2020 LAFCo minutes**

*a) Approve the August 10, 2020 and October 19, 2020 LAFCo minutes*

**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 hearings:*

**6. Public Hearing regarding the Leavitt Lake Community Services District MSR and SOI (Commissioners, please bring copies previously distributed)**

- a. *Open public hearing, discuss and receive testimony*
- b. *Close public hearing*
- c. *Consider Resolution 2020-0004 adopting a Service Review (MSR) for services provided by the Leavitt Lake CSD*
- d. *Consider Resolution 2020-0005 approving a Sphere of Influence for the Leavitt Lake CSD*

**7. CONTINUED PUBLIC HEARING regarding the Fire District Service Review (MSR) and Sphere of Influence (SOI) (Commissioners, please bring copies previously distributed)**

- a) *Receive Executive Officer's report, discuss and hold public hearing*
- b) *Close Public Hearing*
- c) *Consider Resolution 2020-0006 adopting a Service Review (MSR) for services provided by the Fire Service providers in Lassen County.*
- d) *Consider Resolution 2020-0007 approving a Sphere of Influence for the Big Valley Fire Protection District, Clear Creek Community Services District, Doyle Fire Protection District, Herlong Public Utility District, Janesville Fire Protection District, Lake Forest Estates Fire Protection District, Little Valley Community Services District, Madeline Fire Protection District, Milford Fire Protection District, Spalding Community Services District, Standish-Litchfield Fire Protection District, Stones-Bengard Community Services District, Susan River Fire Protection District, City of Susanville Fire Department, Westwood Community Services District and the Hallelujah Junction Fire Protection District*

**8. Authorize payment of claims**

- a) *Authorize payment of claims for October 2020 and November 2020.*

**9. LAFCo 101 All About LAFCo**

**Introduction to LAFCo tabled from the October 19, 2020 meeting**

**10. Executive Officer's Monthly Report**

*Stones Bengard CSD MSR and SOI  
Spalding CSD MSR and SOI  
**Calafco Regional Roundtable December 9, 2020**  
**CSDA Memberships** [www.csdanet.net/pwyc](http://www.csdanet.net/pwyc)  
**LAFCo Fee Schedule - 2003**  
**LAFCo Records Retention Policy – 2013***

**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.*

**12. Adjourn to the next meeting to take place on Monday February 8, 2021 at 3:00 P.M.**

**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**

*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 not 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).

Public Hearings

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 are 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](http://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 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](mailto:lafco@co.lassen.ca.us). Copies of reports are located on the LAFCO webpage at: [www.lassenlafco.org](http://www.lassenlafco.org)

## LASSEN LAFCO

## 2021 - LAFCO Regular Meeting Schedule

3:00 p.m.  
Board of Supervisors Room  
707 Nevada Street  
Susanville, California

***Meeting Date*****February 8<sup>th</sup>****April 12<sup>th</sup>****June 14<sup>th</sup>****August 9<sup>th</sup>****October 11<sup>th</sup>****December 13<sup>th</sup>**

Regular meetings of the Commission are scheduled for the second Monday of every *other* month at 3:00 p.m. in the Board of Supervisors' Chambers, 707 Nevada Street, Susanville, California. ***Regular meetings are scheduled during the months of June, August, October, December, February and April. Alternate regular meeting dates are scheduled in July, September, November, January, March and May at the same time and location as regular meetings.*** In the event of a scheduled holiday, the regular meeting shall be held at the same place upon the first succeeding Monday which is not a holiday, commencing at the same hour, in which event all hearings, applications, petitions and other matters before the Commission are continued to the same hour of the next succeeding day which is not a holiday. The Commission may, at its own discretion, meet at a different time or place from time to time, provided that public notice of such time and place is given in accordance with the Open Meeting Law, Government Code Section 54954 and applicable provisions of the LAFCO Act.

The Chair or Executive Officer may call a special meeting of the Commission. The Chair shall call a special meeting if requested by two or more Commissioners. Any special meetings of the Commission shall be called in the manner provided by Section 54956 of the Government Code. The order calling the special meeting shall specify the time and place of the meeting and the business to be conducted and no other business shall be conducted at that meeting. The special meeting may be called for any day prior to the date established for the next regular meeting of the Commission. A minimum 24 -hour notice is required for a Special Meeting.

# 4

**LASSEN LOCAL AGENCY FORMATION COMMISSION**  
Lassen County Fairgrounds Susanville, CA 96130

**SPECIAL MEETING**  
August 10, 2020 - 3:00 p.m.

Meeting was called to order at 3:05 p.m. by Chair Pro-Tem (Commissioner) Teeter.

Staff Present: John Benoit, Executive Officer, Officer and Ruth McElrath, Clerk

Commissioners Schuster, Hemphill and Stafford approve Commissioner Teeter to act as Chair pro tem in absence of Chair Eid and Vice Chair Gallagher.

**Approval of Agenda**

Motion by Commissioner Stafford, second by Commissioner Schuster to approve the agenda as submitted. Motion carried. Ayes: Stafford, Schuster, Hemphill and Teeter. Absent: Eid and Gallagher.

**Election of Chair and Vice Chair for FY 2020-2021** Matter tabled and to be reconsidered when current chair and vice chair are in attendance.

