

# Mono County Local Agency Formation Commission

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## AGENDA

Wednesday, May 4, 2016 – 3 p.m.  
Town/County Conference Room, Minaret Village Mall  
Mammoth Lakes, California

1. **CALL TO ORDER**
2. **PUBLIC COMMENT**
3. **MINUTES:** Review and approve minutes from June 3, 2015
4. **PUBLIC HEARING:** Consider adoption of 2016-17 Preliminary Budget
5. **MEMBERSHIP REVIEW**
  - A. Update on Alternate Special District membership
  - B. Consider appointing Stephen Kalish to fill alternate Public seat
6. **SPECIAL DISTRICT STUDY UPDATE**
  - A. Fire Protection District Consolidation Status
  - B. Hospital District Study Status
7. **SPHERES OF INFLUENCE & MUNICIPAL SERVICE REVIEW STATUS** *Brent Calloway*
8. **ADJOURN** to next meeting: June 1, 2016

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## DRAFT MINUTES

June 3, 2015

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

**STAFF PRESENT:** Scott Burns, executive officer; Brent Calloway, analyst; Stacey Simon, assistant county counsel; CD Ritter, secretary

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1. **CALL TO ORDER:** Chair Earl Henderson called the meeting to order at 3:00 p.m. in the Town/County Conference Room, Minaret Village Mall, Mammoth Lakes.

2. **PUBLIC COMMENT:** None

3. **MINUTES:**

**MOTION:** Approve minutes of May 6, 2015, as submitted. (*Brown/Bacon. Ayes: 6. Abstain: Richardson, Alpers.*)

4. **PUBLIC HEARING: 2015-16 Final Budget.**

Scott Burns presented the final budget, identical to the draft preliminary budget. Special Districts are funded by MCWD and Southern Mono Healthcare District. Activity will be similar to last year, more a maintenance function. Will be concluding MSRs and SOIs, better maps by Brent Calloway. Looking for LAFCO issues, such as general plans, significant building projects, etc. Work item: Mono Basin and Lee Vining FPD merger, got BLM grant up to \$20,000. Forest Plan update in review + application activity.

**OPEN PUBLIC COMMENT:** None. **CLOSE PUBLIC COMMENT.**

**MOTION:** Approve 2015-16 final budget (*Stump/Brown. Ayes: 6. Abstain: Alpers.*)

5. **MEMBERSHIP: Regular and alternate public member.** Scott Burns noted current alternate Bruce Woodworth is interested in becoming a regular member, and Vikki Bauer indicated interest in alternate member. Requires vote from all entities.

**MOTION:** Appoint Bruce Woodworth as regular member. (*Stump/Bacon. Ayes: 7.*)

**MOTION:** Stump: More outreach to unrepresented areas of county. Dominated by Southern Mono area. Alpers: Outreach more. Burns: Needed to post both vacancies, alternate solicitation ran several months. Publish in Inyo Register and Sierra Scoop. Continue for several more months.

Brown: Need to delay? Bauer was on LAFCO when on BOS. Richardson: If no one stepped up, go ahead and vote. Henderson: He and Burns attended special districts meetings to educate. Help people understand what LAFCO is, maybe FPD merger as example. Educational outreach so people might want to step up.

Woodworth: Announce at RPACs. If no interest, maybe provisional appointment of Bauer.

Alpers: Served on LAFCO in 1980s. FPD merger, see if Lee Vining and Bridgeport might be interested. Would like chance to float up in Lee Vining.

**MOTION:** Provisionally appoint Bauer. Alpers: Maybe somebody from Lee Vining.

Simon: May need special meeting before fall. Bacon: Defer to next meeting, whenever it is.  
Henderson: Alternate does not vote unless regular is absent. Woodworth: But could speak.  
Bacon: Would be nice to have someone who's a part of the FPD merger.  
Stump: Carry message to Bridgeport and Mono Basin RPACs.  
Consensus: More outreach for representation needed.

**MOTION:** No action today. Solicit alternate member in all print publications and bring back to next meeting.

6. **STATUS REPORT: Inyo LAFCO review of Southern Mono Healthcare District's Bishop services.** Stacey Simon discussed with Inyo legal counsel, and Brent Calloway attended Monday meeting. Inyo reviewed SMHD letter to Inyo, no need for out-of-district contract. Closed session, and then suggested seeking legal counsel. Some supporters of NIH were present. No discussion from LAFCO. One supervisor thought it would be inappropriate for LAFCO to resolve, wanted hospitals to work it out.

