MINUTES
YUBA LOCAL AGENCY FORMATION COMMISSION
August 3rd, 2016

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 the Chair, Commissioner Samayoa, with Commissioner Abe, West and Wilkins present. Commissioner Griego was absent. Alternate Commissioner’s Atwal, and Vasquez were also absent. Also present were Executive Officer John Benoit, Legal Counsel David Ruderman and LAFCo Clerk-Analyst Paige Hensley.

II. ELECTION OF OFFICERS

In accordance with LAFCO’s Bylaws, Conduct Election of Chair and Vice-chair for LAFCO for Fiscal Year 2016-2017

A. Election of Chair for FY 2016-2017

Upon motion from Commissioner Samayoa and seconded by Commissioner Wilkins, the Commission unanimously elected Commissioner Abe to serve as the Chair for FY 2016-2017.

Ayes: Commissioner Abe, Samayoa, West and Wilkins
Absent: Commissioner Griego was absent

B. Election of Vice-Chair for FY 2016-2017

Upon motion from Commissioner Samayoa and seconded by Commissioner Abe the Commission unanimously elected Commissioner Wilkins to serve as the Vice-Chair for FY 2016-2017

Ayes: Commissioner Abe, Samayoa, West and Wilkins
Absent: Commissioner Griego was absent
III. APPROVAL OF MINUTES:

Upon motion by Commissioner West and seconded by Commissioner Samayoa, the minutes from the April 6th, 2016 and June 1st, 2016 were unanimously approved with a vote of 4-0 vote.

IV. PUBLIC COMMUNICATIONS:

None.

V. PROCEDURE FOR PUBLIC HEARINGS:

VI. ACTION ITEMS:

A. Consider allowing staff to negotiate MOU between Yuba LAFCO and the County of Yuba for office rental space.

Staff Report:

John Benoit, Executive Officer, discussed staff's efforts to find new office space and explained Yuba County has offered an area within the Government Center for LAFCO to move into.

Commissioner Abe asked if the contract would come back to the Commission for review and approval.

John Benoit explained the MOU would be brought back to the Commission for approval.

Action: Upon motion by Commissioner West and seconded by Commissioner Samayoa the Commission authorized staff to negotiate an MOU between Yuba LAFCO and the County of Yuba for office rental space.

B. Consider allowing staff to negotiate MOU between Yuba LAFCO and Yuba County Water Agency for Financial Services and Clerk Analyst position.

John Benoit, Executive Officer explained Yuba County Water Agency has agreed to provide financial services and payroll services to Yuba LAFCO.

Commissioner Samayoa asked when LAFCO would give the City of Marysville notice to terminate the contract.
David Ruderman, Legal Counsel, recommended notice should be given after the approval of the MOU from LAFCO and the Yuba County Water Agency.

Commissioner Samaya asked if the Yuba County Water Agency will be able to offer adequate benefits for the Clerk-Analyst.

John Benoit, Executive Officer, explained yes.

*Action:* Upon motion by Commissioner West and seconded by Commissioner Samaya, the Commission authorized staff to negotiate an MOU between Yuba LAFCO and the Yuba County Water Agency for Financial Services and Clerk Analyst position.

C. **Consider authorizing Commissioners and Staff to attend the CALAFCO Annual Conference in Santa Barbara October 26-28, 2016 and designate voting member to represent Yuba LAFCO at the Conference.**

*Action:* After some discussion and upon motion by Commissioner West and seconded by Commissioner Wilkins the Commission unanimously authorized John Benoit and Commissioners Samaya and Griego to attend the CALAFCO Annual Conference in October.

*Action:* Upon motion by Commissioner West and seconded by Commissioner Abe, the Commission unanimously designated Commissioner Samaya to act as the voting delegate for Yuba LAFCO at the annual CALAFCO Conference.

D. **CALAFCO Achievement Award Nominations:**

Commissioner Abe asked if the nominations needed to be made tonight.

Commissioner Samaya inquired about nominating Commissioner Griego, however it was pointed out that Commissioner Griego was nominated and won the distinguished service award last year.

*Action:* After some discussion there were no Achievement Award Nominations made.
E. **CALAFCO 2016-2017 Nominations for the CALAFCO Board of Directors**

Commissioner Samayoa expressed interest in being nominated again to serve on the CALAFCO Board of Directors.

**Action:** Upon motion from Commissioner Abe and seconded by Commissioner West, the Commission unanimously nominated Commissioner Samayoa to serve on the CALAFCO Board of Directors.

F. **Review and Discuss recent correspondence from the North Yuba Water Alliance regarding Municipal Service (MSR) Review for North Yuba Water District (NYWD)**

**David Ruderman, Legal Counsel, recused himself from this item and left the room.**

John Benoit discussed new correspondence from the North Yuba Water Alliance that expresses more concerns with the North Yuba Water District. John Benoit cautioned the Commission about budgetary constraints involved with conducting MSRs and reminded the commission Yuba LAFCO can only conduct a traditional MSR. John Benoit explained he wanted to give the Commissioner an update on the new correspondence.

Alton Wright from Forbestown, thanked the Commission for moving forward with the MSR. Alton Wright explained the Grand Jury has asked them to resubmit their complaint of the NYWD.

John Benoit stated he would like to see the resubmittal to the Grand Jury.

Alton Wright stated he would send LAFCO a copy of the package that went to the Grand Jury when it is resubmitted.

Donna Corson from Dobbins, explained she is an irrigation customer and had received water over the years, that was recently shut off.

Lew Neal from Dobbins stated she’s been an annexed customer for 32 years, but she’s never received a drop of water from the district. Lew Neal explained this is an emergency and the citizens need help.

**Action:** There was no new action taken on this item, so staff is to proceed with MSR as previously instructed.

VII. **EXECUTIVE OFFICER AND COMMISSIONERS REPORTS:**

John Benoit gave a brief update on the upcoming projects for RD 784, and BVID annexations.

David Ruderman, Counsel, returned to the meeting at this time.
John Benoit gave an update on some pending legislation.

John Benoit explained a workshop he attended in Nevada County pertaining to fire service contracts.

Steve Fordice, RD784, complemented LAFCO staff in their efforts to help move this annexation process forward.

Commissioner Samayoa gave an update on the recent CALAFCO meeting he attended and thanked the Commission for their support in getting him there.

VIII. ADJOURN:

There being no further business, the meeting was adjourned at 6:54 p.m. to the next regular meeting on September 7th, 2016 at 6:00 p.m. in the Board of Supervisors Chamber, 915 8th Street, Marysville.

Approved: 

Roger Abe/Chair

ATTEST: JOHN BENOIT
EXECUTIVE OFFICER

By: Paige Haisley
Yuba LAFCO/ Clerk