**Correspondence:** None

**Approval of Minutes:** Item tabled

**Public Comment:** None

**CONTINUED PUBLIC HEARING: Fire District Service Review (MSR) and Sphere of Influence (SOI)**

Mr. Benoit explained the item was continued from the previous meeting since the last meeting, the Lassen County District Attorney issued a report regarding the Standish Litchfield Fire Protection District and wanted the item daylighted so other agencies can see what could happen.

Mr. Benoit continued that he wasn't going to act as a judge on the report and LAFCo doesn't monitor the day-to-day operations of any district. It does, however, look at things like compliance with the Brown Act and Public Records Act, but it does not handle personnel matters.

The report could provide some teeth if the fire district wanted an annexation, because then LAFCo could respond that it couldn't happen until the district gets in order.

Citing the District Attorney's recommendation that the Standish Litchfield Fire Protection District be dissolved, Mr. Benoit explained there are several things that have to happen including a public hearing, and an environmental analysis and the City and County would be paying the costs which would be upward of \$50,000.

Consolidations can work, but both districts' board of directors must agree and pass substantially similar resolutions. A lot of districts, however, don't want to consolidate because a district that is working well may not want to take on a district that is not.

Mr. Benoit stated there are a lot of implications of not being in a fire district such as insurance rates and not being able to divide land. He added that when people call to complain about a board member, he advises them those people are elected and they can elect new members.

He detailed the process of changing an organization, which can be initiated by LAFCo, an effected local agency or a petition of landowners, or registered voters, but it must be determined there is a successor agency.

Commissioner Teeter also commented that each of the special districts have an elected board and that is the final say in how those districts are run. If people are unhappy with the way the district is running, the first and most American recourse is the ballot.

He continued explaining that the largest problems for special fire districts is the amount of revenue that they have doesn't allow them to operate in a professional manner and prohibits them from having a web site or pay for audits.

Public Hearing opened at 3:33 p.m.

Chris Cole, public member, stated the matter is an ongoing criminal investigation and asked the board to keep an eye on the situation.

Commissioner Teeter responded that with the issue being an ongoing criminal matter it is therefore the jurisdiction of the district attorney. He continued that the Board of Supervisors plan to take up the matter, but explained that in dealing with elected bodies, the Supervisors have a limited scope of responsibility and power.

Paul Smith, public member, commented that the board members were appointed and never went through an election process.

Sandy Raffelson, of the Herlong Public Utility District, shared that the California Special Districts Management Authority offers members free ethics and sexual harassment training. She continued that when a board member leaves, the board has a choice to appoint, but that individual must run in the next election. Being part of two special districts, Standish and Herlong, Ms. Raffelson offered her assistance with getting any training done.

Public Hearing continued at 3:43 p.m. to the next LAFCo meeting.

#### **Continue Public Hearing. Policy, Standards and Procedures Update**

Mr. Benoit stated that at the last meeting the Commission went through the policies and procedures and he provided a draft Resolution.

Public Hearing opened at 3:44 p.m.

Public Hearing closed at 3:44 p.m.

Motion by Commissioner Hemphill, second by Commissioner Stafford to adopt Resolution 2020-0003. Motion carries. Ayes: Hemphill, Stafford, Schuster and Teeter. Absent: Eid and Gallagher.

**Authorize payment of claims:**

Motion by Commissioner Hemphill, Second by Commissioner Stafford to authorize payment of claims for June 2020 and July 2020.

**Biennial Conflict of Interest Code Review**

Mr. Benoit explained the Conflict of Interest code needs to be updated every two years, if necessary. The code was last adopted in 2018 and his recommendation is to authorize him to sign the notice that no changes are necessary and send it to the Clerk of the Board.

Motion by Commissioner Hemphill, second by Commissioner Stafford for executive officer to sign the 2020 biennial notice and send it to the clerk of the board. Motion carries: Ayes: Hemphill, Stafford, Schuster and Teeter. Absent: Eid and Gallagher.

**Letters of Opposition to SB 414**

Mr. Benoit summarized Senate Bill 414 and stated that it would create another water district and force LAFCo to be involved, but not have any authority. He explained everything would be turned over to the State and that it circumvents LAFCo and will cost the cities, counties and districts that pay for LAFCo a lot of money in the future.

Motion by Commissioner Stafford, second by Commissioner Schuster to approve signing the letter opposing Senate Bill 414. Motion carries. Ayes: Stafford, Schuster, Hemphill and Teeter.

**Election for the 2020-021 Calafco Board of Directors**

- A. Consider a nomination for a Public Member and a City Member from Lassen LAFCo to represent Calafco Northern District. Mr. Benoit explained Tom Cooley, is a City member on the Plumas County LAFCo and is interested representing the Calafco Northern District.
  
- B. Authorize the Chair to vote for Northern District representatives on behalf of Lassen LAFCo. Motion by Commissioner Hemphill, second by Commissioner Schuster to Authorize chair Eid to vote on behalf of the Northern District representatives on behalf of Lassen LAFCo.

**Executive Officer's Monthly Report** Mr. Benoit reported he is working on the service reviews and Sphere of Influences for Leavitt Lake, Stones Bengard and Spalding Community Services Districts.

**Commissioner Reports:** None

Motion by Kevin Stafford, second by Jeff Hemphill to adjourn at Meeting adjourned at 4:49 p.m.

