MINUTES

YUBA LOCAL AGENCY FORMATION COMMISSION
REGULAR MEETING

November 4, 2020

I. CALL TO ORDER:

At 6:01 p.m. a Zoom Teleconference meeting of the Yuba County Local Agency Formation Commission (LAFCO) was called to order by the Chair, Commissioner Hudson, along with Commissioner Atwal, Lofton, Vasquez, West, County Alternate Fletcher and Public Alternate Pinney present. City Alternate Commissioner Pendergraph was absent. Also present were Executive Officer John Benoit, Legal Counsel David Ruderman and LAFCo Clerk-Analyst Paige Hensley.

II. PLEDGE OF ALLEGIANCE:

Commissioner Hudson led the commission in the Pledge of Allegiance.

III. APPROVAL OF MINUTES:

Minutes from the September 2, 2020 meeting were unanimously approved, with a 5 to 0 vote, upon a motion by Commissioner Vasquez and a second by Commissioner West.

IV. PUBLIC COMMUNICATIONS:

Public Comment

There were no public comments.

V. PUBLIC HEARING:

1. REQUEST from the Aero Pines Association (Lafco File 2020-0003) to annex into the North Yuba Water District 80.48 acres, consisting of 33 assessor’s parcels, to provide safe and reliable domestic water service on property known as the Aero Pines Subdivision located east of La Porte Road. This annexation is due to wells having failing water quality and quantity to serve the subdivision. ***ITEM TO BE CONTINUED UNTIL JANUARY 6th, 2021.***

Public Comment: There was no public comment at this time
**Action:** Upon motion from Commissioner West and seconded by Commissioner Vasquez, LAFCO 2020-0003 the Aero Pines Annexation was continued until the January 6, 2021 meeting with the following vote: AYES: Commissioner Atwal, Lofton, Hudson, Vasquez and West; NOES: None; ABSTAIN: None; ABSENT: None

2. **Revised Fee Deposit Schedule:** Conduct a public hearing to adopt a revised fee deposit schedule and hourly charge rates.

**Staff Report:**

John Benoit, Executive Officer, reviewed the staff report and fee schedule with much of the discussion centered around how to handle covering Request for Reconsideration costs in the future and that each project is different and there are many unforeseen factors that can determine the amount of time spent on completing a project.

Commissioner Lofton stated this discussion was triggered by a recently filed Request for Reconsideration on a project which in turn required a lot of extra staff time and materials and the fee that was charged at the time of filing the request did not adequately cover the costs incurred by that action.

Dennis Pinney suggested raising the fee for GIS mapping.

David Ruderman, Counsel, explained if the costs exceed the fee deposit, LAFCO can require the applicant to pay the difference before the completion of the proceedings.

**Action:** Upon motion from Commissioner Vasquez and seconded by Commissioner Lofton, the commission waived reading of the proposed amendment to the fee deposit schedule and scheduled further consideration and second reading at the next regular meeting on January 6, 2021 with the following vote: AYES: Commissioner Atwal, Lofton, Hudson, Vasquez and West; NOES: None; ABSTAIN: None; ABSENT: None

VI. **OTHER BUSINESS:**

1. **Affirm the protest hearing results for LAFCO 2020-0002/NYWD Detachment.**

   **Action:** Upon motion from Commissioner Vasquez and seconded by Commissioner West, the Commission adopted Resolution 2020-0011 affirming results of Conducting Authority Hearing for the NYWD Detachment with the following vote: AYES: Commissioner Atwal, Lofton, Hudson, Vasquez and West; NOES: None; ABSTAIN: None; ABSENT: None

2. **Approve the new Yuba LAFCO meeting schedule for 2021.**

   **Action:** Upon motion from Commissioner Lofton and seconded by Commissioner Vasquez, the Commission approved the new Yuba LAFCO meeting schedule for 2021 with the following vote: AYES: Commissioner Atwal, Lofton, Hudson, Vasquez and West; NOES: None; ABSTAIN: None; ABSENT: None
VII. EXECUTIVE OFFICERS AND COMMISSIONERS REPORTS:

John Benoit explained Lafco staff will be looking at updating the Bylaws, and Policies and Procedures in the upcoming months.

John Benoit reminded the commission that CALAFCO will be holding a virtual (Zoom) Roundtable on December 9, 2020

Commissioner Lofton stated as this was his last LAFCO meeting, he wished to thank his fellow commissioners and staff for working with him the last four years.

Fellow Commissioners and staff thanked Commissioner Lofton in return and expressed their appreciation for him.

VIII. ADJOURN:

There being no further business, the meeting was adjourned at 6:40 p.m. to the next meeting on January 6, 2021 at 6:00 p.m. in the Board of Supervisors Chamber, 915 8th Street, Marysville, or via a Zoom meeting.

Approved,
 Brad Hudson, Chair

ATTEST: JOHN BENOIT
EXECUTIVE OFFICER

By: Paige Hensley, Yuba LAFCO Clerk-Analyst