



County of Tuolumne Local Agency Formation Commission

Quincy Yaley, AICP
Executive Officer

AGENDA

TUOLUMNE COUNTY LAFCO BOARD OF SUPERVISORS CHAMBERS TUOLUMNE COUNTY ADMINISTRATION CENTER

May 11, 2020
4:00 p.m.

A.N. Francisco Building
48 Yaney Avenue
Mailing: 2 S. Green Street
Sonora, CA 95370
209 533-5633
209 533-5616 (fax)

www.tuolumnecounty.ca.gov

IMPORTANT PUBLIC NOTICE: Under the Governor's Executive Order N-25-20, this meeting will allow members of the Local Agency Formation Commission to participate by teleconference. Under Order N-29-20, Accessibility Requirements, if you need swift special assistance during the LAFCO Commission meeting, please call 209-770-5423.

In order to protect public health and the safety of Tuolumne County citizens, the Tuolumne County Local Agency Formation Commission Meeting will be physically closed to the public. Public Comment will be opened and closed individually for each agenda item listed below, excluding Reports. To observe or participate in the May 6, 2020 Planning Commission meeting, follow the instructions below. For detailed Zoom instructions go to the Agenda Packet <https://www.tuolumnecounty.ca.gov/AgendaCenter/Local-Agency-Formation-Commission-7>

- Link to join webinar: <https://us02web.zoom.us/j/96447604264> (Meeting ID: 964-4760-4264)
- During the public comment period you will have the option to "*raise your hand*" if you would like to comment on a project or during the public comment portion of the meeting.

If participating by computer:

- After clicking the "*raise your hand*" option, please wait until a staff member unmutes your microphone.
- Once staff has unmuted your microphone you will be asked to provide comments.
- A staff member will notify to you when you have 30 seconds remaining and again when your time is up.
- Once your allotted time is up, a staff member will mute your microphone and "*lower your hand*".

If participating by smartphone:

- If you are participating from your smartphone, you will also have a "*raise your hand*" feature.
- When you are unmuted a prompt will appear to confirm you would like to be unmuted.
- Once you confirm you will be able to provide public comment. Staff will assist as described above.

If participating by telephone:

- If you are participating via telephone call, you will need to press *9 (star 9) to "*raise your hand*", and when you are unmuted you will hear "*you are unmuted*" allowing you to provide public comment. Staff will assist as described above.

You also may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email (communityresources@tuolumnecounty.ca.gov) for retention as part of the administrative record. Comments will not be read during the meeting. Comments must be received by the

Community Development Department Director no later than 9:00 AM on the morning of the noticed meeting.

COMMISSION BUSINESS:

- A. Salute the Flag.
- B. Minutes of the meeting of July 8, 2019
- C. Election of Chair and Vice Chair
- D. COVID- 19 Public Comment Procedures

PUBLIC COMMENT: 15 Minutes

The public may speak on any item not on the printed agenda. No action may be taken by the Commission.

PUBLIC HEARING:

- 1. Consideration of approving the Proposed Fiscal Year 2020-21 LAFCO Budget for the Tuolumne County Local Agency Formation Commission.
- 2. Consideration of accepting ballot results to add two Special District Members and a Special District Alternate to the LAFCO board and installing new members to the Commission.

ADJOURNMENT

Disclosure of Campaign Contributions – Government Code Section 84308 requires that campaign disclosure reports provide the public with the identity of contributors and the amounts they give, and the amount that officeholders, candidates, and committees spend. 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 12 months, the Commissioner has received \$250.00 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application (such as an attorney, engineer, or planning consultant) representing the applicant or interested party. The law also requires any applicant or participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding. The law also prohibits an applicant from making a contribution of \$250.00, or more to a LAFCO Commissioner while a proceeding is pending or for 3 months afterward.

Disclosure of Expenses Supporting and Opposing Proposals - If a person or group contributes or expends \$1,000.00 or more in support of, or in opposition to, a proposal before LAFCO, those contributions and expenditures must be disclosed. Pursuant to Section 56100.1 of the Government Code, disclosure shall be made to the Commission’s executive officer.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (209) 533-5633. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (28FR35.102-35.104 ADA Title 11).

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COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

April 22, 2020

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EHD)
www.tuolumnecounty.ca.gov

TO: Tuolumne County Local Agency Formation Committee

FROM: Quincy Yaley, AICP Community Development Department Director

RE: Public Hearing Procedures

In light of current COVID 19 Health Orders and the Planning Commission meeting being held via the Zoom Platform, County Counsel has advised that the Planning Commission may modify the public comment procedures for public hearings at the May 6, 2020 meeting.

Due to the modified meeting format and tele-conferencing meeting procedures, the Chair may choose to allow public comment on the project in an alternative fashion, rather than calling for those in favor, those in opposition, those neutral, and then any rebuttals or surrebuttals. The Chair may take public comment on the project in any order in lieu of the calling for those in favor, opposition, neutral, rebuttals, and then surrebuttals.

The Commission may elect to allow the applicant or applicant representative a specific time to speak on the project prior to taking public comments on the item. This opportunity could have a specific time length allotted, such as five or ten minutes.

As a reminder, those who wish to provide information during the public comment are not required to provide their name. County staff will notify the Chair of any individuals who wish to provide testimony and will limit the testimony to the time limit identified by the Chair.

If an item on the agenda is not identified as a “public hearing”, public comment is still required and can be conducted in a similar format to the modified procedures above.

All votes require a roll call with each commissioner to be named by County Staff prior to stating their vote. The Chair shall also identify by name the commissioner who initiated the motion and the name of the commissioner who seconds the motion. After a second is named, the Chair must allow County staff to complete a roll call vote.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the zoom meeting. It is recommended that the Chair pause for 60-90 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 90 seconds has elapsed County staff will notify the Chair that there is no further public comment.

Staff may need to respond to emails or phone calls from members of the public during the meeting to provide assistance to the public if they encounter problems using the Zoom platform. Staff requests that the Chair allow additional time as needed to ensure that members of the public can engage in the meeting.



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

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TO: Local Agency Formation Committee

FROM: Quincy Yaley, AICP Community Development Department Director

RE: Zoom Video and Teleconference for Local Agency Formation Committee Meetings

In response to increasing risks of exposure to the coronavirus (COVID-19), the Tuolumne County Planning Commission meeting will be conducted and participated via Zoom. Video conferencing via Zoom will allow the Commission and County to adhere to social distancing requirements of the Brown Act and provide a way for the public to provide public comment live during the meeting. The Chair of the meeting will set the time length public comment at each item. You are not required to identify yourself in order to provide comments during the meeting.

Below is the Zoom link and Webinar ID needed to participate or observe the meeting:

- Click the link to join the webinar: <https://us02web.zoom.us/j/96447604264>
- Meeting ID: 964-4760-4264
- One tap mobile

+16699006833,,96447604264# US (San Jose)

+12532158782,,96447604264# US (Tacoma)

- Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

The public can view the meeting from their smartphone, on their computer browser, or listen on their telephone. Zoom does not require an account to attend the meeting, but if the public wishes to create one, their basic accounts are free.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the Zoom meeting. The Chair will pause for 60-90 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 90 seconds has elapsed county staff will notify the Chair that there is no public comment.

Members of the public can also choose to watch the meeting and do not have to comment during the meeting. If a member of the public does not want to provide public comment live, they can provide public comment prior to the meeting via email to the Community Development Department Director at communityresources@tuolumnecounty.ca.gov. If you would like your comments to be included in the record, please send comments to the above email address by 4:00 p.m. of the day of the noticed meeting.

If anyone is having technical difficulties with Zoom, they can visit Zoom's support page for helpful tips: <https://support.zoom.us/hc/en-us/categories/201146643>.