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David Teeter, Commissioner

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Approved , Ruth McElrath, Clerk

**LASSEN COUNTY LOCAL AGENCY FORMATION COMMISSION**  
66 N. Lassen St. Susanville, CA 96130

**SPECIAL MEETING**  
October 19, 2020 - 3:00 p.m.

Meeting was called to order at 3:00 p.m. by Chair Eid.

Staff Present: John Benoit, Executive Officer, Officer and Ruth McElrath, Building Permit Technician.

Roll Call: Commissioner Stafford, Commissioner Hemphill, Commissioner Gallagher and Chair Eid. Absent: Schuster.

**Approval of Agenda**

Motion by Commissioner Gallagher, motion by Commissioner Stafford to approve agenda. Motion carries: Gallagher, Stafford, Hemphill and Eid.

Mr. Benoit requests the regular scheduled December 14 meeting be rescheduled to December 7, 2020. Commission approves meeting change.

**Election of Chair and Vice Chair for FY 2020-2021**

Matter by Commissioner Hemphill, second by Commissioner Stafford to appoint Eid as Chair. Motion carries, Hemphill, Stafford, Gallagher and Eid. Absent: Schuster.

Motion by Commissioner Stafford, second by Commissioner Hemphill to appoint Commissioner Schuster as Vice Chair. Motion carries. Ayes: Stafford, Hemphill, Gallagher and Eid. Absent: Schuster.

**Consider appointment of Mandy Smith as a LAFCo Public Member alternate for a 4-year term ending May 2024**

Mr. Benoit explained the former public alternate member resigned about two years ago. To vote for a public alternate, there needs to be at least one or two votes by the City members and one or two County votes. The public member cannot vote.

Mr. Benoit highlighted Ms. Smith's experience, which includes a business background and a lot of experience working with nonprofit organizations. He added that the candidate cannot be a governmental employee or work for a district for this position.

Commissioner Stafford asked Ms. Smith why she wants to be on the board.

Ms. Smith responded that she thought it will be a tremendous opportunity to help the community. There are a lot of boards and entities in the area, but she has a passion for agriculture.

Commissioner Stafford asked Ms. Smith what she could bring to the City.

Ms. Smith responded she has experience with business law contract background, but she is here to serve and hopes to contribute any way she can.

Commissioner Gallagher asked if she had served on any boards.



Ms. Smith responded no and said she has primarily worked with nonprofits.

Commissioner Hemphill asked what her relationship was with the Standish-Litchfield Fire Protection District.

Ms. Smith responded she was the secretary to the board, but she is no longer with them anymore. She was in the position from May 2019 to August 2020 and the Grand Jury report referred to matters that occurred prior to her working there.

Chair Eid said that while he couldn't ask questions, he wanted to comment that LAFCo's primary purpose is to preserve prime agriculture land and mitigate urban sprawl.

A member from the public asked how long ago the vacancy was published.

Mr. Benoit responded that it was flown three years ago. He further explained that Chair Eid's position will also be coming up and they will need to advertise in March or April.

Commissioner Gallagher stated that the position should be flown again.

Mr. Benoit said he will re-fly the position along with the public member position.

**Correspondence:** Mr. Benoit stated that Calafco was holding its elections and chair Eid was authorized to vote.

Chair Eid said he consulted with Mr. Benoit prior to casting a vote on behalf of Lassen LAFCo and made votes in favor of both incumbents.

**Approval of the February 10, 2020 and August 10, 2020 LAFCo minutes.**  
Item tabled.

**Public Comment:** None

**Municipal Service Review and Sphere of Influence Update for the Leavitt Lake Community Services District**

Mr. Benoit explained he did a sphere update for the district and found no issues and for a small district they are doing a lot.

Commissioner Gallagher questioned the \$30,000 the district paid in taxes.

Mr. Benoit responded that the district may own property outside of the sphere of influence.

**Authorize payment of claims for August 2020 and September 2020**

Motion by Commissioner Gallagher, second by Commissioner Hemphill to authorize the payment of claims for August 2020 and September 2020. Motion carries: Ayes: Gallagher, Hemphill, Stafford and Eid. Absent: Schuster.

**Consolidation of Districts vs. Establishment of a Joint Powers Authority (JPA)**

Mr. Benoit explained there was a JPA venture in Calaveras County, but the difference between Calaveras and Lassen Counties is that there are a lot of paid firefighters, larger resources and bigger budgets in Calaveras County. In addition, the County gives 172 money, which Lassen does not, as well as a quarter of the TOT tax.

He explained he could see a JPA helping in Lassen County by helping the small districts do bylaws and set policies. However, the problem is lack of money.

He added the JJPA is a tool, but not to get out of an audit or an election, but there might be cost savings.

**LAFCo 101**

The Commission tabled the agenda item.

**Executive Officer's Monthly report:**

Mr. Benoit started his report by providing an update about SB 414, which failed, but they will be watching for it next year. The Commission had sent letters against it.

He continued his report by stating that he will be bringing up the Stones Bengard and Spalding CSD MSR in the spring.

Mr. Benoit stated that he is not proposing raising LAFCo fees, but the Commission hasn't seen the fee schedule since 2002. There are a lot of other matters such as record retention policy that need to be reviewed.