Simon: If litigation were initiated by Inyo LAFCO, Mono LAFCO possibly could be named party of interest. Want closed session with Mono to discuss issues, before fall meeting. Another significant direction at meeting: Planning director advised to engage with Mono LAFCO on potential regionalization, something SMHD indicated interest in. Look more broadly toward future for best service for communities. Possible alternative to litigation, or concurrently with litigation. May happen sooner, know more when contract counsel comes on. No idea who it is.

Stump: See nothing in historical review of how services created indicated Mono LAFCO weighed in at all on extension of services, whether invited or not. Please address how Mono LAFCO would even be party of interest. [SMHD attorney David] Baumwohl's history in letter seemed pretty accurate.

Burns: Met with hospital administrators for 1.5 hours. Our SOI recommends regional approach, long-term LAFCO vision. Recognized by both, but NIH doesn't even want to consider until issue with SMHD is resolved. Pursuing what's already in SOI, two rural districts will continue to struggle so needs to be addressed. Out-of-district service agreement allows for affected LAFCO to process. Who is affected? Inyo thinks it is. Tend to agree. Support Inyo LAFCO.

Simon: Given Mono is source county of SMHD, may be some involvement.

Stump: Where does patient care come in? If high level of care is provided by alternate source, issue is lost in legal wrangling.

Henderson: Regional healthcare. Two diagnoses here, sent to Inyo. Meeting of minds, sharing of staff, putting patient first. Come to grips, put patient first.

Simon: Will report back on ability of LAFCOs to drive regionalization.

Henderson: New CKH rules seemed to support that. Stump: Government code is conflicting and confusing.

7. **INFORMATIONAL: Letter responding to Mono City and Lee Vining FPDs regarding merger potential.** Burns: Will update when responses arrive. Grant funding to tap in January or so. Meanwhile, LAFCO staff will meet with FPDs. Funding accumulations are a concern; protect through zone of benefit or whatever.

Stump: Lizza said appears item is on hold temporarily.

Bacon: Special Meeting sooner, fall meeting, January meeting?

Stump: Request every meeting be simulcast to Bridgeport.

8. **ADJOURN** at 3:42 p.m.

*Prepared by CD Ritter, LAFCO secretary*

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## STAFF REPORT

May 4, 2016

**TO:** Mono LAFCO  
**FROM:** Scott Burns, Executive Officer  
**RE:** 2016-17 PRELIMINARY BUDGET

### **RECOMMENDATION**

Following close of the public hearing, adopt the attached preliminary budget for fiscal year 2016-17.

### **BACKGROUND**

In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act), a public hearing is scheduled today to adopt the Preliminary Budget for fiscal year 2016-17.

The LAFCO budget must be at least equal to the budget adopted for the previous fiscal year unless the Commission finds that reducing staffing or program costs will still allow the LAFCO to fulfill the purposes and requirements of the Act. The preliminary budget of \$11,582 essentially reflects a status-quo level of funding, with a small increase of \$50 to accommodate a slight increase in CALAFCO membership dues.

### **ALTERNATIVE APPORTIONMENT**

The CKH Act establishes methods for apportioning LAFCO staffing and program costs among the County, Town and special districts. The law allows alternative apportionment methods, which Mono LAFCO has used in the past to avoid impacting financially constrained special districts. Prior to using an alternative apportionment method, LAFCO costs were fully borne by the Town of Mammoth Lakes and Mono County. The past several years, the Commission applied an alternative apportionment method consisting of a third from Mono County; a third from the Town of Mammoth Lakes; and a third from special districts, with the special district share provided exclusively from the Southern Mono Healthcare District and the Mammoth Community Water District, rather than from all independent special districts.

The proposed preliminary budget reflects this same alternative budget apportionment method, which consists of a third (\$3,861) from Mono County; a third (\$3,861) from the Town of Mammoth Lakes; and a third (\$3,860) from the special districts. Instead of all independent special districts in Mono County contributing, this alternative apportionment consists of \$1,930 from Southern Mono Hospital District and \$1,930 from the Mammoth Community Water District.