Below are step by step instructions on how to join and interact as an attendee via Zoom.

JOINING A WEBINAR BY LINK

- To join the webinar, click the link that we provided above <https://us02web.zoom.us/j/96447604264>
- If you are signed in, change your name if you do not want your default name to appear.
- If you are not signed in, enter a display name.

MANUALLY JOINING A WEBINAR

- Use the 9-digit meeting ID/webinar ID: 964-4760-4264
- Sign in to the Zoom Desktop or Mobile App
- Click or tap **Join a Meeting**
- Enter the 9-digit webinar ID, and click **Join** or tap **Join Meeting**
- If prompted, enter your name and email, then click **Join Webinar** or tap **Join**.
- You may change your name if you do not want your default name to appear, as you are not required to state your name.

WAITING FOR HOST TO START THE WEBINAR

- If the host has not started broadcasting the webinar, you'll receive a message letting you know to "Please wait for the host to start the meeting".

PUBLIC COMMENT

- During the public comment period you will have the option to "raise your hand" if you would like to comment on a proposed project or during the public comment portion of the meeting.
- Once you have clicked the "raise your hand" option, please wait until a staff unmutes your microphone.
- Once staff has unmuted you will have three minutes to speak.
- A staff member will verbally communicate to you and the Commissioners when you have 30 seconds remaining and then when your time is up.

- Once your allotted time is up, a staff member will mute and “lower your hand”.
- If you are participating from your smartphone, you will also have a “raise their hand” feature.
- When you are unmuted a prompt will appear to confirm you would like to be unmuted.
- Once you confirm you will be able to provide public comment.
- If you are participating via telephone call, you will need to press *9 (star 9) to “raise their hand”, and when you are unmuted you will hear “you are unmuted” allowing you to provide public comment.

END OF MEETING

- If you would like to leave the meeting before it ends, click **Leave meeting**. If you leave, you can rejoin if the webinar is still in progress, as long as the host has not locked the webinar.



County of Tuolumne Local Agency Formation Commission

Quincy Yaley, AICP
Executive Officer

April 20, 2020

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Sonora, CA 95370
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www.tuolumnecounty.ca.gov

EXECUTIVE OFFICER'S REPORT

PROPOSED ACTION

Consideration of adopting the Draft Budget for the Local Agency Formation Commission (LAFCO) for Fiscal Year (FY) 2020-2021, directing staff to send it to the County of Tuolumne, City of Sonora, and Special Districts for review and comment, and approving the LAFCO Fiscal Year 2020-2021 Work Program.

BUDGET

1. Pursuant to Section 56381 of the California Government Code, LAFCO is required to adopt a final budget by June 15th of each year for the next fiscal year which begins on July 1st. The Commission must formulate a draft budget that is to be sent to the City of Sonora, County of Tuolumne, and all the Special Districts in Tuolumne County for review and comment before adoption of the final budget by LAFCO.
2. Staff proposes to keep the LAFCO budget the same as it was for FY 2019-2020; \$65,356. A status quo budget takes into account anticipated financial constraints experienced by member organizations due to the response to the COVID-19 pandemic. Pursuant to Government Code Section 56381, the budget shall, at a minimum, be equal to the budget adopted for the previous fiscal year unless LAFCO finds that reduced staffing or program costs will nevertheless allow LAFCO to fulfill the purposes and programs of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
3. The proposed budget will provide LAFCO with the funds needed to implement the FY 20-21 LAFCO Work Plan which includes completing Municipal Service Reviews and other LAFCO projects. Proposed budget expenditures are as follows:

LAFCO BUDGET FY 20-21

Description	FY 20-21	FY 19-20
Dues and Memberships	\$ 1,745	\$1,075
Office Expenses	\$ 1,000	\$1,000
Publications/Legal Notices	\$ 1,000	\$1,000
Travel and Training	\$ 7,500	\$7,500
Personnel & Consultants	\$ 54,111	\$54,781
Total	\$ 65,356	\$65,356

4. LAFCO is an independent agency that has historically been funded by the County of Tuolumne and the City of Sonora. In FY 20-21 it will also be funded by special districts as per their request to pay a share of costs and add two special district members and an alternate to the LAFCO Board. Pursuant to a Memorandum of Understanding (MOU) between the City and the County, the Local Transportation Fund (LTF) per capita percentage is used to determine the City's and the County's respective shares of the LAFCO budget. Under this formula, the City will be responsible for 8.1 percent of the adopted FY 2020-2021 LAFCO Budget. In the past, the County was responsible for the remaining balance. With the addition of Special District representatives on the LAFCO Commission, the Special Districts will be responsible for paying one third of the LAFCO operating budget. The County Auditor will invoice the City of Sonora, County of Tuolumne and the Special Districts to pay their respective shares of the proposed costs as shown in the tables below.

LAFCO 20-21 REVENUES

Amount	%	Entity
\$ 5,294	8.10%	City of Sonora
\$ 21,567	33%	Special Districts
\$ 31,406	48.1%	County of Tuolumne
\$ 7,089	11%	Application Fees
\$ 65,356	100.00%	Total Share of Cost

BREAKDOWN OF SPECIAL DISTRICT PAYMENTS

\$ 8,500	TUD
\$ 4,200	Groveland CSD
\$ 2,200	Twain Harte CSD
\$ 1,000	Jamestown Sanitary District
\$ 1,000	Tuolumne Sanitary District
\$ 500	Jamestown Fire Protection District
\$ 500	Tuolumne Fire District
\$ 500	Strawberry Fire Protection District
\$ 500	Columbia Fire Protection District
\$ 500	Mi Wuk Sugar Pine Fire Protection District
\$ 361	Carters Cemetery District
\$ 361	Columbia Cemetery District
\$ 361	Jamestown Cemetery District
\$ 361	Oak Grove Cemetery District
\$ 361	Shaws Flat-Springfield Cemetery District
\$ 361	Tuolumne County Resource Conservation District
\$ 21,566	Total*

* Total shall be adjusted proportionally based on changes to the LAFCO annual budget or as otherwise agreed by a majority vote of the LAFCO Board.

EXPENSES

5. **Dues** - The California Association of Local Agency Formation Commissions (CALAFCO) has advised LAFCO staff that the annual membership fee for the upcoming year will increase from \$1,075 to \$1,745 which is a 62% increase. Tuolumne County LAFCO staff gain access to a wealth of information and advice by participating in CALAFCO. CALAFCO provides access to

a network of other Executive Officers and LAFCO staff statewide, which provide daily insight and advice on LAFCO procedures and regulations. Without access to this network, Tuolumne County LAFCO staff would be required to attend more trainings and/or hire additional consultants for assistance.

6. **Travel and Training** - Pursuant to Section 56334 of the Government Code, Commission members and alternates may be reimbursed for actual and reasonable expenses necessary to attend meetings and perform duties of their office. LAFCO may authorize payment of a per diem to Commission members and alternates for each day they attend meetings of the Commission. Based upon LAFCO's past practice, funds are not proposed to be budgeted for City and County LAFCO members to attend LAFCO meetings and conferences or to pay a per diem to any Commissioner. The draft FY 2020-2021 travel budget includes the estimated cost for travel and training for five individuals to attend either a staff workshop or the annual CALAFCO conference. As per past practices, attendees may include LAFCO staff or the regular and alternate Commissioner representing the general public. With the addition of Special District members, the LAFCO Board may wish to consider paying for Special District members to attend the CALAFCO conference if funds allow or directing special districts to pay for their members to attend these conferences.
7. **Personnel** - Staff and consultant costs will remain the same as last year. Personnel costs are based on the County's adopted methodology for establishing hourly rates for each employee. These costs include employee salaries and benefits, and the County's overhead, such as office space, utilities, and internal services, including the Auditor's expenses in handling LAFCO's finances. The number of hours and hourly rates have been estimated for FY 2020-2021.