There was general discussion regarding holding Zoom meetings and Commissioners commented they prefer in person meetings.

**Commissioner reports:** None

Motion by Commissioner Hemphill to adjourn at 3:44 p.m.

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Todd Eid, Chair

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Approved \_\_\_\_\_  
Ruth McElrath, Secretary

#6

**Resolution 2020-0004 of the**

**Lassen Local Agency Formation Commission**

**Lassen County, California**

*Approving a Municipal Service Review of Services Provided by and within the Leavitt Lake Community Services District and Adopting Written Determinations Thereon*

WHEREAS, California Government Code Section 56425 requires a Local Agency Formation Commission (“LAFCO”) to adopt and periodically review Sphere of Influence Plans for all agencies in its jurisdiction; and,

WHEREAS, California Government Code Section 56430 requires that a LAFCO conduct a review of the municipal services provided by and within an agency prior to updating or adopting its Sphere of Influence Plan; and,

WHEREAS, the Sphere of Influence Plan is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO; and,

WHEREAS, on June 14, 2004, the Commission adopted its Work Plan and included a schedule for completion of Municipal Service Reviews (MSRs) and Spheres of Influence; and

WHEREAS, the Commission adopted Resolution 2007-07 on July 9, 2007 establishing revised guidelines for conducting MSRs which applies to this MSR for services provided by the Leavitt Lake Community Services District; and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission for the services provided by the Leavitt Lake Community Services District, including approval of the report and adoption of the written determinations contained therein; and,

WHEREAS, the Commission hereby determines that the final draft of the Municipal Service Review for domestic water, parks, and wastewater services provided by the Leavitt Lake Community Services District and written determinations contained therein will provide information for updating the sphere of influence for the District, and is otherwise consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities; and,

WHEREAS, in making this determination, the Commission has considered the documentation on file in this matter; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Lassen Local Agency Formation Commission hereby resolves, orders and determines the following:

- 1) The Municipal Service Review of Services provided by the Leavitt Lake Community Services District, attached hereto as Exhibit A, is approved and the written determinations presented in the Municipal Service Review report are hereby adopted.
- 2) LAFCO staff is further ordered to proceed as appropriate with update to the Sphere of Influence Plan for the Leavitt Lake Community Services District.
- 3) LAFCO staff is further ordered to forward copies of this resolution containing the adopted Municipal Service Review to the Leavitt Lake Community Services District.
- 4) This Resolution does not change or alter the Sphere of Influence for the District and does not change the District Boundary.

The foregoing resolution was duly passed by the Lassen Local Agency Formation Commission at a regular meeting held on the 7th day of December 2020 by the following roll call vote:

Ayes: -  
Noes: -  
Absentions: -  
Absent: -

Signed and approved by me after its passage this 7th day of December 201920.

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Todd Eid, Chair  
Lassen LAFCO

Attest:

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John Benoit, Executive Officer  
Lassen LOCAL AGENCY FORMATION COMMISSION,

**Resolution No. 2020-0005**

**LASSEN LOCAL AGENCY FORMATION COMMISSION**

*Approving a Sphere of Influence for the Leavitt Lake Community Services District and Adopting Written Determinations Thereon*

**WHEREAS**, Government Code Section 56425 requires each Local Agency Formation Commission to establish, periodically review and update a sphere of influence for each local governmental agency within its jurisdiction; and

**WHEREAS**, the Lassen Local Agency Formation Commission, in compliance with the aforementioned requirement, is providing a “plan for the probable physical boundaries and service area” for the Leavitt Lake Community Services District; and

**WHEREAS**, the Commission has set the initial hearing date of December 7, 2020 for the establishment of the sphere of influence for the Leavitt Lake Community Services District and has noticed this hearing at the time and place and as otherwise prescribed by Government Code Section 56427, *et seq.*; and

**WHEREAS**, the Commission has heard and adopted a Municipal Services Review of services provided by the Leavitt Lake Community Services District in accordance with Gov. Code section 56430; and

**WHEREAS**, the Commission has reviewed and considered the proposed Sphere of Influence report and the proposed Sphere of Influence Map which are attached hereto and incorporated herein; and

**WHEREAS**, Lassen LAFCO has prepared a notice of exemption pursuant to the requirements of the California Environmental Quality Act since the Sphere of Influence will not contain additional territory beyond the district’s existing Sphere of Influence (Section 21000 *et seq* of the Public Resources Code); and

**WHEREAS**, the Commission has considered those factors determined by it to be relevant to the proposed sphere of influence, including, but not limited to, those factors specified in Government Code Section 56425, *et seq.*, and has heard from interested parties and considered requests for amendment and/or revision of the proposed sphere boundary, if any;

**NOW, THEREFORE, BE IT RESOLVED** that the Lassen Local Agency Formation Commission does hereby find and determine as follows:

1. That the proposed sphere of influence with respect to Leavitt Lake Community Services District complies with the provisions of Government Code Section 56000, *et seq.*
2. That the Commission has considered comments that have been received regarding the establishment of this Sphere of Influence.
3. That, pursuant to Government Code Section 56425, the Commission makes and adopts those determinations set forth in the Sphere of Influence Study are attached hereto and incorporated herein.