### **FY 2016-17 BUDGET**

The attached Preliminary Budget for fiscal year 2016-17 maintains a status-quo funding level. This level of funding has been sufficient for LAFCO activity this past year. Staff activity included:

- reflecting LAFCO policies in the Mono County General Plan update;

- limited reviews/updates of agency Spheres of Influence/Municipal Service Reviews, in concert with the Mono County General Plan Update and Environmental Impact Report, and in so doing sharing grant funds for coordination of the SOI/MSR updates with the county General Plan and Regional Transportation Plan updates;
- coordinating with federal, state and local agencies, conservation entities and land owners in planning for open space and agricultural preservation via the Bi-State Action Plan for Sage Grouse;
- reviewing the accuracy of district maps with the Assessor and GIS Coordinator as a part of the above reviews, making technical map corrections and converting to a GIS format;
- conducting initial discussions on potential district consolidation processes with Lee Vining and Mono City Fire Protection District (FPD) representatives, and more recently the Paradise and Wheeler Crest FPDs;
- assisting County Service Areas in Crowley and Bridgeport on capital programming and project planning;
- reviewing development projects and CEQA documents for potential LAFCO issues;
- investigating potential grant funding for reorganization study for Lee Vining and Mono City FPDs;
- responding to occasional LAFCO inquiries;
- coordinating with Inyo LAFCO to examine hospital service issues between the Southern Mono and Northern Inyo healthcare districts; and
- attending CALAFCO staff conference.

Anticipated work tasks for 2016-17 include:

- conclude digital versions of Sphere of Influence/Municipal Service Reviews, with integrated on-line links, in concert with the General Plan and Regional Transportation Plan update posting
- review LAFCO agriculture preservation policies as a part of a Sustainable Agriculture grant
- review water service providers, including irrigation, as a part of the Walker River Water Transfer Study;
- provide staff assistance as needed to the Tri-Valley Groundwater Management District in responding to the Sustainable Groundwater Management Act;
- assist FPDs with reorganization review, including potential merger of fire districts, as a part of grant-funded community wildfire protection planning and hazard mitigation plan update;
- respond to application activity, including application processing, such as FPD merger;
- work with Inyo LAFCO in coordinating health care district service review;
- transition supporting staff to replace departing Associate Analyst, and work to strengthen coordination with the Agriculture Commissioner on agriculture preservation matters; and
- review plans, projects and environmental documents for LAFCO concerns, including the Inyo Forest Plan update

This expected low level of activity, which is similar to last year, is reflected in the attached recommended FY 2016-17 Preliminary Budget.

#### **ATTACHMENT**

- Preliminary FY 2016-17 Budget

**FY 2016-17 PRELIMINARY BUDGET**

<b>Salary and Benefits</b>	\$8,732
<b>Memberships (CALAFCO)</b>	\$850
<b>Office Expense</b>	\$200
<b>Travel and Training</b>	\$1,500
<b>Legal Notices</b>	\$300
<b>TOTAL</b>	<b>\$ 11,582</b>

# MONO COUNTY

## LOCAL AGENCY FORMATION COMMISSION

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### **MONO COUNTY**

**Stump, Fred** (regular member till 12.31.16)

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**Alpers, Tim** (regular member till 12.31.16)

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**Johnston, Larry** (alternate member till 12.31.16)

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### **MAMMOTH LAKES, TOWN OF**

**Bacon, Jo** (alternate member till 05.02.16)

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**Wentworth, John** (regular member till 05.02.18)

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### **SPECIAL DISTRICTS**

**Brown, Hank** (regular member till 05.02.18)

136 Sierra Springs Dr.  
Crowley Lake, CA 93546  
760-935-4445 [hanklvf@gmail.com](mailto:hanklvf@gmail.com)

**Henderson, Earl** (regular member till 05.02.18, elected chair 03.04.09)

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760-934-3567 [earl.henderson3@verizon.net](mailto:earl.henderson3@verizon.net)

**VACANT** (alternate member till 05.02.18)

### **PUBLIC MEMBER**

**Woodworth, Bruce** (member till 05.02.16)

824 Burcham Flat Rd.  
Coleville, CA 96107  
650-387-4996 [monocountyrtd@gmail.com](mailto:monocountyrtd@gmail.com)

**VACANT** (alternate member till 05.02.16)

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## STAFF REPORT

May 4, 2016

**TO:** Mono LAFCO  
**FROM:** Scott Burns, executive officer  
**RE:** Alternate Public Member Appointment

### **Recommendation**

Consider appointing Stephen Kalish as the Mono LAFCO alternate public member.

### **Background**

At the June 3, 2015, meeting, the Commission discussed a letter of interest in the alternate position submitted by Vikki Bauer, a June Lake resident. The Commission discussed a desire to have greater geographic diversity in the appointment, and delayed taking action on the alternate member appointment.

