

# Tuolumne County LAFCO

LOCAL AGENCY FORMATION COMMISSION OF TUOLUMNE COUNTY

## Commissioners

Steve Arreguin  
David Boatright  
John Feriani  
David Goldemberg  
Kathleen Haff  
Matt Hawkins  
Mark Plummer

## Alternates

Adam Artzer  
Ryan Campbell  
Suzanne Cruz

## Executive Officer

Quincy Yaley, AICP

## AGENDA

### TUOLUMNE COUNTY LAFCO

MAY 8, 2023

### BOARD OF SUPERVISORS CHAMBERS

2 SOUTH GREEN STREET, SONORA, CA, 4<sup>TH</sup> FLOOR

4:00 p.m.

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

#### COMMISSION BUSINESS:

- A. Salute the Flag
- B. Minutes of the February 13, 2023, meeting
- C. Reports

“Reports” are a brief oral report from a committee or commission member and/or County staff, and no committee or commission action will occur. This item is not intended to include in depth presentations or reports, as those matters should be placed on an agenda for discussion.

**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:

Consideration of adopting the Draft Budget for the Local Agency Formation Commission (LAFCO) for Fiscal Year 2023-2024, 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 2023-2024 Work Program.

#### NEW BUSINESS:

None

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## 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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# Tuolumne County LAFCO

LOCAL AGENCY FORMATION COMMISSION OF TUOLUMNE COUNTY

April 19, 2023

TO: LAFCO Commissioners  
FROM: Quincy Yaley, Executive Officer  
RE: Draft Budget and Workplan for Fiscal Year (FY) 2023-2024

## REQUESTED ACTION

Consideration of adopting the Draft Budget for the Local Agency Formation Commission (LAFCO) for Fiscal Year 2023-2024, 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 2023-2024 Work Program.

## EXECUTIVE OFFICER'S REPORT

### A. Background

Pursuant to Section 56381 of the California Government Code, LAFCO is required to adopt a final budget by June 15<sup>th</sup> of each year for the next fiscal year which begins on July 1<sup>st</sup>. 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.

### B. Budget

Staff proposes to maintain the LAFCO budget at status quo for the FY 2023-2024 with the exception of accounting for increases in staff billing rates due to salary adjustments at the County. The proposed FY 2023-2024 is \$75,815. 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. The increase in the budget, \$13,031 dollars, is proposed to allow an additional LAFCO Commissioner to attend annual training, additional staff costs related to general LAFCO work, and an increase an annual CALAFCO dues. Lastly, this proposed budget careful evaluated last year's expenses and budgeted more precise, especially related to travel and training costs.

Commissioners  
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David Boatright  
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The proposed budget will provide LAFCO with the funds needed to implement the FY 2023-2024 LAFCO Work Plan which includes completing Municipal Service Reviews and other LAFCO projects. Proposed budget expenditures are as follows:

LAFCO BUDGET

Description	FY 22-23	FY 23-24
Dues and Memberships	\$1,745	\$1,965
Office Expenses	\$1,000	\$500
Publications/Legal Notices	\$1,000	\$1,000
Travel and Training	\$7,500	\$16,350
Personnel & Consultants	\$51,539	\$58,000
<b>Total</b>	<b>\$62,784</b>	<b>\$75,815</b>

The LAFCO budget has repeatedly had fund balance that carries over from one fiscal year to the next. This fund balance has never been considered during the preparation and approval of an annual budget, however LAFCO staff have begun to track that balance, as it varies throughout the year based on when districts/entities pay their share of the membership dues. Staff will bring the fund balance to the LAFCO Commission at the June meeting for consideration of including in the next year's budget as a means to lower the membership dues during the 2023-24 fiscal year.

C. Cost Sharing Agreements

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 was also funded by special districts (see MSR schedule below) 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 2023-2024 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 table below.