Estimated Staff and Consultant Costs

Personnel	Hourly	Hours	Total
Executive Officer (CDD Director)	\$146.55	65	\$ 9,526
Deputy Officer (Comm./Housing Mgr.)	\$119.14	120	\$ 14,297
Admin. Assistant	\$99.88	50	\$ 4,994
LUNR Tech	\$66.72	20	\$ 1,334
GIS	\$71	20	\$ 1,420
Legal Services	\$125	20	\$ 2,500
Consultants		TBD	\$ 20,040
Total			\$ 54,111

WORK PROGRAM FOR FY 20-21

MUNICIPAL SERVICE REVIEWS

8. Tuolumne County contains 18 independent Special Districts, 7 Lighting Districts and 58 County Service Areas (CSAs). The number of County Service Areas could be increased by developers requesting to add a County Service Area to maintain roads and other services for their development. The Lighting Districts and County Service Areas are maintained by County Staff. Each Special District, Lighting District and County Service Area is scheduled to have their District and Sphere of Influence evaluated every five years pursuant to Section 56425(g) of the Government Code. There are approximately 83 Municipal Service Reviews to be completed. This number could increase if new CSAs are created.

9. From April of 2012 through December of 2013, LAFCO conducted Municipal Service Reviews and Sphere of Influence updates for all the special districts in Tuolumne County. Beginning in FY 17-18 completion of these reviews were staggered over a five-year period to better manage staff workload. The schedule for Municipal Service Reviews is as follows:

MSR SCHEDULE

SPECIAL DISTRICT	YEAR 1 (FY 17-18)	YEAR 2 (FY 18-19)	YEAR 3 (FY 19-20)	YEAR 4 (FY 20-21)	YEAR 5 (FY 21-22)
City of Sonora	1-28-19				
Columbia Fire	4-8-19				
Jamestown Fire	4-8-19				
Mi-Wuk Fire	4-8-19				
Strawberry Fire	4-8-19				
Tuolumne Fire	1-28-19				
Groveland CSD		In process			
Twain Harte CSD		x			
Tuolumne Utilities District				x	
Carters Cemetery			In process		
Columbia Cemetery			In process		
Jamestown Cemetery			In process		
Oak Grove Cemetery			In process		
Shaws Flat-Springfield Cemetery			In process		
Jamestown Sanitary				x	
Tuolumne Sanitary				x	
Tuolumne Park & Recreation				x	
County Service Areas (58±)					x
Lighting Districts (7)					x
Leland Meadows Water District					x

PROJECTS

10. Special districts in the community of Tuolumne have approached LAFCO regarding formation of a Community Services District that would merge some of the special districts in that area into one CSD. This past year, they held a series of meetings with LAFCO staff to discuss the process and plan to hire a consultant to complete a study evaluating the proposed merger. LAFCO staff anticipate reviewing the report in FY 20-21. If an application is made to LAFCO for this project, the costs for the formation of a CSD outlined in the LAFCO fee schedule as "Full cost recovery based on time and materials with a \$3,824.00 deposit".

11. There are two potential projects in Groveland where the developer may apply for boundary adjustments so that the project can be served by the Groveland Community Services District. Groveland CSD may also pursue a proposal to dissolve the Groveland Lighting District and merge its functions with the CSA. LAFCO staff anticipate reviewing these proposals in FY 20-21. Applications from developers will be accompanied by the appropriate fees as identified in the LAFCO fee schedule.
12. Additional projects may also be submitted to LAFCO during FY 2020-202 that would be added to the FY 20-21 Work Plan.

RECOMMENDATION

The Executive Officer recommends that your Commission:

- Adopt the Draft FY 2020-2021 budget,
- Direct staff to send the budget to the County of Tuolumne, City of Sonora, and special districts for review and comment, and
- Approve the LAFCO Fiscal Year 2020-2021 Work Program.



County of Tuolumne Local Agency Formation Commission

Quincy Yaley, AICP
Executive Officer

April 24, 2020

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EXECUTIVE OFFICER'S REPORT

PROPOSED ACTION

Consideration of adopting a Resolution which determines terms and procedures for special district members on the LAFCO Commission, requires special districts pay one third of the annual LAFCO budget beginning in FY 20-21, sets forth the apportionment of annual LAFCO fees between special districts, directs LAFCO staff to bill special districts for one third of LAFCO annual operating costs, accepts special district election results, and appoints two special district members and one special district alternate to the LAFCO Commission.

BACKGROUND

1. LAFCO is currently comprised of two County Supervisors, two City Council Members, one Public Member and one Public Member Alternate.
2. State law allows LAFCO's to expand their membership by adding two independent special district representatives as per California Government Code Section 56332.
3. Many of the special districts in Tuolumne County began meeting on May 3, 2018 to discuss special district membership on Tuolumne County LAFCO. On October 23, 2018 nine special districts submitted resolutions asking the LAFCO Commission to begin the process of expanding the LAFCO Commission to include special district representation and proposed that special districts together pay 8% of the LAFCO budget.
4. After a series of discussion among the districts and with LAFCO staff, the proposal came before Tuolumne County LAFCO on April 8, 2019. The Commission adopted Resolution 296 which outlined procedures for adding special district members and holding elections. A copy of the staff report, Resolution 296 and minutes of the April 8, 2019 meeting are attached.
5. The default LAFCO budget apportionment for LAFCO Commissions with city, county and special district representation is for each of these to pay one third of the LAFCO annual budget. Any alternative method of apportionment must be approved by a majority vote of each group. The proposal from the special districts to pay 8% of the LAFCO budget would require approval from the City of Sonora, County Board of Supervisors and a majority of the independent special districts in the County.
6. On May 29, 2019 special districts met with LAFCO staff to discuss the balloting process and share of cost. There was consensus to move forward with the election of two special district members and one alternate and to have special districts pay the default budget apportionment of one third of the LAFCO annual budget. The City of Sonora would continue to contribute to the LAFCO budget pursuant to a Memorandum of Understanding (MOU) between the City and the County. The City's share is based on the Local Transportation Fund (LTF) per capita percentage. Under this formula, the City is responsible for 8.1 percent of the LAFCO Budget. In the past, the County was responsible for the remaining balance not covered by application fees. With the addition of Special District representatives on the LAFCO Commission, the County's portion will be approximately 48%. Approximately 11% of the budget is anticipated to

come from application fees.

7. Special districts were asked to submit resolutions in which they indicate whether they support the election, nominate a candidate if so desired, and specify the special district share of cost.
8. Eleven resolutions were received on November 1, 2019 from the following special districts:
 - Tuolumne Utilities District,
 - Jamestown Sanitary District,
 - Tuolumne Sanitary District,
 - Tuolumne Fire District,
 - Tuolumne Park and Recreation District,
 - Tuolumne City Sanitary District,
 - Groveland Community Services District,
 - Twain Harte Community Services District,
 - Columbia Fire Protection District,
 - Strawberry Fire Protection District, and
 - Mi-Wuk Sugar Pine Fire Protection District.
9. All district resolutions specified that special districts together pay one third of the LAFCO annual budget. The resolutions outlined the division of cost between districts as follows:

SPECIAL DISTRICT PAYMENTS

\$8,500	TUD
\$4,200	Groveland CSD
\$2,200	Twain Harte CSD
\$1,000	Jamestown Sanitary District
\$1,000	Tuolumne Sanitary District
\$500	Jamestown Fire Protection District
\$500	Tuolumne Fire District
\$500	Strawberry Fire Protection District
\$500	Columbia Fire Protection District
\$500	Mi Wuk Sugar Pine Fire Protection District
\$361	Carters Cemetery District*
\$361	Columbia Cemetery District*
\$361	Jamestown Cemetery District*
\$361	Oak Grove Cemetery District*
\$361	Shaws Flat-Springfield Cemetery District*
\$361	Tuolumne County Resource Conservation District
\$21,566	Total

*All cemetery and Tuolumne County Resource Conservation Districts to pay at the percentage of district revenue to total special district revenue countywide.