The attached letter from Swall Meadows resident Stephen Kalish was subsequently received. As the July 23, 2015, letter indicates, Mr. Kalish has an impressive background in business, education and local community involvement, and presents additional geographic diversity as a Swall Meadows resident.

The following excerpt of the Cortese-Knox-Hertzberg Act reviews the public member selection requirement:

56325. There is hereby continued in existence in each county a local agency formation commission. Except as otherwise provided in this chapter, the commission shall consist of members selected as follows:

(d) One representing the general public appointed by the other members of the commission. The other members of the commission may also designate one alternate member who shall be appointed and serve pursuant to Section 56331. Selection of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members selected by each of the other appointing authorities.

### **Attachment**

- Stephen Kalish letter



RECEIVED  
JUL 23 2015  
MONO COUNTY  
Community Development

23 July 2015

Scott,

This is to confirm my interest in the alternate public member seat on Mono County LAFCO.

To introduce myself to the Commissioners, I am a lifelong California resident and have resided – with my wife, Rosemary Jarrett – in Swall Meadows since 1992.

Education: studied political theory and history of consciousness at the University of California at Santa Cruz.

Electoral politics: once active in local campaign initiatives; served on the statewide steering committee opposing statewide Prop 10 (1980).

Teaching experience: Instructor in the University of California Natural and Environmental Studies extension program in the 1980s, co-leading wilderness and mountaineering classes throughout the Sierra Nevada and on Mt. Shasta.

Business: 38 years experience in leasing and facilities management. Self-employed owner of commercial office buildings located in Santa Cruz, California. Skill sets include marketing and lease negotiation; all phases of construction; design; drafting; historic renovation; project management.

Local community involvement: citizen participation in air quality issues, forest planning, broadband initiatives, scenic highway compliance, airport planning, subdivision proposals.

Volunteer work: for the past five years I have been an AARP Tax-Aide income tax preparer/quality reviewer.

Appointed positions: I was an active member on the Mono County Technical Advisory Committee, which produced a new Communications chapter for the General Plan; currently serve as alternate CBO (community-based organization) member on the California Public Utilities Commission's CHCF-A Administrative Committee.

Stephen Kalish  
892 Rimrock Drive  
Swall Meadows, CA 93514  
[kaljar@qnet.com](mailto:kaljar@qnet.com)  
760.387.2782

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## STAFF REPORT

May 4, 2016

**TO:** Mono LAFCO  
**FROM:** Scott Burns, Executive Officer  
**RE:** Sphere of Influence and Municipal Service Review Status

### **RECOMMENDATION**

Informational

### **DISCUSSION**

A comprehensive update to the Mono County General Plan, Regional Transportation Plan and associated Environmental Impact Report was adopted by the Mono County Board of Supervisors in December of 2015. Mono LAFCO was identified as a responsible agency during the EIR development and approval process, LAFCO documents including Sphere of Influence reports and Municipal Service Reviews were incorporated into the EIR, and LAFCO's important role in ensuring efficient development was directly incorporated into General Plan policy.

### **Responsible Agency**

In accordance with the CEQA guidelines, Mono LAFCO was listed as a responsible agency in the EIR. This acknowledges that Mono LAFCO will likely make discretionary decisions required to further implement the goals and policies of the Mono County General Plan and will allow Mono LAFCO to utilize this comprehensive environmental document to streamline the review and approval of projects consistent with the EIR's analysis.

### **SOI Reports & MSRs**

Mono LAFCO last performed a comprehensive review of Sphere of Influence reports and Municipal Service Reviews in 2013, fixing technical errors and reviewing sphere boundaries. These documents were utilized, along with hundreds of other source materials, in the analysis of countywide environmental impacts including several impact categories relevant to LAFCO's mission. The SOI reports and MSRs were critical in the analysis of impacts to the provision of public services and utilities as well as health and safety, population and housing, and agriculture conservation.

### **General Plan Policy**

While Mono LAFCO's role in specific projects has historically been referenced in the General Plan (for example a specific district consolidation or merger), for the first time, Mono LAFCO's important role is more specifically recognized and an additional policy has been added to the General Plan as an action mitigating a potentially significant and adverse impact to Public Services and Utilities caused by the implementation of the county General Plan. Policy 4.B.6 reads, "As needed, review and ensure consistency with the LAFCO sphere of influence recommendations and municipal service reviews (MSRs) to pursue efficient delivery of services." This added policy gives further weight to LAFCO's analytical responsibilities and role in the development approval process.