**LAFCO FY 23-24 ANICIPATED REVENUES**

<b>Amount</b>	<b>Percent</b>	<b>Entity</b>
\$ 6,141	8.1%	City of Sonora
\$ 25,019	33%	Special Districts
\$ 44,655	58.9%	County of Tuolumne
\$ 75,815	100%	

D. Expenses

**Dues** - The California Association of Local Agency Formation Commissions (CALAFCO) annual membership fee for the upcoming year is \$1,965. 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.

**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 prior to 2023, funds were not proposed to be budgeted for City, County, or Special District LAFCO members to attend LAFCO meetings and conferences or to pay a per diem to any Commissioner.

In 2022, LAFCO did fund conference attendance and travel at the CALAFCO Conference in Los Angeles. Members Brandon and Arreguin attended, as did three LAFCO staff members. Additionally, because the 2023 Staff Workshop in April is in Murphys, the LAFCO budget paid for four staff members to attend.

The draft FY 2023-2024 travel budget includes the estimated costs for registration, hotel, and travel:

<b>Training</b>	<b>Registration</b>	<b>Hotel (3 nts)</b>	<b>Travel/Meals</b>	<b>Cost per person</b>
Annual Conference	\$600 per attendee	\$250 per night	\$500 per person	\$1,850
Annual Staff Training	\$400 per attendee	\$250 per night	\$500 per person	\$1,650
General Training	Estimate \$500			\$500

Annual Training 2023-24 – Three LAFCO members, LAFCO EO, LAFCO Counsel: \$9,250

Annual Staff Training 2023-24 – Three LAFCO Staff, LAFCO Counsel: \$6,600

Total Training Budget Fiscal Year 23-24: **\$16,350**

The training budget has increased due to the inclusion of Special Districts on LAFCO and the need for them to attend regular trainings. It is recommended that LAFCO establish a process to select members to attend the Annual Conference. Any other member of LAFCO that wishes to attend may opt to at the expense of their own agency.

**Personnel** - 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.

In an effort to improve transparency for LAFCO, the Executive Officer is not assigning deputy officer duties to the current County Planning Manager. This will allow the County Planning Manger to function separate from any LAFCO responsibilities and allow them to support Tuolumne County separately on projects involving LAFCO or other LAFCO work. Therefore, the funds previously allotted to the “deputy officer” are being reallocated to a County CDD staff planner and a consultant.

LAFCO staff work on three types of projects:

- General LAFCO work not related to a project – Meetings, MSRs, Procedures, etc
- LAFCO Projects – flat fee projects (out of boundary agreements)
- LAFCO Projects – Time and materials (Consolidations, annexations, etc)

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The second two project types are paid for by applicants and are not included in this budget as the LAFCO members do not fund this staff work. Only work in the first category is funded by LAFCO members, which includes funding the LAFCO Counsel. Staff is proposing to use LAFCO staff in combination with an on-call consultant to complete the work in the first category. Based on last year's budget and actual costs to date, the expenses related to General LAFCO Work, including use of a consultant, is estimated to be **\$58,000**.

#### E. Work Program for Fiscal Year 2023-2023

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. Pursuant to Section 56425(g) of the Cortese-Knox-Hertzberg (CKH) Act, "on or before January 1, 2008, and every five years thereafter, the commission shall, as necessary, review and update each sphere of influence". Further, 56430.a of the CKH states that "in order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission.

As mentioned above, LAFCO staff work on three types of projects. For the FY 23-24, staff will be working on the Tuolumne Sanitary District MSR, the Tuolumne Park and Recreation District MSR, and the TUD MSR.

In addition to the above activities, LAFCO staff is planning on reviewing the term limits for special district members to make sure the approved term limits are consistent with term limits for the other LAFCO members. Also, staff will be requesting that Commissioners review the current LAFCO procedures and that the adopted Commission procedures are updated as needed.

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. LAFCO staff anticipate presenting this project to the Commission in 2023. The cost 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".

There is a current application that staff is reviewing for completeness which proposes additional housing in an area that would need to be annexed into GCSD. 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 22-23. LAFCO staff may also be processing several out of area service agreements. Additional projects may also be submitted to LAFCO during FY 2023-2024 that would be added to the Work Plan.

