



# County of Tuolumne Local Agency Formation Commission

Quincy Yaley, AICP  
Executive Officer

## AGENDA

### TUOLUMNE COUNTY LAFCO

July 13, 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](http://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. LAFCO members will be participating via zoom. Public Comment will be opened and closed individually for each agenda item listed below, excluding Reports. To observe or participate in the July 13, 2020 LAFCO 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/83763905461>
- (Meeting ID: 837-6390-5461)
- 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](mailto: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 May 26, 2020
- C. 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 Final Budget Fiscal Year 2020-21 LAFCO Budget for the Tuolumne County Local Agency Formation Commission.

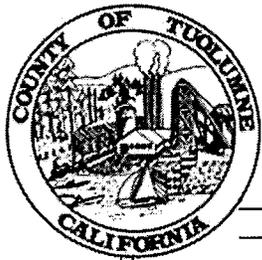
**ADJOURNMENT**

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](http://www.tuolumnecounty.ca.gov)

TO: Tuolumne County Local Agency Formation Committee

FROM: Quincy Yaley, AICP Community Development Department Director

RE: Public Hearing Procedures

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In light of current COVID 19 Health Orders and the LAFCO Commission meeting being held via the Zoom Platform, County Counsel has advised that the LAFCO Commission may modify the public comment procedures for public hearings at the July 13, 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

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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/88966911741>
- Meeting ID: 860 1197 1123
- One tap mobile

Or iPhone one-tap :

US: +16699006833,,86011971123# or +13462487799,,86011971123#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099

Webinar ID: 860 1197 1123

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](mailto: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 8:00 a.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/86011971123>
- 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: 860 1197 1123
- 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

June 23, 2020

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

## EXECUTIVE OFFICER'S REPORT

### PROPOSED ACTION

Consideration of adopting the Final Budget for the Local Agency Formation Commission (LAFCO) for Fiscal Year (FY) 2020-2021.

### BUDGET

1. 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>. Budget adoption has been delayed slightly due to the COVID-19 crisis.
2. 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.
3. On May 26, 2020, the Local Agency Formation Commission adopted a draft budget for Fiscal Year 2018-2019 pursuant to Government Code Section 56381. On May 28, 2020, the draft budget was sent to the City of Sonora, County of Tuolumne, and all the Special Districts in Tuolumne County for review and comment before LAFCO adopts the final budget. To date, no comments have been received regarding the draft budget.
4. 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.
5. 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

6. 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**

<b>Amount</b>	<b>%</b>	<b>Entity</b>
\$ 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 Park & Recreation 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**

7. **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.

8. **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 final 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.
9. **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**

<b>Personnel</b>	<b>Hourly</b>	<b>Hours</b>	<b>Total</b>
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
<b>Total</b>			<b>\$ 54,111</b>

### **WORK PROGRAM FOR FY 20-21**

#### **MUNICIPAL SERVICE REVIEWS**

10. 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.

11. 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

12. 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".

13. 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.

14. 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 Final FY 2020-2021 budget, and
- Approve the LAFCO Fiscal Year 2020-2021 Work Program.