

Modoc Local Agency Formation Commission

Regular Meeting Agenda

Tuesday- December 13, 2011 – 5:00 p.m.

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

1. Call to order / Pledge of Allegiance

Commissioners

David Allan, County Member
John Schreiber, City Member
Marie Neer, Public Member
John Dederick, City Member, Vice Chair
Jeff Bullock, County Member, Chair

LAFCO Staff

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

Alternate Members

T.J. Jerry Shea, Public Member Alt.
Shorty Crabtree, County Member Alt.
Cheryl Nelson, City Member Alt.

2. Approval of Agenda (Additions and Deletions)

3. Correspondence

4. Approval of Minutes: August 9, 2011 and October 11, 2011

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 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.

PUBLIC HEARING:

6. Consideration of a Sphere of Influence Amendment and Annexation for 31.73 acres to the Cedarville County Water District including portions of Assessor Parcel's 033-300-15, 027-080-07 & 04 and 027-120.10 & 14 to receive domestic water services. This project is located to the north of SR 299 and east of Main Street in Cedarville. (LAFCO project 2011-0001).

- a. *Review Executive Officer's Report*
- b. *Consider proposed Resolution 2011-0009 approving a Sphere of Influence Amendment consisting of 31.73 acres into the Cedarville County Water District Sphere of Influence.*
- c. *Consider proposed Resolution 2011-0010 approving an Annexation consisting of 31.73 acres into the Cedarville County Water District.*

7. LAFCo regular meeting schedule for Calendar year 2012

- a. *Adopt regular meeting schedule for 2012*

Action Items:

8. Ratify Claims for October 2011 and Authorize Payment of Claims for November 2011.

- a. *Approve payment of expenses for November 2011 and ratification of the October 2011 expenses.*

9. Executive Officer's Monthly Report

- a. *New Definitions in the Cortese-Knox Act*
- b. *Status of MSR's and Sphere of Influence Studies*

10. 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.

***NEXT REGULAR MEETING: Tuesday February 14, 2012 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 are available for review for public inspection in the Modoc County Planning Department office located at 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**