4. The Commission has reviewed and considered a Notice of Exemption pursuant to the Environmental Quality Act prepared for the establishment of this Sphere of Influence and makes a specific finding that there is no substantial evidence in light of the whole record before Lassen Local Agency Formation Commission that this Sphere establishment for the Leavitt Lake Community Services District may have a significant adverse effect on the environment and that no unusual circumstances exist.
5. Pursuant to Government Code Section 56425 (i) the Leavitt Lake Community Services District is authorized to provide Domestic Water, Park, and Wastewater Services within the territory set forth in Attachment "A". Other services a Community Services District may provide as stated in Sections 61100-61107 of the Government Code shall require LAFCO approval as a new and different service.
6. That the Sphere of Influence Report including a Sphere of Influence Map for the Leavitt Lake Community Services District's Sphere of Influence is hereby adopted and approved as set forth in Attachment "A".
7. This Resolution does not change the District Boundary.

**PASSED AND ADOPTED** at a regular meeting of the Lassen Local Agency Formation Commission of the County of Lassen, State of California, on the 7<sup>th</sup> day of December 2020, by the following vote:

**AYES:** -

**NOES:** -

**ABSENT:** -

**ABSTAIN:** -

\_\_\_\_\_  
Todd Eid, Chair  
Lassen Local Agency Formation Commission

**Attest:**

\_\_\_\_\_  
John Benoit, LAFCO Executive Officer  
Lassen LAFCO

**NOTICE OF EXEMPTION**

**TO:** County Clerk  
County of Lassen  
Susanville, CA

**FROM:** Lassen LAFCO  
P.O. Box 2694  
Granite Bay, CA 95746

**PROJECT TITLE:** Sphere of Influence Update: *Leavitt Lake CSD*

**PROJECT LOCATION:** Lassen County

**DESCRIPTION OF PROJECT:**

The proposed project involves the determination of a Sphere of Influence for the *Leavitt Lake CSD* which does not contemplate additional territory to be added to the district.

**NAME OF PUBLIC AGENCY APPROVING PROJECT:**

Lassen Local Agency Formation Commission

**NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT:**

Lassen Local Agency Formation Commission

**EXEMPT STATUS:**

Class 20 Categorical Exemption, "Changes in Organization of Local Agencies," CEQA Guidelines Section 15320, Changes in Organization of Local Agencies and 15061b (3) General Rule Exemption.

**REASONS WHY THIS PROJECT IS EXEMPT:**

This action is Exempt from the California Environmental Quality Act pursuant to Section 15320 of the CEQA Guidelines (Class 20) as the Sphere of Influence would not result in any change in services being provided and 15061 b (3) whereby this activity is covered by the general rule that CEQA applies only to project which have the potential for causing a significant effect on the environment. Since this Sphere of Influence is only affirming the existing functions within the existing service area, there is no possibility that this activity may have a significant effect on the environment since the service is already provided and no conditions have changed nor could be changed.

**CONTACT PERSON:**  
John Benoit  
LAFCO Executive Officer

**TELEPHONE NUMBER:**  
(530) 257-0720

By: \_\_\_\_\_

Date: December 7, 2020

#7

**Resolution 2020-0006 of the**

**Lassen Local Agency Formation Commission**

*Approving a Municipal Service Review for Fire and Emergency Medical Services Provided by the following service providers: Big Valley Fire Protection District, Clear Creek Community Services District, Doyle Fire Protection District, Herlong Public Utility District, Janesville Fire Protection District, Lake Forest Estates Fire Protection District, Little Valley Community Services District, Madeline Fire Protection District, Milford Fire Protection District, Spalding Community Services District, Standish-Litchfield Fire Protection District, Stones-Bengard Community Services District, Susan River Fire Protection District, City of Susanville Fire Department, Westwood Community Services District and the Hallelujah Junction Fire Protection District and Adopting Written Determinations Thereon*

WHEREAS, California Government Code Section 56425 requires a Local Agency Formation Commission ("LAFCO") to adopt and periodically review Sphere of Influence Plans for all agencies in its jurisdiction; and,

WHEREAS, California Government Code Section 56430 requires that a LAFCO conduct a review of the municipal services provided by and within an agency prior to updating and adopting its Sphere of Influence Plan; and,

WHEREAS, the Sphere of Influence Plan is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO; and,

WHEREAS, on June 14, 2004, the Commission adopted its Work Plan and included a schedule for completion of Municipal Service Reviews (MSRs) and Spheres of Influence; and

WHEREAS, the Commission adopted Resolution 2003-07 on September 15, 2003 establishing guidelines for conducting MSRs and adopted Resolution 2020-0003 revising its policies on August 10, 2020 both of which apply to this MSR for fire and emergency medical services (EMS) provided in the communities of Doyle, Big Valley, Clear Creek, Bieber, Hallelujah Junction, Janesville, Little Valley, Madeline, Milford, Spalding, Stones-Bengard, Standish-Litchfield, Susanville, Herlong and Westwood; and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission for fire and EMS services provided in the communities of Doyle, Big Valley, Clear Creek, Bieber, Hallelujah Junction, Janesville, Little Valley, Madeline, Milford, Spalding, Stones-Bengard, Standish-Litchfield, Susanville, Herlong and Westwood, including approval of the report and adoption of the written determinations contained therein; and,

