

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

REGULAR MEETING  
Monday, October 18, 2021 – 3 p.m.

Meeting called to order at 3:04 p.m.

Members present: Mendy Schuster, Jeff Hemphill, Kevin Stafford, Chris Gallagher, and Todd Eid. Absent: None.

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

**Approval of Agenda** Motion by Commissioner Gallagher, second by Commissioner Hemphill to approve the agenda as submitted. Motion carries: Gallagher, Hemphill, Stafford, Schuster, and Eid.

**Correspondence:** None

**Approval of June 7, 2021, and August 9, 2021 minutes** Motion by Commissioner Gallagher, second by Commissioner Hemphill to approve the June 7, 2021, meeting minutes. Motion carries: Ayes: Gallagher, Hemphill, Schuster, Stafford, and Eid. Abstain: Gallagher.

Motion by Commissioner Schuster, second by Commissioner Stafford to approve the August 9, 2021, meeting minutes. Motion carries: Ayes: Schuster, Stafford, Hemphill, and Schuster. Abstain: Gallagher.

**Public Comment:** None

**Discussion with Fire Agencies regarding Fire services going forward in Lassen County**

Mr. Benoit explained there are only certain things LAFCo can do. It is the only forum in the County where they can all get together and talk, but unless the districts get to a point where they want to consolidate, have a change in organization, or manage things differently, LAFCo can't do anything with them. It can initiate a consolidation, but it will run into roadblocks, and it's expensive.

There are a tremendous number of fire agencies in the County, with very little consolidations. Mr. Benoit stated it continues to be a statewide problem. Many of the local districts formed in the 40s, and there has been several changes in legislation that require them to do a lot more in administration than the past.

Mr. Benoit reiterated LAFCo can be a forum for the districts, but that is about the extent of what it can do.

Commissioner Gallagher agreed and said Herlong is a great example of how two organizations were interested in coming together. He continued that LAFCo is also good at getting dysfunctional districts back to a functional state.

**Workshop and public hearing regarding the Spalding and Stones-Bengard CSD Service Review and Sphere of Influence update: regarding the Spalding and Stones-Bengard CSD Service Review and Sphere of Influence Update**

Mr. Benoit explained they have been working on the service review for several months. There are now two separated MSR's, one for Spalding and one for Stones-Bengard. The reports were combined, but it was pointed out they are separate districts.

He continued that Spalding requested there should be some discussion of the laws they have to comply with, such as the Brown Act, so he referenced the Special Districts Laws Reference Guide. He also commented on a few more corrections that were made in the report.

Public Hearing opened at 3:20 p.m.

Kay Oring, former president of Stones-Bengard Community Services District, said they were pleased the districts were allowed to remain separate. She also introduced the new Stones-Bengard District Manager, Jack Thomas, who briefly shared about himself.

Motion by Commissioner Gallagher, second by Commissioner Hemphill to approve Resolution 2021-004 adopting a Service Review for the Spalding Community Services District. Motion carries: Ayes: Gallagher, Hemphill, Stafford, Schuster, and Eid.

Motion by Commissioner Gallagher, second by Commissioner Stafford to approve Resolution 2021-005 updating the Sphere of Influence for the Spalding Community Services District. Motion carries: Ayes: Gallagher, Stafford, Hemphill, Schuster, and Eid.

Motion by Commissioner Gallagher second by Commissioner Stafford, to approve Resolution 2021-006, adopting a Service Review for the Stones-Bengard Community Services District. Motion carries: Ayes: Gallagher, Stafford, Hemphill, Schuster, and Eid.

Motion by Commissioner Stafford, second by Commissioner Gallagher to approve Resolution 2021-007 updating the Sphere of Influence for the Stones-Bengard Community Services District. Motion carries: Ayes: Stafford, Gallagher, Hemphill, Schuster, and Eid.

**Authorize payment of claims for August 2021 and September 2021** Motion by Commissioner Hemphill, second by Commissioner Schuster. Motion carries: Ayes: Hemphill, Schuster, Gallagher, Stafford, and Eid.

**LAFCo 201 – the metamorphosis of special districts** – Mr. Benoit explained Calafco issued a technical memorandum, a report for staff and commissioners and is much more advanced.

He continued that throughout the memorandum there is reference to protest hearings. If LAFCo initiates a consolidation, it first needs to do an MSR or a special study. The problem is it can be protested by 10 percent of the voters within the area, which is why these are almost dead-on arrival, because it's easy to get 10 percent of the constituency to oppose something.

The technical memorandum states that Calafco is going to be working with the California Special District's Association to change the protest provisions, because they are onerous and counterproductive.

**Executive Officer's Monthly Report**

Mr. Benoit explained Assembly Bill 361 took effect immediately and requires special districts to pass a resolution within 30 days of holding a virtual meeting. There's two ways to get around the Brown Act with an executive order or with AB 361, which does have a sunset date.

LAFCo has had several virtual meetings but would only continue to do so if the City has some restrictions on the use of council chambers due to a COVID emergency, stated Mr. Benoit. He also added clarification that the resolution can be approved during the meeting, so the Commission doesn't have to worry about passing a resolution, and then having a meeting, he explained.

Mr. Benoit continued his report and said he has been working on the Lassen Municipal Utility District MSR.

In closing, Ms. Stephenson added the CSDA is doing a membership drive, which is a pay only what you can membership fee. Any special district that has a budget below \$250,000 can decide how much they can provide as a membership fees.

Motion by Commissioner Gallagher, second by Commissioner Stafford to adjourn at 3:44 p.m.

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Todd Eid, Commissioner

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Ruth McElrath, Building Permit Technician

Approved\_\_\_\_\_