**Local Agency Formation Commission of Modoc County**

**Meeting Minutes of February 14, 2017**

**1. Call to Order/Pledge of Allegiance**

Chair Rhoads called the meeting to order at 4:00 p.m., in the City Council Chambers, Alturas City Hall. Commissioners John Dederick, Jim Irvin, Jerry Shea, and Kathie Rhoads, were present. Public Member Alternate Richard Read was also present. Commissioner Allan was absent.

Staff Present: John Benoit, Executive Officer and Kim Hunter, Clerk

Pledge of Allegiance

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

Commissioner Dederick made the motion to approve the agenda; seconded by Commissioner Shea. In favor: Dederick, Irvin, Shea and Rhoads.

**3. Correspondence**

It was noted that this agenda item is a duplicate with item #11.

Three items of correspondence were presented: 1) State Water Resources Control Board regarding the revision on the State’s Basin Plans; 2) Department of Conservation regarding the updates with Important Farmlands Mapping Program; and, 3) Governor’s Office and Planning and Research notification regarding proposed reform of the California Environmental Quality Act (CEQA).

Executive Officer Benoit is aware that Lassen County is in the process of forming a Groundwater Sustainability Agency (GSA) for its portion of the Big Valley Groundwater Basin. He also discussed to issues around the state associated with the 2014 Sustainable Groundwater Management Act associated with GSA formation.

**4. Consider Minutes for December 13, 2016**

Commissioner Shea made the motion to approve the minutes; seconded by Commissioner Dederick. In favor: Dederick, Irvin, Shea and Rhoads.

**5. Public Comment**

No public comment.

**6. Ratify Claims for December 2016 and Authorize Payment of Claims for January 2017**

Commissioner Shea made the motion to approve; seconded by Commissioner Allan. All in favor.

Commissioner Shea made the motion to approve the minutes; seconded by Commissioner Dederick. In favor: Dederick, Irvin, Shea and Rhoads.

**Action Items:**

**7. Discuss and Develop Work Program for fiscal year 2017-2018**

1. *Review MSR-SOI completion sheet from 2017-2018*
2. *Develop Work Program for FY 2017-2018*
3. *Consider undertaking a Service Review and Sphere of Influence update for the Lassen Modoc County Flood Control District in a joint effort with Lassen County*

Executive Officer Benoit discussed the status of Municipal Service Reviews (MSR) and Sphere of Influences (SOI) as represented on the list provided in the meeting packet. Most agencies have been updated and are up to speed with the exception of the Lookout and the Stronghold-Newell Pest Abatement Districts.

One issue that has recently come to attention is for the need to develop a MSR/SOI document and mapping for the Lassen Modoc Flood Control and Water Conservation District (“District”). Governance of the District is provided by a Board made up of the ten combined County Supervisors of Lassen and Modoc Counties. District records had been previously kept by an individual in the Lookout area who had worked on behalf of the District but were seized by Lassen County administration at the end of 2017. The records were then apparently transferred the location of the Lassen County Council Office. Modoc County administration requested District records from Lassen County which have not yet been provided. An MSR/SOI document completed in cooperation with the Lassen LAFCo could provide the needed information for this District.

Commissioner Dederick asked if it’s possible for Modoc County to withdraw from the District entirely. There are funds deposited by Modoc County for the District that could be used for flood control efforts elsewhere in the County including Alturas. Executive Officer Benoit stated that could definitely be an option as the MSR/SOI can explore alternative changes of organization. These options could include the dissolution of the District. It was pointed out that this District was created by special legislation for the Allan Camp Dam, which was never constructed. Discussion continued regarding this District’s budgeting and use of past funds which were contributed by both Counties.

Commissioner Rhoads reported that a line item budget was approved by the District Board for the 2017-18 fiscal year for this District to better track the budget. In addition, bylaws do exist although they may not have historically been adhered to.

Work is currently being done to update the Fire Protection District MSR/SOIs. These Districts provide a very important public safety service and need to be more closely tracked. Work will continue to gradually update each Fire Protection District.

Another item could be the Daphnedale Community Service District that may need to be updated. More on that topic will be discussed under item #10.

In addition to the Lassen Modoc Flood Control District, there are two others: Davis Creek Water Conservation District and the Owl Creek Flood Control District. Executive Officer Benoit stated that he is not aware of any services provided by these Districts but there are records on them. He recommended completed MSR/SOIs for each of them in the upcoming work plan.

It’s important to keep track of MSR/SOI needs but not take on too much that will overextend the budget capacity. Especially the Fire Protection Districts, which are really important to keep updated.

Clerk Hunter asked about where the Southern Cascade Ambulance District would fall on the MSR/SOI list. Executive Officer Benoit explained that that will be the responsibility of the Lassen LAFCo since the majority of the area comprising that district in within Lassen County. She also noted that the Surprise Valley and Central Modoc RCDs on the provided list have now been merged into the Modoc RCD.

Currently there are no pending in-house applications for annexations or other district/municipal boundary or organizational changes.

**8. Update of the Fire and EMS Service Review & Sphere of Influence update**

1. *Progress report and mapping*

Work is progressing on the update of the Modoc County Fire Protection District service review and sphere of influence update, which will be discussed at the April 11, 2017 meeting. Questionnaires have gone out to each of the Districts to update their information.

**9. Authorize staff to attend the Calafco staff workshop in Fresno April 4-7, 2017**

1. *Authorize staff to attend Calafco staff workshop in Fresno*

Executive Officer Benoit is unsure if he will attend the workshop but he wants to have authorization just in case he decides to go so expenses can be shared.

**10. Meeting with State Water Resources Control Board / Division of Drinking Water**

Three legislative bills that have been recently passed for small community water systems that provide drinking water. A small community water system is considered to be a system with 15 or more connections. These bills include SB 88, which can force a LAFCo to consolidate failing water districts that have failing water systems. Staff at the SWRCB has been contacting John so he met with them in Sacramento to further discuss this issue. No failing systems have been currently identified are in Modoc County. However, Daphnedale Community Service District may be a problem in the future. The two other bills include:

SB 552 – Similar to SB 88 but applies to forced consolidations of small community water systems located within Disadvantaged Unincorporated Communities.

SB 1263 – Sets policy for new and unsustainable public water systems which will require SWRCB approval in addition to the local jurisdiction and technical studies. In addition, climate change and sustainability must also be considered for these systems.

Obviously, the matter of water is definitely a hot topic at the state. Failing small water districts will be especially targeted.

**11. Correspondence**

Repeat of Item #3.

**12. Executive Officer’s Monthly Report**

1. *700 Forms due April 1st, 2017*

Executive Officer Benoit provided the Commission with a reminder for the April 1st deadline to submit the Statement of Economic Interest (“700 Form”) to the California State Fair Political Practices Commission. This form is must be completed by state and local officials each year. Although the 700 Forms can now be submitted electronically, hard copy submittal is still the most reliable way to submit for now. Forms can be submitted to the County or City Clerk.

**13. Commissioner Reports - Discussion**

No commissioner reports.

**14. Adjourn to next regular meeting – April 11, 2017**

There being no further business to come before this Commission; Commissioner Dederick made the motion to adjourn the meeting; seconded by Commissioner Shea. All present in favor.

With no further business the meeting adjourned at 4:38 p.m.