WHEREAS, the Commission hereby determines that the final draft of the Municipal Service Review for fire and EMS services provided in the communities of Doyle, Big Valley, Clear Creek, Bieber, Hallelujah Junction, Janesville, Little Valley, Madeline, Milford, Spalding, Stones-Bengard, Standish-Litchfield, Susanville, Herlong and Westwood and written determinations contained therein will provide information for updating the sphere of influence for the District, and is otherwise consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities; and,

WHEREAS, in making this determination, the Commission has considered the documentation on file in this matter; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;



NOW, THEREFORE, the Lassen Local Agency Formation Commission hereby resolves, orders and determines the following:

- 1) The Municipal Service Review of fire and EMS services provided in the communities of Doyle, Big Valley, Clear Creek, Bieber, Hallelujah Junction, Janesville, Little Valley, Madeline, Milford, Spalding, Stones-Bengard, Standish-Litchfield, Susanville, Herlong and Westwood, attached hereto as Exhibit A, is approved and the written determinations presented in the Municipal Service Review report are hereby adopted.
- 2) LAFCO staff is further ordered to proceed as appropriate with update to the Sphere of Influence Plan for Fire and EMS providers, which serve the communities of Doyle, Big Valley, Clear Creek, Bieber, Hallelujah Junction, Janesville, Little Valley, Madeline, Milford, Spalding, Stones-Bengard, Standish-Litchfield, Susanville, Herlong and Westwood.
- 3) LAFCO staff is further ordered to forward copies of this resolution containing the adopted Municipal Service Review for the Big Valley Fire Protection District, Clear Creek Community Services District, Doyle Fire Protection District, Herlong Public Utility District, Janesville Fire Protection District, Lake Forest Estates Fire Protection District, Little Valley Community Services District, Madeline Fire Protection District, Milford Fire Protection District, Spalding Community Services District, Standish-Litchfield Fire Protection District, Stones-Bengard Community Services District, Susan River Fire Protection District, City of Susanville Fire Department, Westwood Community Services District and the Hallelujah Junction Fire Protection District. The foregoing resolution was duly passed by the Local Agency Formation Commission of Lassen County at a regular meeting held on December 7, 2020 by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this 7<sup>th</sup> day of December, 2020.

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Todd Eid, Chair  
Lassen LAFCO

Attest:

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John Benoit, Executive Officer  
LOCAL AGENCY FORMATION COMMISSION,  
Lassen County

**Resolution No. 2020-0007**

**LASSEN LOCAL AGENCY FORMATION COMMISSION**

A Resolution Making Determinations and Approving a Fire and EMS services Sphere of Influence Update for the Big Valley Fire Protection District, Clear Creek Community Services District, Doyle Fire Protection District, Herlong Public Utility District, Janesville Fire Protection District, Lake Forest Estates Fire Protection District, Little Valley Community Services District, Madeline Fire Protection District, Milford Fire Protection District, Spalding Community Services District, Standish-Litchfield Fire Protection District, Stones-Bengard Community Services District, Susan River Fire Protection District, City of Susanville Fire Department, Westwood Community Services District and the Hallelujah Junction Fire Protection District

**WHEREAS**, Government Code Section 56425 requires each Local Agency Formation Commission to adopt and periodically review and update a Sphere of Influence for each local governmental agency within its jurisdiction; and

**WHEREAS**, the Lassen Local Agency Formation Commission, in compliance with the aforementioned requirement, is providing a “plan for the probable physical boundaries and service area” for fire and emergency medical services provided by the Big Valley Fire Protection District, Clear Creek Community Services District, Doyle Fire Protection District, Herlong Public Utility District, Janesville Fire Protection District, Lake Forest Estates Fire Protection District, Little Valley Community Services District, Madeline Fire Protection District, Milford Fire Protection District, Spalding Community Services District, Standish-Litchfield Fire Protection District, Stones-Bengard Community Services District, Susan River Fire Protection District, City of Susanville Fire Department, Westwood Community Services District and the Hallelujah Junction Fire Protection District; and

**WHEREAS**, the Commission has set the hearing date of December 7, 2020 for the update for fire and emergency medical services provided by the Big Valley Fire Protection District, Clear Creek Community Services District, Doyle Fire Protection District, Herlong Public Utility District, Janesville Fire Protection District, Lake Forest Estates Fire Protection District, Little Valley Community Services District, Madeline Fire Protection District, Milford Fire Protection District, Spalding Community Services District, Standish-Litchfield Fire Protection District, Stones-Bengard Community Services District, Susan River Fire Protection District, City of Susanville Fire Department, Westwood Community Services District and the Hallelujah Junction Fire Protection District and has noticed this hearing at the times and as otherwise prescribed by Government Code Section 56150, et seq.; and

**WHEREAS**, the Commission has heard and adopted a Municipal Services Review of fire and emergency medical services provided by the Big Valley Fire Protection District, Clear Creek Community Services District, Doyle Fire Protection District, Herlong Public Utility District, Janesville Fire Protection District, Lake Forest Estates Fire Protection District, Little Valley Community Services District, Madeline Fire Protection District, Milford Fire Protection District, Spalding Community Services District, Standish-Litchfield Fire Protection District, Stones-Bengard Community Services District, Susan River Fire Protection District, City of Susanville Fire Department, Westwood Community Services District and the Hallelujah Junction Fire Protection District and adopted Resolution 2020-0006 on December 7, 2020 in accordance with Gov. Code section 56430; and