10. The resolutions stated that initial allocations listed above shall be adjusted proportionally based on changes to the Tuolumne LAFCO budget annually or as otherwise agreed by a majority vote of the special district selection committee. The LAFCO Commission acted as the special district selection committee for purposes of this election.
11. The resolutions also addressed the terms and procedures for special district representation. During meetings between LAFCO staff and special districts, LAFCO staff raised questions concerning voting procedures, term limits and other administrative issues and requested that special districts work together to consider these issues and address them in their resolution.

12. All resolutions indicated that special district members serving on the Tuolumne County LAFCO shall not be disqualified from voting on proposals affecting their own special district. This is in line with similar policies in the current Tuolumne County LAFCO Policy and Procedure Manual (last amended 3/14/11). Rule 15 – Disqualification of Members on Voting states, *The representation by a member or alternate of the City of Sonora shall not disqualify, or be cause for disqualification of, the member or alternate from acting on a proposal affecting the City, as provided in Government Code Section 56336.* Rule 19 – Disqualification of Members from Voting states, *No member of the Commission is disqualified from voting on any item being considered by the Commission, except in those instances in which the member has a financial conflict of interest. In any situation in which the member disqualifies himself or herself for whatever reason or is absent, the Alternate member will note.*
13. The resolutions set terms as follows:
- Upon enlargement of the commission to include independent special districts, the term for one new special district member, selected from any independent special district in Tuolumne County, shall coincide with the term of the existing commission member who holds the office represented by the original two-year term on the commission. The term of the second special district member coincides with the term of the existing commission member who holds the office represented by the original four-year term of the commission. This second special district member shall be from the Tuolumne Utilities District, Groveland Community Services District, or Twain Harte Community Services District, and this commission position shall then rotate consecutively to the next agency in the above listed order following each term.*
14. The resolutions nominated candidates for each of the special district member seats and a special district alternate member, thus signaling their desire to add two special district members and one special district alternate to the LAFCO Commission.

SPECIAL DISTRICT REPRESENTATIVE BALLOT PROCESS

15. LAFCO staff sent out special district member ballots to all 18 eligible voting districts on December 23, 2019. A copy of the ballot is attached. Voting was extended to March 2, 2020 based on requests from special districts for more time to take the item to their boards.
16. Each district was entitled to one vote cast by the special district presiding officer designated as the voting member by the special district. Ballots from at least a quorum of special district voting members were required. Eleven districts returned ballots which is more than the required quorum of votes.
17. Elected special district representatives are as follows:
- Seat 1** - Rotating Between TUD, Groveland CSD and Twain Harte CSD:
Ron Kopf, TUD, 8 votes
- Seat 2** - Special District General Member:
John Feriani, Tuolumne City Sanitary District, 5 votes
- Alternate** - Special District Member:
Adam Artzer, Tuolumne Fire District, 4 votes

ENVIRONMENTAL ANALYSIS

18. The action to seat independent special district representatives on LAFCO is categorically exempt from environmental review pursuant to Section 15320 of the State CEQA Guidelines because the action is limited to changes to the organizational structure of a local governmental agency and does not change the geographical area in which previously existing

powers are exercised.

RECOMMENDATION

The Executive Officer recommends that your Commission adopt a Resolution which determines terms and procedures for special district members on the LAFCO Commission, requires special districts pay one third of the annual LAFCO budget beginning in FY 20-21, sets forth the apportionment of annual LAFCO fees between special districts, directs LAFCO staff to bill special districts for one third of LAFCO annual operating costs, accepts special district election results, and appoints two special district members and one special district alternate to the LAFCO Commission.

The resolution sets forth the following:

- The LAFCO Commission shall be expanded to include two special district members and one special district alternate. Upon enlargement of the commission to include independent special districts, the term for one new special district member, selected from any independent special district in Tuolumne County, shall coincide with the term of the existing commission member who holds the office represented by the original two-year term on the commission. The term of the second special district member coincides with the term of the existing commission member who holds the office represented by the original four-year term of the commission. This second special district member shall be from the Tuolumne Utilities District, Groveland Community Services District, or Twain Harte Community Services District, and this commission position shall then rotate consecutively to the next agency in the above listed order following each term.
- Special district members serving on the Tuolumne County LAFCO shall not be disqualified from voting on proposals affecting their own special district.
- Special districts shall pay one third of the LAFCO annual budget.
- Amounts to be paid by each special district for FY 20-21 shall be:

SPECIAL DISTRICT PAYMENTS

\$8,500	TUD
\$4,200	Groveland CSD
\$2,200	Twain Harte CSD
\$1,000	Jamestown Sanitary District
\$1,000	Tuolumne Sanitary District
\$500	Jamestown Fire Protection District
\$500	Tuolumne Fire District
\$500	Strawberry Fire Protection District
\$500	Columbia Fire Protection District
\$500	Mi Wuk Sugar Pine Fire Protection District
\$361	Carters Cemetery District*
\$361	Columbia Cemetery District*
\$361	Jamestown Cemetery District*
\$361	Oak Grove Cemetery District*
\$361	Shaws Flat-Springfield Cemetery District*
\$361	Tuolumne County Resource Conservation District
\$21,566	Total

*All cemetery and Tuolumne County Resource Conservation Districts to pay at the percentage of district revenue to total special district revenue countywide.

- Initial (FY 20-21) allocations shall be adjusted proportionally based on changes to the Tuolumne LAFCO budget annually or as otherwise agreed by a majority vote of the LAFCO Commission.
- The LAFCO Commission directs LAFCO staff to bill special districts annually.
- The Commission approves the special district ballot process and accepts the election results.
- The Commission appoints two special district members and one special district alternate to the Tuolumne County LAFCO Commission. Candidates for appointment are those receiving a majority of votes cast by special districts eligible to vote. Appointed members are:

Seat 1 - Rotating Between TUD, Groveland CSD and Twain Harte CSD:
Ron Kopf, TUD

Seat 2 - Special District General Member:
John Feriani, Tuolumne City Sanitary District

Alternate - Special District Member:
Adam Artzer, Tuolumne Fire District



OFFICE OF
ENVIRONMENTAL COORDINATOR

Quincy Yaley, AICP
Environmental Coordinator

48 Yaley Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209 533-5633
209 533-5616 (fax)
209 533-5909 (fax - EHD)
www.tuolumnecounty.ca.gov

NOTICE OF EXEMPTION

PROJECT TITLE: Addition of Special District Members to Tuolumne County LAFCO

PROJECT PROPONENT: County of Tuolumne Local Agency Formation Commission

LOCATION: Unincorporated Tuolumne County

PROJECT DESCRIPTION: Adopting a Resolution which determines terms and procedures for special district members on the LAFCO Commission, requires special districts pay one third of the annual LAFCO budget beginning in FY 20-21, sets forth the apportionment of annual LAFCO fees between special districts, directs LAFCO staff to bill special districts for one third of LAFCO annual operating costs, accepts special district election results, and appoints two special district members and one special district alternate to the LAFCO Commission.

APPROVING AGENCY: Tuolumne County LAFCO

EXEMPT STATUS (check one)

- Ministerial (Sec. 21080(b)(1); 15268)
 Declared Emergency (Sec. 21080(b)(3); 15269(a))
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
 Categorical Exemption (Sec. 15320)
 Exemption (Sec.)

