

YUBA COUNTY LOCAL AGENCY FORMATION COMMISSION

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MINUTES

YUBA LOCAL AGENCY FORMATION COMMISSION

April 3rd, 2013

I. CALL TO ORDER

At 6:00 p.m., a meeting of the Yuba County Local Agency Formation Commission (LAFCO) was called to order by Chair Abe, with Commissioners Griego, Hastey, Samayoa and Alternate Commissioner Vasquez present. Commissioner West and Alternate Commissioners Pedigo and Wilkins were absent. Also present were John Benoit, Executive Officer, LAFCo Counsel Michael Colantuono and LAFCo Clerk-Analyst Paige Hensley.

II. APPROVAL OF MINUTES:

The minutes from February 6, 2013 and March 6, 2013 were unanimously approved.

III. PUBLIC COMMUNICATIONS:

None.

IV. PROCEDURE FOR PUBLIC HEARINGS:

V. PUBLIC HEARING:

- A. Proposed Fiscal Year 2013-2014 LAFCO Budget:** The Commission will make a proposed determination thereon for the 2013-2014 LAFCO budget. Any person may be heard regarding the increase, decrease, addition or omission to the proposed budget.

John Benoit, Executive Officer, discussed the work program and reviewed the line items of the proposed budget

John Benoit asked which Commissioners would like to go to the conference in August.

Commissioner Samayoa suggested that perhaps Commissioner West may wish to go since he is new to LAFCO. Commissioner Samayoa said he may be interested in going also.

Commissioner Abe asked for clarification on the line item pertaining to communications and the total expenditures.

John Benoit stated he would add the \$1000 back in for communications.

Action:

Upon motion from Commissioner Hastey and seconded by Commissioner Samayoa the Commission unanimously approved the proposed 2013-2014 LAFCO budget with a 4 to 0 vote. Commissioner West was absent.

VI. ACTION ITEMS:

A. Continue workshop regarding the Draft Policies, Standards and Procedures.

John Benoit continued his review of the new proposed draft policies.

Commissioner Griego asked how LAFCO implements the policy regarding encouraging applications that will improve a regional balance between jobs and housing.

John Benoit stated that it depends on how active Yuba LAFCO wants to be and explained with large developments Yuba LAFCO would need to question it if there is not sufficient proposed commercial and industrial development along with the proposed housing. John Benoit stated you would also need to look at it from a regional perspective.

Michael Colantuono, LAFCO Counsel, suggested the Commission could look at the aspirations of the County General Plan to achieve jobs and housing balance.

Commissioner Griego discussed the 17 % unemployment rate and the lack of job balance in the County and asked if that would be used as criteria when looking at new projects.

Michael Colantuono, LAFCO Counsel, explained the commission gets to make judgments each time and that's why policies are not written to box the Commission in but to tell the Commission what issues are important to consider. Michael Colantouno explained job and housing balance is a goal but it is not the only goal.

Commissioner Griego asked if it would be more productive, when working with our land using agencies up front, to explain what LAFCO is looking for or what we encourage.

John Benoit explained he does send a copy of LAFCO's policy when he is asked to review a large project and asks them to consider LAFCO's policy.

John Benoit asked the Commission to consider how active they wish to be.

Commissioner Griego explained that when looking at issues the decisions need to be based on LAFCO's policies and procedures.

Commissioner Abe asked what's included in the region when looking at regional balance.

John Benoit said mostly Yuba County.

Michael Colantuono explained LAFCO is asked to apply the General Plan of the annexing community.

Commissioner Griego referenced page 12 and the 50 foot buffer from the base of levee for maintenance and stated she would like to see LAFCO consider the ability to use the information regarding levees and their impact on projects when considering them.

Michael Colantuono asked what documents would LAFCO reference for this discussion.

Commissioner Griego explained information and documentation from FEMA should be considered.

Michael Colantuono asked if the following language would address her concerns, "nor comply with flood planning and insurance requirements established by FEMA and the Department of Water Resources."?

Commissioner Abe questioned the appropriate location for that language and asked if there would be a better place to put it.

Michael Colantuono suggested leaving it but changing the title to "Levee Maintenance and Flood Planning".

Commissioner Samayoa questioned the language on page 13, paragraph 2 pertaining to revenue neutrality.

Michael Colantuono explained revenue neutrality is only mandatory when considering an incorporation of a new city however, with an annexation if you are taking revenue away from an agency you should be taking an equal amount of service burden away. Michael Colantuono suggested softening the language to "may deny the application" instead of "will deny the application". Michael Colantuono explained the flexible language won't paint the Commission into a box.

Commissioner Hastey stated his agreement with having flexible language so that the Board is allowed to do their job and to make good judgments.

Action:

Upon motion from Commissioner Griego and seconded by Commissioner Hastey the Commission unanimously approved that the language be added to the policies that was discussed at this evenings meeting.

The commission directed staff to set a public hearing date for May 1st, 2013.

B. Review Work Program for LAFCO for FY 2013-2014

Receive Executive Officers report, review proposed work program, add or delete items to be included in LAFCO's work program for FY 2013-2014

****The work program was addressed while discussing item V.A. ****

VII. OTHER BUSINESS:

A. Consideration of a "Tag Line" for Yuba LAFCo.

The Commission unanimously approved the tag line of "We protect agriculture, management government boundaries and evaluate local government services."

VIII. EXECUTIVE OFFICER AND COMMISSIONERS REPORTS:

John Benoit told the commission he would be attending the upcoming CALAFCO Conference.

Commissioner Hastey discussed a recent problem which occurred when working with Olivehurst Public Utility District and trying to bring a new business into Yuba County. Commissioner Hastey explained that there was a chance to bring in 150 jobs into the area and Olivehurst Public Utility District was standing in the way because they didn't want to agree to let Linda Water provide service to this new plant when OPUD was not in a position to do so. Commissioner Hastey asked that LAFCO consider what can be done with any special district that wants to hold everyone else hostage to the detriment of the community.

Commissioner Griego explained it was not just the OPUD Board, but a lack of communication and education with Boards that have discretion and that we all need to have the welcome mat out to new business.

Nick Spaulding, Oregon House, stated he took time to review the OPUD hearings and said two things stood out to him. The first being that Brenda Stranix and her team put a lot of effort into bringing the new plant to the area and the engineering study showed it would have been very expensive run that line two and half miles. Nick Spaulding suggested more teamwork in advance would be helpful to make our area more competitive in bringing in new business.

IX. ADJOURN:

There being no further business, the meeting was adjourned at 6:56 p.m. to the next regular meeting on May1, 2013 at 6:00 p.m. in the Board of Supervisors Chamber, 915 8th Street, Marysville.

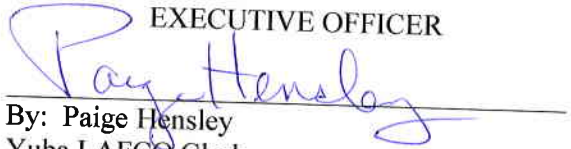
Approved,



Roger Abe, Chairperson

ATTEST: JOHN BENOIT

EXECUTIVE OFFICER



By: Paige Hensley
Yuba LAFCC Clerk