

**Local Agency Formation Commission
of Modoc County**

Regular Meeting Agenda

Tuesday– August 11, 2009 – 5:00 p.m.

**City Council Chambers
Alturas City Hall
200 North Street, Alturas, CA 96101**

1. Call to order / Pledge of Allegiance

Commissioners

Marie Neer, Public Member
John Dederick, Chair, City Member
John Schreiber, City Member
Dan Macsay Vice Chair, County Member
David Bradshaw, County Member

LAFCO Staff

John Benoit, Executive Officer
John Kenny, LAFCO Counsel
Stephanie Northrup, Clerk

Alternate Members

Jeff Bullock, County Member Alt.
Cheryl Nelson, City Member Alt.
T.J. Jerry Shea, Public Member Alt.

2. Approval of Agenda (Additions and Deletions)

3. Election of Chair and Vice-Chair for FY 2009-2010

- a) *Election of Chair*
- b) *Election of Vice-Chair*

4. Correspondence

5. Approval of Minutes: June 9, 2009

6. 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 Chair 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.

Action Items:

- 6. Consider request of the Save Our Hospital Committee to modify term and condition #27 of Resolution 2008-0006 approved by LAFCO on November 13, 2008.**
 - a. *Consider request to modify term and condition #27 of Resolution 2008-0006.*

- 7. Commissioner Meeting Stipends – Reconsideration Request**
 - a. *Consider reconsideration of LAFCO Resolution 2009-0003 request from Jerry Shea.*

- 8. Consider Nomination for Calafco Board of Directors**
 - a. *Consider nomination of a Commissioner to run for the Calafco Board of Directors*

- 9. 2009 Calafco Achievement Awards Nominations**
 - a. *Consider nomination for a Calafco Achievement Award.*

- 10. Designate voting member to represent Modoc LAFCO at the Calafco Annual Conference.**

- 11. Authorize Staff and Commissioners to attend the Calafco Annual Conference on October 28th, 29th and 30th.**

- 12. Review and Authorize payment of claims.**

Ratify payment of claims for June 2009 and authorize payment of claims for July 2009.

Discussion Items:

- 15. Executive Officer's Monthly Report – General Discussion**

- 16. Commissioner Reports – Discussion**

17. Closed Session Subject: Employee Performance Evaluation Title: LAFCO Executive Officer

This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters.

NEXT REGULAR MEETING: Tuesday, October 13, 2009 5:00 PM CITY HALL, CITY OF ALTURAS

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 area available for review for public inspection in the Modoc County Planning Department office located at on 203 W. 4th Street, Alturas CA. [such documents are also available on the Modoc LAFCO website (www.modoc.lafco.ca.gov) 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

Any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Modoc LAFCO must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals; they may be reviewed at Government Code §§56700.1 and 81000 *et seq.* Additional information about the requirements pertaining to local initiative measures to be presented to the electorate can 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) 233-9625 or by email at lafco@modoc.lafco.ca.gov Copies of reports to the extent feasible are located on the LAFCO webpage at: **modoc.lafco.ca.gov**