RATIONALE FOR EXEMPTION: After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the project is statutorily exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15320 of the *State CEQA Guidelines* because the action is limited to changes to the organizational structure of a local governmental agency and does not change the geographical area in which previously existing powers are exercised.

LEAD AGENCY CONTACT: Sheila Shanahan

TELEPHONE NUMBER: (209) 533-5633

Signature: _____
Quincy Yaley, AICP
Environmental Coordinator

Date: _____

RESOLUTION NO. _____
OF THE
LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF TUOLUMNE, STATE OF CALIFORNIA

ESTABLISHING THE TERMS AND PROCEDURES FOR LAFCO COMMISSION SPECIAL DISTRICT MEMBERS, REQUIRING SPECIAL DISTRICTS TO PAY ONE THIRD OF THE ANNUAL LAFCO BUDGET BEGINNING IN FY 20-21, SETTING FORTH THE APPORTIONMENT OF ANNUAL LAFCO FEES BETWEEN SPECIAL DISTRICTS, DIRECTING LAFCO STAFF TO BILL SPECIAL DISTRICTS FOR ONE THIRD OF LAFCO ANNUAL OPERATING COSTS, ACCEPTING SPECIAL DISTRICT ELECTION RESULTS, AND APPOINTING TWO SPECIAL DISTRICT MEMBERS AND ONE SPECIAL DISTRICT ALTERNATE TO THE LAFCO COMMISSION.

WHEREAS, pursuant to Government Code Section 56332.5, when a LAFCO does not have independent special district representation, the LAFCO must initiate proceedings for such representation upon receipt of a written request by one or more independent special districts representing 10% or more of the assessed value of taxable property in the County, as shown on the last equalized County assessment roll; and

WHEREAS, the Commission adopted Resolution 296 on April 8, 2019 to initiate proceedings to add special district members to the LAFCO Commission in response to receiving resolutions from nine of the independent special districts in Tuolumne County, representing 10% or more of the assessed value of taxable property in the County, requesting special district representation on LAFCO; and

WHEREAS, on November 1, 2019 LAFCO received 11 resolutions from the following special districts in which each requested that two special district members and one special district alternate be added to the LAFCO Commission:

- Tuolumne Utilities District,
- Jamestown Sanitary District,
- Tuolumne Sanitary District,
- Tuolumne Fire District,
- Tuolumne Park and Recreation District,
- Tuolumne City Sanitary District,
- Groveland Community Services District,
- Twain Harte Community Services District,
- Columbia Fire Protection District,
- Strawberry Fire Protection District, and
- Mi-Wuk Sugar Pine Fire Protection District; and

WHEREAS, pursuant to Government Code Section 56381(b)(1)(A), when there is county, city and special district representation, the default LAFCO budget apportionment is one-third shares for the county, the cities, and the special districts; and

WHEREAS, the special districts seeking LAFCO representation have requested to pay the default LAFCO budget allocation formula of one third to be shared among the special districts.

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

SECTION 1: The LAFCO Commission shall be expanded to include two special district members and one special district alternate. Upon enlargement of the commission to include independent special districts, the term for one new special district member, selected from any independent special district in Tuolumne County, shall coincide with the term of the existing commission member who holds the office represented by the original two-year term on the commission. The term of the second special district member coincides with the term of the existing commission member who holds the office represented by the original four-year term of the commission. This second special district member shall be from the Tuolumne Utilities District, Groveland Community Services District, or Twain Harte Community Services District, and this commission position shall then rotate consecutively to the next agency in the above listed order following each term.

SECTION 2: Special district members serving on the Tuolumne County LAFCO shall not be disqualified from voting on proposals affecting their own special district.

SECTION 3: Special districts shall pay one third of the LAFCO annual budget. Amounts to be paid by each special district for FY 20-21 shall be:

SPECIAL DISTRICT PAYMENTS

\$8,500	TUD
\$4,200	Groveland CSD
\$2,200	Twain Harte CSD
\$1,000	Jamestown Sanitary District
\$1,000	Tuolumne Sanitary District
\$500	Jamestown Fire Pction District
\$500	Tuolumne Fire District
\$500	Strawberry Fire Protection District
\$500	Columbia Fire Protection District
\$500	Mi Wuk Sugar Pine Fire Protection District
\$361	Carters Cemetery District*
\$361	Columbia Cemetery District*
\$361	Jamestown Cemetery District*
\$361	Oak Grove Cemetery District*
\$361	Shaws Flat-Springfield Cemetery District*
\$361	Tuolumne County Resource Conservation District
\$21,566	Total

*All cemetery and Tuolumne County Resource Conservation Districts to pay at the percentage of district revenue to total special district revenue countywide.

Initial (FY 20-21) allocations shall be adjusted proportionally based on changes to the Tuolumne LAFCO budget annually or as otherwise agreed by a majority vote of the LAFCO Commission.

The LAFCO Commission directs LAFCO staff to bill special districts annually.

SECTION 4. The Commission approves the special district ballot process and accepts the election results.

SECTION 5. The Commission appoints two special district members and one special district alternate to the Tuolumne County LAFCO Commission. Candidates for appointment are those receiving a majority of votes cast by special districts eligible to vote. Appointed members are:

Seat 1 - Rotating Between TUD, Groveland CSD and Twain Harte CSD:
Ron Kopf, TUD

Seat 2 - Special District General Member:
John Feriani, Tuolumne City Sanitary District

Alternate - Special District Member:
Adam Artzer, Tuolumne Fire District

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Tuolumne, State of California, at a regular meeting held on the 11th day of May, 2020, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSENT: Commissioners _____

ABSTAIN: Commissioners _____

ATTEST: _____
Quincy Yaley, AICP
Executive Officer

LAFCO, Chair



**County of Tuolumne
Local Agency Formation Commission**

David Gonzalves, CBO
Executive Officer

A.N. Francisco Building
48 Yaney Avenue
Mailing: 2 S. Green Street
Sonora, CA 95370
209 533-5633
209 533-5616 (fax)
www.tuolumnecounty.ca.gov

EXECUTIVE OFFICER'S REPORT

PROPOSED ACTION

Consideration of adopting Resolution No. 296 approving the formation of an Independent Special District Selection Committee to determine whether independent special districts accept representation on LAFCO and associated budgetary responsibilities.

BACKGROUND INFORMATION

1. LAFCO is currently comprised of two County Supervisors, two City Council Members and one Public Member. When a LAFCO does not have Independent Special District representation, the LAFCO must initiate proceedings for such representation upon receipt of a written request by one or more independent special districts representing 10% or more of the assessed value of taxable property in the County, as shown on the last equalized County assessment roll. (Gov. Code § 56332.5.)
2. On October 23, 2018, correspondence was received requesting the Commission to initiate the proceedings for representation of Independent Special Districts as members of the Tuolumne County LAFCO. The correspondence also included a request for a LAFCO budgetary allocation formula of 8% to be shared among the special districts. Nine (9) independent special districts adopted Resolutions supporting this request as follows:
 - Columbia Fire Protection District
 - Groveland Community Services District
 - Jamestown Sanitary District
 - Mi-Wuk Sugar Pine Fire Protection District
 - Strawberry Fire Protection District
 - Tuolumne City Sanitary District
 - Tuolumne Fire District
 - Tuolumne Utilities District
 - Twain Harte Community Services District

PROCEEDINGS FOR INDEPENDENT SPECIAL DISTRICT REPRESENTATION

3. After receipt of a request to initiate proceedings for independent special district representation, the Commission is required to adopt a resolution of intention (see attached Resolution 296). The LAFCO Executive Director is then required to call and give notice of a meeting of the independent special district selection committee to be held within 15 days after the adoption of the resolution in order to determine whether independent special districts shall accept representation on LAFCO and appoint Independent Special District representation.