**WHEREAS**, the Commission has reviewed and considered the proposed Sphere of Influence update report including the Sphere of Influence Update Maps which are attached hereto and incorporated herein; and

**WHEREAS**, Lassen LAFCO has prepared and published a Notice of Exemption pursuant to the requirements of the California Environmental Quality Act since the Sphere of Influence Update will not contain additional territory (Section 21000 et seq. of the Public Resources Code); and

**WHEREAS**, the Commission has considered those factors determined by it to be relevant to the proposed Sphere of Influence Update, including, but not limited to, those factors specified in Government Code Section 56425, et seq., and has heard from interested parties and considered requests for amendment and/or revision of the proposed updated sphere boundary, if any;

**NOW, THEREFORE, BE IT RESOLVED** that the Local Agency Formation Commission of the County of Lassen does hereby find and determine as follows:

1. That the proposed Sphere of Influence update with respect to for fire and emergency medical services provided by the Big Valley Fire Protection District, Clear Creek Community Services District, Doyle Fire Protection District, Herlong Public Utility District, Janesville Fire Protection District, Lake Forest Estates Fire Protection District, Little Valley Community Services District, Madeline Fire Protection District, Milford Fire Protection District, Spalding Community Services District, Standish-Litchfield Fire Protection District, Stones-Bengard Community Services District, Susan River Fire Protection District, City of Susanville Fire Department, Westwood Community Services District and the Hallelujah Junction Fire Protection District complies with the provisions of Government Code Section 56000, et seq.
2. That no significant objections have been received regarding the establishment of this Sphere of Influence Update.
3. That, pursuant to Government Code Section 56425, the Commission makes and adopts those determinations set forth in the Sphere of Influence Update Study are attached hereto and incorporated herein as set forth in Attachment "A".
4. The Commission has reviewed and considered a Notice of Exemption prepared for this Sphere of Influence Update and makes a specific finding that there is no substantial evidence in light of the whole record before Lassen Local Agency Formation Commission that this Sphere of Influence Update for fire and emergency medical services provided by the Big Valley Fire Protection District, Clear Creek Community Services District, Doyle Fire Protection District, Herlong Public Utility District, Janesville Fire Protection District, Lake Forest Estates Fire Protection District, Little Valley Community Services District, Madeline Fire Protection District, Milford Fire Protection District, Spalding Community Services District, Standish-Litchfield Fire Protection District, Stones-Bengard Community Services District, Susan River Fire Protection District, City of Susanville Fire Department, Westwood Community Services District and the Hallelujah Junction Fire Protection District may have a significant adverse effect on the environment.

**PASSED AND ADOPTED** at a regular meeting of the Local Agency Formation Commission of the County of Lassen, State of California, on the 7th day of December 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Todd Eid, Chair  
Lassen Local Agency Formation Commission

**Attest:**

\_\_\_\_\_  
John Benoit, Executive Officer  
Lassen LAFCO

**NOTICE OF EXEMPTION**

**TO:** County Clerk  
County of Lassen  
Susanville, CA

**FROM:** Lassen LAFCo  
P.O. Box 2694  
Granite Bay, CA 95746

**PROJECT TITLE:** Sphere of Influence Updates: Big Valley Fire Protection District, Clear Creek Community Services District, Doyle Fire Protection District, Herlong Public Utility District, Janesville Fire Protection District, Lake Forest Estates Fire Protection District, Little Valley Community Services District, Madeline Fire Protection District, Milford Fire Protection District, Spalding Community Services District, Standish-Litchfield Fire Protection District, Stones-Bengard Community Services District, Susan River Fire Protection District, City of Susanville Fire Department, Westwood Community Services District and the Hallelujah Junction Fire Protection District.

**PROJECT LOCATION:** All of Lassen County

**DESCRIPTION OF PROJECT:**

The proposed project involves the determination of a Sphere of Influence Update for the Big Valley Fire Protection District, Clear Creek Community Services District, Doyle Fire Protection District, Herlong Public Utility District, Janesville Fire Protection District, Lake Forest Estates Fire Protection District, Little Valley Community Services District, Madeline Fire Protection District, Milford Fire Protection District, Spalding Community Services District, Standish-Litchfield Fire Protection District, Stones-Bengard Community Services District, Susan River Fire Protection District, City of Susanville Fire Department, Westwood Community Services District and the Hallelujah Junction Fire Protection District

**NAME OF PUBLIC AGENCY APPROVING PROJECT:**

Lassen Local Agency Formation Commission

**NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT:**

Lassen Local Agency Formation Commission

**EXEMPT STATUS:**

Class 20 Categorical Exemption, "Changes in Organization of Local Agencies," CEQA Guidelines Section 15320 and 15061b (3) General Rule Exemption.