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## F. Recommendation

The Executive Officer recommends that your Commission:

- Adopt the Draft FY 2023-2024 budget.
- Direct staff to send the budget to the County of Tuolumne, City of Sonora, and special districts for review and comment.
- Approve the LAFCO Fiscal Year 2023-2024 Work Program.



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# Tuolumne County LAFCO

LOCAL AGENCY FORMATION COMMISSION OF TUOLUMNE COUNTY

## *Unapproved*

### TUOLUMNE COUNTY LOCAL AGENCY FORMATION COMMISSION

#### MINUTES

February 13, 2023

Commissioners

Steve Arreguin  
David Boatright  
John Feriani  
David Goldemberg  
Kathleen Haff  
Matt Hawkins  
Mark Plummer

Alternates

Adam Artzer  
Ryan Campbell  
Suzanne Cruz

Executive Officer

Quincy Yaley, AICP

**PRESENT:** Chair Steve Arreguin, Vice-Chair Mark Plummer, Supervisor David Goldemberg, Supervisor Kathleen Haff, and Commissioners John Feriani and Andy Merrill

**ABSENT:** Commissioner David Boatright

**STAFF:** Quincy Yaley, LAFCO Executive Officer

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

Chair Arreguin opened the Local Agency Formation Committee meeting

#### **COMMISSION BUSINESS:**

**A.** Chair Arreguin led the Commission and audience in the Pledge of Allegiance.

#### **B. Minutes of October 10, 2022**

It was moved by John Feriani and seconded by David Goldemberg to approve the minutes of the October 10, 2022, LAFCO meeting as presented.

Chair Arreguin called for the vote. 5, Ayes; 0, Noes; 1, Abstain (Andy Merrill)

Motion carried: 5 – 0 – 1 with Commissioner Merrill abstaining and Commissioner Boatright being absent.

**C.** Reports : “Reports” are a brief oral report from a committee or commission member and/or County staff, and no committee or commission action will occur. This item is not

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intended to include in depth presentations or reports, as those matters should be placed on an agenda for discussion.

Quincy Yaley provided reports on LAFCO business and upcoming conferences, meeting location information, and urged for any comments or concerns to be sent to her about LAFCO.

## **PUBLIC COMMENT**

Chair 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. Seeing no one, he closed the public comment period.

## **PUBLIC HEARING:**

None

## **NEW BUISNESS:**

Consideration of providing direction on determining the term lengths and the process for filling mid-term vacancies for the Special District member seats.

Quincy Yaley introduced the item and provided background on how Special District members were added to LAFCO. She asked GCSD General Manager Pete Kampa to elaborate on what the intention was for the rotation of the Special District seats. Discussion ensued regarding the Special District seats and the Special District alternative. The commission referred to the two Special District seats as a “focused seat” (the seat for GCSD, THCS, and TUD) and the “at large seat” which is chosen by a vote from the Special District Selection Committee.

At the conclusion of the discussion, it was agreed that the focused seat would rotate every four years, and that the next rotation will occur May 2024. The district currently filling the focused district seat is responsible for naming the individual to represent them member, and an alternate should they choose one.

For the at large seat, it was determined that the seat should have rotated in May of 2022, but because the Special District Selection Committee did not vote for a new member, John Feriani was still the at large representative and Adam Artzner is the at-large alternate. Because each of these seats are filled by individuals who receive specific votes cast by the members of the Special District Selection Committee, the district that the at large member and alternate associate with cannot send an alternate,

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should either member not be able to attend a meeting. The Special District Selection Committee will meet in the upcoming months and vote on new representatives. The Special District Selection Committee will meet in the upcoming months and vote on new representatives for the At-Large seat for the remainder of the four-year term of 2022 – 2026”.

## **ADJOURNMENT**

Chair Arreguin adjourned the meeting.

Respectfully submitted,

Quincy Yaley  
Executive Officer

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