4. The Independent Special District Selection Committee consists of the presiding officer of the legislative body of each Independent Special District. An alternate may be appointed by the legislative body of an Independent Special District if the presiding officer of that Independent Special District is unable to attend. The districts eligible for representation on the selection committee are:
 - Districts located wholly within the County
 - Districts containing territory within the County representing 50 percent or more of the assessed value of taxable property of the district, as shown on the last equalized county assessment roll

5. There are a total of 17 eligible Independent Special Districts in the County. In addition to the 9 Districts requesting LAFCO representation, the following special districts will be members of the selection committee:
 - Carters Cemetery District
 - Columbia Cemetery District
 - Columbia Fire Protection District.
 - Groveland Community Services District.
 - Jamestown Cemetery District
 - Jamestown Fire Protection District
 - Jamestown Sanitary District.
 - Leland Meadows Water District
 - Mi-Wuk Sugar Pine Fire Protection District
 - Oak Grove Cemetery District
 - Shaws Flat-Springfield Cemetery District
 - Strawberry Fire Protection District.
 - Tuolumne City Sanitary District
 - Tuolumne Parks and Recreation District
 - Tuolumne Fire District
 - Tuolumne Utilities District
 - Twain Harte Community Services District

6. Each member of the Independent Special District Selection Committee has one vote. Members representing a majority of the eligible districts constitute a quorum. At the initial meeting of the selection committee, the committee will determine (1) whether independent special districts shall accept representation on LAFCO and (2) if so, appoint two regular members and one alternate member to LAFCO. Appointed members must reside within the County and be elected or appointed members of an independent special district legislative body. As a default, special district LAFCO commissioners are not disqualified from acting on proposals affecting their own special district. However, the selection committee, at the time of appointment, can provide that the member is disqualified from voting on proposals affecting their own special district.

LAFCO BUDGET ALLOCATION FORMULA

7. When there is only county and city representation, the default LAFCO budget apportionment is one-half shares for the county and the city. (Gov. Code § 56381.) This default can be revised with agreement of the parties. On March 11, 2008, the County Board of Supervisors approved an MOU with the City of Sonora that altered the LAFCO billing formula to a per capita basis. This generally works out to a LAFCO budget allocation of: County – 92%, City – 8%.

8. When there is county, city and special district representation, the default LAFCO budget apportionment is one-third shares for the county, the cities, and the special districts. Any alternative method of apportionment of the LAFCO net operating expenses may be used if approved by a majority vote of each of the following: the Board of Supervisors; the Sonora City

Council; and the independent special districts representing a majority of the combined total population of independent special districts in the County.

9. The Independent Special Districts seeking LAFCO representation have requested an alternate LAFCO budget allocation from the statutory default. Given the overlapping jurisdictions of the County, City, and special districts, a per capita billing formula would not likely be appropriate. However, any alternate funding allocation will require approval by the City and County, in addition to the Independent Special Districts.
10. If the Independent Special District Selection Committee agrees to accept the statutory default one-third budget apportionment, LAFCO can move forward seating the special district representatives. If the Independent Special District Selection Committee continues to request an alternate funding allocation, the seating of special district representatives will not occur until a Memorandum of Understanding is approved by the City, County and Independent Special Districts.
11. With regard to allocation of the LAFCO budgetary allocation among the Independent Special Districts, the statutory default is to apportion the share in proportion to each district's total revenues as a percentage of the combined total district revenues within a county. (Gov. Code § 56381(b)(1)(C).) An alternative method can be approved by a majority of the Independent Special Districts representing a majority of their combined populations.

ENVIRONMENTAL ANALYSIS

The action to adopt a Resolution of Intention to initiate the proceedings to seat Independent Special Districts representatives on LAFCO is categorically exempt from environmental review pursuant to Section 15320 of the State CEQA Guidelines; because the action relates to changes in the organization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised.

RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 296 to approve the formation of an Independent Special District Selection Committee to determine the following issues:

- a. Do the Independent Special Districts accept representation on LAFCO?
- b. If so, appoint two regular members and one alternate member
 - i. Are the Independent Special District members to be disqualified from voting on proposals affecting their own special district?
- c. Do the Independent Special Districts accept the default LAFCO budget apportionment of one-third share?
 - i. If not, has an alternate funding allocation been approved by a majority vote of each of the following: the Board of Supervisors; the Sonora City Council; and the Independent Special Districts representing a majority of the combined total population of Independent Special Districts in the County?

Prepared by: Renee Hendry, Planner II

Date: March 27, 2019

**TUOLUMNE COUNTY
LOCAL AGENCY FORMATION COMMISSION**

MINUTES

April 8, 2019

PRESENT: Chairman, John Gray; Commissioners Karl Rodefer, Mark Plummer, & Steve Arreguin

ABSENT: Matt Hawkins

STAFF: David Gonzalves, Executive Officer; Renee Hendry, Planner II; and Heather Ryan, Clerical

CALL TO ORDER:

COMMISSION BUSINESS:

- A. Chairman Gray led the Commission and audience in the Pledge of Allegiance.
- B. Minutes of January 28, 2019

Chairman Gray asked if there were any additions or corrections to the minutes of the meeting of January 28, 2019.

It was moved by Commissioner Rodefer and seconded by Commissioner Plummer to approve the minutes of January 28, 2019, as presented.

Chairman Gray called for the vote: Ayes, 4; Noes, 0; Abstain, 0.

Motion carried 4 – 0 – 0.

REPORTS:

- A. Election of Officer
 - A. ChairmanChairman Gray Nominates Steve Arreguin as Chairman of LAFCO – Sworn in by Mr. Gonzalves on 04/08/2019

It was moved by Commissioner Rodefer and seconded by Commissioner Plummer to appoint Steven Arreguin as the Chairman representative for LAFCO.

Chairman Gray called for the vote: 4, Ayes; 0, Noes; 0, Abstain.

Motion Carried 4 – 0 – 0

PUBLIC COMMENT: 10 Minutes

Commissioner Gray opened the public comment period and asked for those who would like to address the Commission on any item that was not on the agenda.

1. Jacob Barendregt – Notified he is recording this LAFCO Meeting. Mr Barendregt is notifying the commission that he was unable to find the Agenda until 3 days before and claims mineral right ownership.
Mr. Gonzalves notified that it was posted in the Union Democrat on March 16th, posted online on 03/29/2019 at 10:44am, and posted publically in front of the CAO building. Mr. Gonzalves stated that the CRA is working closely with Mr. Barendregt to provide him the information that he requests.
Chairman Gray notified Mr. Barendregt that they will notify him directly of future proceedings if he provides contact address.

Seeing no one else, Chairman Gray closed the public comment period.

PUBLIC HEARING:

1. Consideration of adopting Resolution No. 292 approving the 2018 Municipal Service Review and making determinations for the Strawberry, Columbia, Jamestown, and Mi-Wuk/Sugar Pine Fire Protection Districts.
2. Consideration of adopting Resolution No. 293 approving the 2018 Update of the Spheres of Influence of the Strawberry, Columbia, Jamestown, and Mi-Wuk/Sugar Pine Fire Protection Districts.

Ms. Hendry gave the commission a summary of the 2018 Municipal Service Review for Strawberry, Columbia, Jamestown, and Mi-Wuk/Sugar Pine Fire Protection Districts.

Todd McNeil, Fire Chief TH Fire and Strawberry Fire, requests that the edits they submitted be adopted before approving.

Mr. Gonzalves confirmed that CRA will incorporate their edits to the best of LAFCO Staff's ability.

Steve McClintock, Fire Chief from Mi-Wuk/Sugar Pine Fire, met with Mr. Gonzalves and would like to make sure their changes are accepted as well.

