

# YUBA LOCAL AGENCY FORMATION COMMISSION

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## YUBA LOCAL AGENCY FORMATION COMMISSION AGENDA

### SPECIAL MEETING

Thursday, July 29th, 2021 at 6:00 P.M.

**In person meeting:** The Yuba LAFCO meeting will be open to in-person attendance. To remain in compliance with the state's public health guidance and CalOSHA COVID-19 Emergency Temporary Regulations [8 CCR §3205], masks will be encouraged to be worn by individuals who are not fully vaccinated while inside the Government Center and while in the Board Chambers.

**Zoom meeting:** The Yuba LAFCO meeting will be available via Zoom and you may participate in Public Comment by using the "raise hand" function. Executive Order N-29-20 authorizes local legislative bodies to hold public meetings via teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public. Members of the public are encouraged to observe and participate in the teleconference Zoom Meeting.

**Join the Zoom meeting by video, click on the link below:**

<https://us02web.zoom.us/j/82543770515?pwd=aEMwaWM3QXVoMURkZmh3a2xoaW9qUT09>

**Or you may join by telephone by dialing the following:**

**+1 669 900 6833 US (Toll Free)**

**Meeting ID: 825 4377 0515**

**There is no participant ID- Just press # when prompted**

**Passcode: 425285**

Public comment will also be accepted by email to [phensley@co.yuba.ca.us](mailto:phensley@co.yuba.ca.us). Please list the item number you wish to comment on and submit your written comments 24 hours prior to the start of the meeting. Written comments will be distributed to the Commission prior to the meeting but not read at the meeting and are limited to 500 words

Oral public comments will be subject to a three-minute time limitation indicated below.

**I. CALL TO ORDER:**

**A. Roll Call:**

**Commissioners**

Kuldip Atwal, Public Member  
Randy Fletcher, County Member  
Brad Hudson, City Member - **Chair**  
Andy Vasquez, County Member  
Rick West, City Member - **Vice Chair**

**Alternates:**

Seth Fuhrer, County Member Alternate  
Dennis Pinney, Public Member Alternate  
Bruce Buttacavoli, City Member Alternate

**II. PLEDGE OF ALLEGIANCE:**

**III. ELECTION OF OFFICERS:**

**In accordance with LAFCO's Bylaws, Conduct Election of Chair and Vice-chair for LAFCO for Fiscal Year 2021-2022**

- A. Election of Chair for FY 2021-2022
- B. Election of Vice-Chair for FY 2021-2022

**IV. APPROVAL OF MINUTES:**

Approve minutes from the May 5th, 2021.

**V. PUBLIC COMMUNICATIONS:**

**Public Comment**

Members of the public are invited to address the Commission on any matter of interest to the public that is not on the agenda for a period of time not exceeding 3 minutes. Pursuant to the Brown Act, the Commission cannot take any action on items not listed on the posted agenda but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.

**VI. PUBLIC HEARINGS:**

- A. **LAFCO NO. 2020-0005-SOI Amendment and Annexation for Reclamation District 817 into Reclamation District 2103:** A Request for a Sphere of Influence Amendment and

annexation of approximately 613.27 acres from RD817 into RD2103, with a remainder of approximately 507.30 acres to remain in RD817.

**Action:**

1. Conduct public hearing and consider adopting proposed Resolution 2021-06 approving a Sphere of Influence Amendment consisting of 2,719.74 acres being removed from the Reclamation District 817 and placed into the Reclamation District 2103's Sphere of Influence.
2. Conduct public hearing and consider adopting Resolution 2021-07 approving an annexation consisting of 2,719.74 acres more or less to the Reclamation District 2103 and removing 2,719.74 acres from the Reclamation District 817.

**VII. OTHER BUSINESS:**

- A. Discuss recent court decision in San Luis Obispo LAFCO v. City of Pismo Beach
- B. Authorize Staff and Commissioners to attend the Calafco annual conference in Newport Beach, October 6-8, 2021.
- C. Consider nominations for a Calafco Achievement Awards 2021 (due August 13th)
- D. Consider nomination for the Calafco Board of Directors for a County Member. (due September 7th)
- E. Designate LAFCo member to vote on behalf of Yuba LAFCo at the Calafco Annual Conference

**VIII. EXECUTIVE OFFICERS AND COMMISSIONERS REPORTS:**

- A. Update on pending projects.

**IX. ADJOURN TO THE NEXT MEETING ON Wednesday, September 1, 2021.**

Commissioners – Please contact your alternate if you are unable to attend this meeting.  
Alternates are:

City - Bruce Buttacavoli  
County – Seth Fuhrer  
Public - Dennis Pinney

The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.



**Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority Government Code Section 56325.1**

Public Comment

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be within the Commission’s subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).
- The total amount of time allotted for receiving public comment may be limited to 15 minutes.
- Any individual’s testimony may be limited to 3 minutes. Time to address the Commission will be allocated on the basis of the number of requests received. If you would like an item placed on a future agenda, you may do so by contacting the Commission at (530) 749-5467.

Procedure for Public Hearing:

The public may address the Commission on each agenda item during the Commission’s consideration of the item. When doing so, and when commenting on non-agenda items, we ask that the public kindly be recognized by the Chair before speaking, and to please keep their remarks brief. If several persons wish to address the Commission on the same item, or if any person’s comments are excessive, the Chair may limit any person's input to 3 minutes. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

Accessibility

The telephonic/video meeting location is accessible to people with disabilities. Every reasonable effort will be made to accommodate participation of the disabled in all of the Commission’s public meetings. If particular accommodations for the disabled are needed or a reasonable modification of the teleconference procedures are necessary (i.e., disability-related aids or other services), please contact the Clerk at (530) 749-5467 at least 24 hours in advance of the meeting. An interpreter for the hearing-impaired may be made available upon request to the Clerk 72 hours before a meeting.

Disclosure & Disqualification Requirements

Any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Yuba LAFCO must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals; they may be reviewed at Government Code §§56700.1 and 81000 *et seq.* Additional information about the requirements pertaining to local initiative measures to be presented to the electorate can be obtained by calling the Fair Political Practices Commission at (916) 322-5660.

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 the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

Late-Distributed Materials. Any material submitted to the Commission after this agenda is posted will be made available for public inspection as soon as possible in the LAFCO office, as indicated below.

Contact LAFCO Staff: LAFCO staff may be contacted at 530-749-5467 or by mail at Yuba LAFCo c/o John Benoit, Executive Officer 915 8<sup>th</sup> Street, Suite #130, CA 95901 or by email at [phensley@co.yuba.ca.us](mailto:phensley@co.yuba.ca.us) or by fax at (530) 749-5468.