

Mono County Local Agency Formation Commission

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MINUTES

May 4, 2016
(Adopted June 1, 2016)

COMMISSIONERS PRESENT: Fred Stump & Tim Alpers, Mono County; John Wentworth & Shields Richardson, Town of Mammoth Lakes; Earl Henderson & Hank Brown, special districts; Bruce Woodworth, **alternate** public member.

STAFF PRESENT: Scott Burns, executive officer; Wendy Sugimura, analyst; CD Ritter, secretary

GUESTS PRESENT: Chris Lizza, Lee Vining; Stephen Kalish, Swall Meadows

1. CALL TO ORDER: Chair Earl Henderson called the meeting to order at 3:06 p.m. in the Town/County Conference Room, Minaret Village Mall, Mammoth Lakes.

2. PUBLIC COMMENT: None

3. MINUTES

MOTION: Approve minutes of June 3, 2015 (*Brown/Alpers. Ayes: 6. Abstain due to absence: Wentworth.*)

4. PUBLIC HEARING: 2016-17 Preliminary Budget. Scott Burns introduced preliminary budget, as required by law, reflecting an increase in CALAFCO membership dues. LAFCO has been in a caretaker function, not a real aggressive work program of reorganization or consolidation. Staff integrated SOI (Spheres of Influence) and MSRs (Municipal Service Reviews) into Mono County policies, especially the General Plan, a major accomplishment. Daily review of items that may pertain: development projects, issues arising out of RPACs, Lee Vining PUD. Major work item was General Plan. Interest in Mono City/Lee Vining and Paradise/Wheeler Crest. Strong interest was shown with joint fund raising at Paradise/Wheeler Crest. Mono City/Lee Vining still has interest, but boards are not aligned yet. CWPP has BLM funding and LTC funding to look at emergency access routes. \$150,000 grant for hazard mitigation update. Interest in consolidation.

Typically, a LAFCO is equally funded by County, Town and Special Districts, but Mono's two well-off districts stepped up to share Special Districts' third.

Brown asked about status of hospital district study. Any conflicts? Burns will consult County Counsel.

Stump inquired about LAFCO involvement in CD-IV geothermal. Burns recalled nothing approached recently, but will check with County Counsel. Work tasks: Tri-Valley Groundwater Management District, which has had no funding since 1989, will need assistance in complying with state groundwater law. Mono tries to be a backstop entity. Examine for outside funding sources? \$11,000-\$12,000 from Mono for well monitoring. Current activity was a split from Inyo County. One comment was received from Owens Valley Committee regarding sustainability of fish slough; one or two basins? No well extraction, so technically didn't qualify. But due to environmental concern, analyzed anyway. Potential staff time is needed.

Tri-Valley is the only basin in Mono County involved. Burns stated Tri-Valley Groundwater is not subject to LAFCO purview. Maybe need to look at government assistance, possibly in irrigation. Mono has provided assistance through CDD and County Counsel.

Henderson asked about an irrigation district. Burns replied that so far, not subject of LAFCO.

Staff Brent Calloway attended LAFCO conference, and subsequently was offered better-paying position with Inyo-Mono agriculture commission. Burns hopes to seek Calloway's help with water-related issues.

Richardson asked about Inyo Forest Plan review. Burns indicated desire for USFS to be aware of needs of Special Districts.

OPEN PUBLIC HEARING. No comments. **CLOSE PUBLIC HEARING.**

MOTION: Adopt 2016-17 Preliminary Budget. *(Alpers/Richardson. Ayes: 7-0.)*

5. MEMBERSHIP REVIEW

A. Alternate Special District member: Alternate Maria King passed away, so need to fill position. Stump recalled Mono Supervisors sent condolence card. Brown indicated his FPD term expires this fall, will reapply; also Henderson at MCWD. LAFCO could convene Special District selection committee, but hard to do. Alternative is ballot by mail. Try for quorum on nomination.

B. Alternate Public seat: Burns provided follow-up from last meeting, where interest was shown by a June Lake resident. LAFCO preferred greater geographical representation. Stephen Kalish has been very active on scenic corridor, Stump commended Kalish's involvement in Digital 395 and indicated things would not be happening in Mono without his activities. The Swall Meadows resident also served on a California Public Utilities Commission **administrative committee**. Now LAFCO has representation from Walker in north to southern Mono line. Staff recommends appointment as alternate public member.

Alpers recalled wanting diversity. In past, it was hard to interest southern residents.

MOTION: Appoint Stephen Kalish as Alternate Public Member *(Alpers/Stump. Ayes: 7-0.)*

Kalish was introduced and joined commissioners at the table.

6. SPECIAL DISTRICT STUDY UPDATE

A. Fire Protection District Consolidation Status: Burns cited mostly dialog with FPDs. Chris Lizza serves on Lee Vining FPD and Planning Commission. Inquiry two months ago from Paradise/Wheeler Crest FPD boards to look at consolidation. No prop tax revenues. Take up under grant-funded studies.