It was moved by Commissioner Rodefer and seconded by Commissioner Plummer to approve Resolution No. 292 and Adopt Resolution No. 293 pending the inclusion of the additions requested by the Strawberry and Mi-Wuk Fire.

Chairman Arreguin called for the vote: 4, Ayes; 0, Noes; 0, Abstain.

Motion Carried 4 – 0 – 0.

3. Consideration of adopting Resolution No. 294 conditionally approving the annexation of the Valley Vista Subdivision consisting of 92.7 acres and additional parcels to the south in Jamestown Sanitary District.

Mr. Gonzalves recommends continuing this item to a future meeting, staff will re-notice this item.

Chairman Arreguin asked if there was anyone else who wished to comment. Seeing no one, he referred the item back to the Commission.

Commissioner Rodefer requests prompt notification to Mr. Barendregt

4. Consideration of adopting Resolution No. 295 approving the expansion of the Sphere of Influence of the Jamestown Sanitary District to include the northwest portion of APN 59-020-68.

Mr. Gonzalves recommends continuing this item to a future meeting, staff will re-notice this item.

Chairman Arreguin asked if there was anyone else who wished to comment. Seeing no one, he referred the item back to the Commission.

5. Consideration of releasing RFQ for augmentation of LAFCO staff.

Mr. Gonzalves gave notification of lower staffing levels and requests permission to submit RFQs for consultants to aid existing staff.

Commissioner Plummer requests care with spend on the budget for overhead.

Chairman Arreguin asked if there was any public comment. Seeing no one, he referred the item to the Commission.

Commissioner Gray Moved, Commissioner Plummer Seconds

Chairman Arreguin called for the vote: 4, Ayes; 0, Noes; 0, Abstain

Motion Carried 4 – 0 – 0.

6. Consideration of the Draft Budget for Fiscal Year 2019/2020.

Ms. Hendry gave a summary of the information for the Draft Budget for Fiscal Year 2019/2020 to the Commissioners.

Mr. Gonzalves stated that there are 17 districts. Not 18 as listed in the report.

Comments from Commissioner Gray are in favor of the detail provided. Commissioner Plummer asks if there is an expected steady increase or if this will be a fluctuating budget and will the consultant be kept on an ongoing basis.

Chairman Arreguin asks for Public comment, Mr. Barendregt asks about the billed hours from County employees to LAFCO and if there are duplicate salaries.

Commissioner Plummer asks about the training budget for the Commissioners, Mr. Gonzalves encourages the Commissioners to attend the annual Conferences. Commissioner Gray comments that the public member is the usual attendee.

Commissioner Gray moved for and Commissioner Rodefer seconds

Chairman Arreguin called for the vote: 4, Ayes, 0, Noes; 0, Abstain

Motion Carried 4 – 0 – 0.

7. Consideration of adopting Resolution No. 296 approving the formation of an Independent Special District Representative Selection Committee.

Mr. Gonzalves provided a summary of the *Staff report or recommendation*, offering opportunity for questions and comments on this conditional resolution. He noted staff will change Resolution No. 296 to state 17 districts and remove City of Sonora from the list.

Commissioner Gray asks how many representatives, there will be 17 districts nominating 2 Commissioners & 1 Alternate.

This resolution requires Special District majority agreement on representation and budget prior to next action by commission.

Gray confirms that is all that is being decided on today. Mr. Gonzalves will assemble a special committee to select representatives and then that will be presented to the Commissioners.

Commissioner Plummer asks about committee involvement in recusals and appointments.

Chair opens the floor for public comment, Mr. Barendregt asks if all the districts are being lumped into 1 vote. Mr. Gonzalves comments that special districts can only have 2 seats, these will be appointed by the special district selection committee.

Steve McClintock comments in favor of the special districts involvement and representation in LAFCO. Chairman Arreguin closes Public comment.

Commissioner Rodefer confirmed they are voting to select the Special Districts representatives, and the amendments are made to the 17 districts and the City of Sonora on the Resolution.

Commissioner Rodefer moved for and Commissioner Gray seconds.

Chairman Arreguin called for the vote: 4, Ayes, 0, Noes; 0, Abstain

Motion Carried 4 – 0 – 0.

ADJOURNMENT

Chairman Arreguin adjourned the meeting at 5:08 p.m.

Respectfully submitted,


David Gonzalves, C.B.O.
Executive Officer

DBG:hr

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RESOLUTION NO. 296
OF THE
LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF TUOLUMNE, STATE OF CALIFORNIA

APPROVING THE FORMATION OF THE INDEPENDENT SPECIAL DISTRICT SELECTION
COMMITTEE
AND
ADOPTING DETERMINATIONS

WHEREAS, pursuant to Government Code Section 56332.5, when a LAFCO does not have Independent Special District representation, the LAFCO must initiate proceedings for such representation upon receipt of a written request by one or more independent special districts representing 10% or more of the assessed value of taxable property in the County, as shown on the last equalized County assessment roll; and

WHEREAS, the Commission has received resolutions from nine of the independent special districts in Tuolumne County, representing 10% or more of the assessed value of taxable property in the County, requesting special district representation on LAFCO as follows:

1. Columbia Fire Protection District.
2. Groveland Community Services District.
3. Jamestown Sanitary District.
4. Mi-Wuk Sugar Pine Fire Protection District.
5. Strawberry Fire Protection District.
6. Tuolumne City Sanitary District
7. Tuolumne Fire District
8. Tuolumne Utilities District
9. Twain Harte Community Services District

WHEREAS, pursuant to Government Code Section 56381(b)(1)(A), when there is county, city and special district representation, the default LAFCO budget apportionment is one-third shares for the county, the cities, and the special districts; and

WHEREAS, pursuant to Government Code Section 56381(b)(4), any alternative method of apportionment of the net operating expenses of the Commission may be used if approved by a majority vote of each of the following: the Board of Supervisors; the Sonora City Council; and the independent special districts representing a majority of the combined total population of independent special districts in the County; and

WHEREAS, the special districts seeking LAFCO representation have requested an alternate LAFCO budget allocation formula of 8% to be shared among the special districts.

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

SECTION 1: An Independent Special District Selection Committee shall be formed, consisting of the presiding officer of the legislative body of each eligible independent special district. An alternate may be appointed by the legislative body of an independent special district if the presiding officer of that independent special district is unable to attend.

SECTION 2: The independent special districts eligible for membership on the Independent Special District Selection Committee are as follows:

1. Carters Cemetery District
2. Columbia Cemetery District
3. Columbia Fire Protection District.
4. Groveland Community Services District.
5. Jamestown Cemetery District
6. Jamestown Fire Protection District
7. Jamestown Sanitary District.
8. Leland Meadows Water District
9. Mi-Wuk Sugar Pine Fire Protection District
10. Oak Grove Cemetery District
11. Shaws Flat-Springfield Cemetery District
12. Strawberry Fire Protection District.
13. Tuolumne City Sanitary District
14. Tuolumne Parks and Recreation District
15. Tuolumne Fire District
16. Tuolumne Utilities District
17. Twain Harte Community Services District

SECTION 3: The Executive Officer is ordered to call and give notice of a meeting of the Independent Special District Selection Committee to be held within 15 days after the adoption of this Resolution. Each eligible district is entitled to one vote on the Independent Special District Selection Committee. Members representing a majority of the eligible districts constitute a quorum. The Executive Officer shall use the operating procedures set forth in Government Code section 56332.