**REASONS WHY THIS PROJECT IS EXEMPT:**

This action is Exempt from the California Environmental Quality Act pursuant to Section 15320 of the CEQA Guidelines (Class 20) as the Sphere of Influence Update would not result in any change in services since the these districts already serve respective Sphere of Influence territory and 15061 b(3) whereby this activity is covered by the general rule that CEQA applies only to project which have the potential for causing a significant effect on the environment. Since this Sphere of Influence Update is only placing an existing function (fire and EMS) into a Sphere of Influence, there is no possibility that this activity may have a significant effect on the environment since the services are already provided and no conditions have changed nor could have changed since the establishment of the previous Spheres of Influence and no unusual circumstances exist regarding this Sphere of Influence update.

**CONTACT PERSON:**  
John Benoit  
LAFCO Executive Officer

**TELEPHONE NUMBER:**  
(530) 257-0720

By: \_\_\_\_\_

**Date:** December 7, 2020

# Lassen Local Agency Formation Commission

# 8

## CLAIMS

October 2020 and November 2020

Authorize payment of the following claims:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
FY 2020-2021 Expenses:		
Dec 1, 2020	October 2020 Staff Services	\$ 4,056.33
Dec 1, 2020	October 2020 Staff Services	\$ 3,959.00
	<b>TOTAL:</b>	<b>\$ 8,015.33</b>

**DATED:** December 7, 2020

**APPROVED:** December 7, 2020

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**Todd Eid, Chair or Mendy Schuster, Vice-Chair**  
**Lassen Local Agency Formation Commission**

Attest:

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**John Benoit**  
**Executive Officer**

Travel	Training	MSR's	SQI	Mapping	Tech SVCS	File Scan	Fin Svcs	Clerk-City	TOTAL BUDGET	Total Budget	Contingency
4580	4580	4342	4330	4340	4340	4340	4333	4334			4451
\$ 1,500.00	\$ 500.00	\$ 14,000.00	\$ 4,000.00	\$ 2,000.00	\$ -	\$ 5,000.00	\$ 1,722.30	\$ 1,500.00	\$ 71,345.30	\$ 69,548.30	\$ 6,954.83
		\$ (2,611.25)								(1,423.00)	
		\$ (1,946.88)								(4,679.39)	
		\$ (1,165.00)								(4,961.88)	
			\$ (877.50)							(4,259.98)	
										(4,056.33)	
										(3,959.00)	

\$ -	\$ -	\$ (7,090.63)	\$ (877.50)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (23,339.58)	
\$ 1,500.00	\$ 500.00	\$ 6,909.37	\$ 3,122.50	\$ 2,000.00	\$ -	\$ 5,000.00	\$ 1,722.30	\$ 1,500.00	\$ 71,345.30	\$ 48,005.72	

  

Agency	Reserve Fund
Project Rev	City/CO Contrib
CARROVER	Interest Revenue
	2020-2021
	from 19-20
	YTD Expens
	Cash Balance
	\$0.00
	\$0.00
	\$21,541.38
	-\$23,339.58
	-\$1,798.20



2020-2021 Expenditures

Lassen LAFCO

Item	Insurance 4521	Office Expens 4610	copies	Communication 4530	Postage 4641	Memberships 4830	Legal Svcs 4310	Ex. OFF. Svcs 4331	Brown Act 4332	Publications 4540
<b>Total Budgeted</b>	\$ 1,000.00	\$ 250.00	\$ 750.00	\$ 1,000.00	\$ 300.00	\$ 1,423.00	\$ 2,500.00	\$ 30,000.00	\$ 3,500.00	\$ 400.00
Calafco Dues 2019-2020						\$ (1,423.00)				
Staff Svcs July 2020			\$ (15.00)	\$ (68.14)				\$ (2,000.00)		
Staff Svcs August 2020			\$ (15.00)	\$ (79.98)				\$ (2,500.00)	\$ (500.00)	
Staff Svcs September 2020			\$ (97.89)	\$ (73.14)	\$ (7.80)			\$ (3,000.00)		
Staff Svcs October 2020			\$ (15.00)	\$ (76.50)				\$ (2,500.00)	\$ (500.00)	
Staff Svcs November 2020								\$ (2,500.00)		

<b>TOTAL EXPENDED</b>	\$ -	\$ -	\$ (142.89)	\$ (297.76)	\$ (7.80)	\$ (1,423.00)	\$ -	\$ (12,500.00)	\$ (1,000.00)	\$ -
<b>TOTAL REMAINING</b>	\$ 1,000.00	\$ 250.00	\$ 607.11	\$ 702.24	\$ 292.20	\$ -	\$ 2,500.00	\$ 17,500.00	\$ 2,500.00	\$ 400.00

**INVOICE October 2020**

John Benoit

Invoice number: **2020-0090**

Invoice date: 1-Dec-20

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	Hours		Start / End Date	Amount
John Benoit	47.50	Staff Svcs	October 1-31, 2020	\$3,877.50
Jennifer Stephenson				\$ -
Dennis Miller				0.00
Christy Leighton				0.00
File Scanning project				
Cheryl Kolb				
MSR and SOI				
	47.50			
Total activity cost:				\$3,877.50

Materials / Other Expenses	Reason / Vendor	Amount
Reproduction Costs	Print and copy packets	\$97.89
Postage	Post Oct packets	\$7.80
Phone & Communications	Comm October 2020	\$ 73.14
Office Supplies		
Travel Exp.		
Web Domain		
Clerk	misc admin svcs	
Total materials cost:		\$178.83
<b>Total billing:</b>		<b>\$ 4,056.33</b>