Lizza laid out issues for FPD, where he is captain but not representing the district. FPD would be stronger with one department than two separate. Now need financial and legal analysis, which neither district is capable of doing. Aftermath of revenues. Provincial paranoia exists regarding assessments to new combined district – restricted to spending in one community or other, board membership restricted, and fear of absconding with funds.

Henderson cited major function of LAFCO is staff helping resolve issues to ensure service to communities. Burns: Part of hazard plan update. At the CALAFCO conference Brent Calloway asked about other FPDs that merged. Meet with financial and legal staff to establish Zone of Benefit, preserve assets into system. Tools to resolve issues, who serves on board. LAFCO could place conditions on merger to satisfy concerns.

Lizza thought the issue is possibly stymied by financial concerns, but budget analysis indicated funding for a study. Burns explained that two entities deposit money with LAFCO. Look at different approach too. Maybe just application for merger/consolidation. Sphere of Influence/Municipal Service Review amendment to process concurrently. Examine issues in greater depth.

Brown asked about fee if one submits application. Maybe waive? Burns indicated provisions to do that.

Stump cited precedent with Bridgeport PUD. Expanded district boundaries, fee waived by LAFCO. Usually \$500. How to answers to questions in both potential mergers? Same issues. Not specific but generic. Even White Mountain & Chalfant split. Nearly identical districts.

Burns recalled that Brent Calloway had initiated questionnaire with FPDs to update CWPP, planned to do it in-house. Recent outreach from EMS to update hazard mitigation plan with equipment inventory, location, capacity, emergency access, and wildland fire characteristics. Focused review. Mono City/Lee Vining has prop tax revenue, but not Paradise/Wheeler Crest.

Stump mentioned different percentage is allocated to districts. Lee Vining is disparate from Mono City. Prop 13 implications? Staffing and capacity just diminished, so might not be immediate.

Burns suggested addressing needs through grants. Guidance is to pursue consolidation if desired by boards. LAFCO is not aggressive, especially with volunteers. Lizza stated board can't support till gets answers to questions.

Brown noted others have consolidated, so database exists on how it was done. Does CALAFCO have that information? Burns indicated Calloway got insight at conference.

Brown: Hearing that issue brought to LAFCO, nothing done. Maybe progress on mentioned today?

Stump noted LAFCO doesn't have spare staff capacity or time, and didn't see money to fund a consultant. Chicken/egg analogy. Willing to commit to Lee Vining/Mono City and Paradise/Wheeler Crest that if grant revenue is received, will get answers to questions.

Burns indicated as move on to other studies, other districts would have to pay. Small rural districts do the best they can.

Stump cited less than \$40,000 at Lee Vining, just no capacity to contribute. Grant funding first task would be answers to questions posed.

Burns stated Mono would bear cost, going beyond hazard mitigation required. Maybe want overview of financial health of FPDs. Work with County Counsel, finance director (on next BOS agenda).

Woodworth noted reluctance on commitment until provincialism is resolved. Representation and credit to resources must be resolved by two districts. No point in doing analysis if two tribes say they can't make it work.

Henderson suggested that FPDs get together, not make LAFCO the referee. Can't move forward till keep personal issues out.

Kalish indicated Paradise/Wheeler Crest had annual fundraiser, split proceeds 50/50, maybe started conversation. **CSD assessments are not based on property valuation; not tax base, FPD not is.**

Stump recalled a vote to create parcel fee at Wheeler Crest. Tax rate areas list out entities, neither Paradise nor Wheeler Crest included. Not collected by Mono as property tax. Collected differently. Paradise copied in 2014 election.

B. Hospital District Study Status: Hot topic last year when Southern Mono Healthcare District (SMHD) operated outside its sphere. SMHD thought it was complying with MSR/SOI to pursue regional approach to healthcare. Conflicts took a legal turn. Inyo LAFCO participated, but Mono stayed out. Recent memo from Inyo LAFCO indicated potential regional healthcare approach. Awaiting final version for next meeting. LAFCO remains an impartial entity. Maybe more collaborative approach could work with Inyo LAFCO.

7. SPHERES OF INFLUENCE & MUNICIPAL SERVICE REVIEW STATUS: Burns touted one of big accomplishments as General Plan Update/RTP, with LAFCO principles integrated into General Plan and GHG (Greenhouse Gas) information. He introduced Wendy Sugimura, project lead on General Plan update.

Sugimura cited main point is General Plan encouraged compact communities, dependent on infrastructure to serve them. LAFCO is responsible agency in environmental documents, can use General Plan environmental information to tier off. Built in several means to comply with CEQA and GHG. Tool for LAFCO.

8. ADJOURN at 4:05 p.m. to next meeting June 1, 2016, for final budget.

Prepared by CD Ritter, LAFCO secretary