SECTION 4. The Independent Special District Selection Committee shall determine the following by a majority vote:

- a. Do the independent special districts accept representation on LAFCO?
 - i. If so, appoint two regular members and one alternate member
 - ii. Are the special district members to be disqualified from voting on proposals affecting their own special district?
- b. Do the independent special districts accept the default LAFCO budget apportionment of one-third share?
 - i. If not, has an alternate funding allocation been approved by a majority vote of each of the following: the Board of Supervisors; the Sonora City Council; and the independent special districts representing a majority of the combined total population of independent special districts in the County?

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Tuolumne, State of California, at a regular meeting held on the 8th day of April, 2019, by the following vote:

AYES: Commissioners John Gray, Karl Rodefer, Mark Plummer, & Steve Arreguin

NOES: Commissioners N/A

ABSENT: Commissioners Matt Hawkins

ABSTAIN: Commissioners N/A

ATTEST: 
David Gonzalves, CEO
Executive Officer


Steve Arreguin, LAFCO Chair



County of Tuolumne Local Agency Formation Commission

Quincy Yaley.
Executive Officer

A.N. Francisco Building
48 Yaney Avenue
Mailing: 2 S. Green Street
Sonora, CA 95370
209 533-5633
209 533-5616 (fax)
www.tuolumnecountv.ca.gov

DATE: December 23, 2019
TO: Special District Presiding Officers
CC: Special District Clerks
Carlyn Drivdahl, Deputy County Counsel
FROM: Quincy Yaley, County of Tuolumne LAFCO Executive Officer

SUBJECT: Election Ballot to Add Two Special District Representatives and One Special District Alternate to the LAFCO Board

In accordance with Resolution 296, the Tuolumne County Local Agency Formation Commission (LAFCO) is proceeding with an election to add two special district members and one special district alternate to the LAFCO Board. All special districts have been given an opportunity to nominate candidates and the attached ballot contains the names of all nominated individuals.

All special districts in Tuolumne County are eligible to vote, whether they nominated a candidate or passed a resolution affirming support of adding special district members to the LAFCO Board.

Each district is entitled to one vote. That vote must be cast by the special district presiding officer who has been designated by the special district as the voting member.

The attached ballot must be completed and signed by the special district presiding officer who has been designated as the voting member by the special district. The signed ballot can be scanned and emailed back to me via Cheydi Gonzales at cgonzales@co.tuolumne.ca.us. Or it can be mailed to:

LAFCO
c/o Cheydi Gonzales
County of Tuolumne CDD
2 South Green Street
Sonora, CA 95370

Ballots are due no later than January 31, 2020 at 4 p.m.

If you have questions, please contact Sheila Shanahan, Community and Housing Programs Manager at sshanahan@co.tuolumne.ca.us or at 209-533-6904.



**County of Tuolumne
Local Agency Formation Commission**

Quincy Yaley.
Executive Officer

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LAFCO ELECTION BALLOT

Two Special District Representatives and One Special District Alternate

*The election ends on **January 31, 2020** at 4:00 p.m. or until a quorum of Special District ballots is received, whichever occurs later.*

Seat 1: Rotating between Tuolumne Utilities District, Groveland CSD, and Twain Harte CSD with TUD holding the 1st Four-Year Term	Vote for One (check box)
Ron Kopf, Tuolumne Utilities District Director	
District has decided not to vote in this election (please circle →)	NO VOTE

Seat 2: Special District Representative Two-Year Term	Vote for One (check box)
Mark Rhinehart, Jamestown Sanitary District Board Member	
Karrie Mathson, Strawberry Fire Protection District Vice-President	
John Feriani, Tuolumne City Sanitary District Board President	
Brian Machado, Tuolumne Fire District Board Chair	
Eileen Mannix, Twain Harte Community Services District Director	
Janice Kwiatkowski, Groveland Community Services District Director	
Mark Massman, Mi-Wuk Sugar Pine Fire Protection District Treasurer	
Aaron Rasmussen, Tuolumne Park and Recreation District Secretary	
District has decided not to vote in this election (please circle →)	NO VOTE

Special District Alternate Two-Year Term	Vote for One (check box)
Dave Robertson, Strawberry Fire Protection District Director	
Adam Artzer, Tuolumne Fire District Board Vice Chair	
Bill McManus, Twain Harte Community Services District Director	
Spencer Edwards, Groveland Community Services District Director	
Jim McDonald, Mi-Wuk Sugar Pine Fire Protection District Director	
Jake Feriani, Tuolumne Park and Recreation District Chairman	
District has decided not to vote in this election (please circle →)	NO VOTE

NAME OF SPECIAL DISTRICT VOTING:

SIGNATURE OF PRESIDING OFFICER:

Note: Presiding Officer is the Chair/President. Any other signature invalidates this ballot.

PRINTED NAME OF PRESIDING OFFICER:

IMPORTANT: PLEASE MAKE SURE THAT YOU FILL IN THE NAME OF DISTRICT AND PRESIDING OFFICER'S NAME AND SIGNATURE. THIS INFORMATION IS REQUIRED IN ORDER TO BE COUNTED.

PLEASE RETURN BALLOT WITH OR WITHOUT A VOTE.

Email to: cgonzales@co.tuolumne.ca.us or mail to: Tuolumne County LAFCO,
2 S Green Street, Sonora, Ca. 95370

Unapproved

**TUOLUMNE COUNTY
LOCAL AGENCY FORMATION COMMISSION
MINUTES
July 8, 2019**

PRESENT: Chairman, Steve Arreguin; Commissioners John Gray, Matt Hawkins, and Mark Plummer

ABSENT: Commissioner Karl Rodefer

STAFF: David Gonzalves, Executive Officer, and Heather Ryan, Clerical

CALL TO ORDER: The meeting began at 4:00p.m.

COMMISSION BUSINESS:

- A. Commissioner Hawkins led the Commission and audience in the Pledge of Allegiance.
- B. Minutes of June 10, 2019

Chairman Arreguin asked if there were any additions or corrections to the minutes of the meeting of June 10, 2019. There were none.

It was moved by Commissioner Gray and seconded by Commissioner Hawkins to approve the minutes of June 10, 2019, as presented.

Chairman Arreguin called for the vote: Ayes, 4; Noes, 0; Abstain, 0.

Motion carried 4 – 0 – 0.

REPORTS:

There are no reports for this meeting.

PUBLIC COMMENT: 10 Minutes

Chairman Arreguin opened the public comment period and asked for those who would like to address the Commission on any item that was not on the agenda.

The public may speak on any item not on the printed agenda. No action may be taken by the Commission.

Seeing no one, Chairman Arreguin closed the public comment period.

PUBLIC HEARING:

1. Consideration of approving the hiring of Helix Environmental Planning, Inc. and Quad Knopf (QK) Inc., for on-call LAFCO services for future LAFCO work. Authorizing the Executive

Officer to sign.

The Executive Officer gave a report on the recommendations for awarding the contracts and requested approval to sign.

Commissioner Gray asked if both parties were aware that there would be multiple awards. Each contractor, Helix and Quad Knof, are aware that both have been awarded. Commissioner Plummer asked to confirm that the total to be spent on both firms combined would not exceed the approved \$15,000. The EO confirmed that expenses related to on-call LAFCO services would not exceed the total amount approved by the commission. Chairman Arreguin asked for further detail on how the two companies would be selected for projects going forward. The EO confirmed that they will be selected based on multiple factors, including but not limited to their expertise, timeliness, and availability to complete the work for the best price.

Chairman Arreguin asked if there was any Public Comment. Seeing no one, he referred the item back to the Commission.

Commissioner Gray moved for and Commissioner Plummer seconds.

Chairman Arreguin called for the vote: 4, Ayes, 0, Noes; 0, Abstain

Motion Carried 4 – 0 – 0.

ADJOURNMENT

Chairman Arreguin adjourned the meeting at 4:12p.m.

Respectfully submitted,

Quincy Yaley
Executive Officer

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