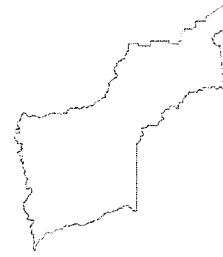


YUBA COUNTY LOCAL AGENCY FORMATION COMMISSION

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MINUTES

YUBA LOCAL AGENCY FORMATION COMMISSION

August 2, 2017

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 West, with Commissioners Lofton, Samayoa, Vasquez and Atwal present. Alternate Commissioners Fletcher and Pedigo were absent. Also present were Executive Officer John Benoit, Legal Counsel David Ruderman and LAFCo Clerk-Analyst Paige Hensley.

II. PLEDGE OF ALLEGINACE:

Commissioner Vasquez lead the commission in the 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 2017-2018

A. Election of Chair for FY 2017-2018

With a motion from Commissioner Vasquez to nominate Commissioner West and with a motion from Commissioner Samayoa to nominate Commissioner Lofton, the Commission voted 3-0 (Ayes: Commissioners Samayoa, Atwal and Lofton) to appoint Commissioner Lofton as the new 2017-2018 Chair.

B. Election of Vice-Chair for FY 2017-2018

With a motion from Commissioner Vasquez to nominate Commissioner West and seconded by Commissioner Samayoa, the Commission voted 5-0 to appoint Commissioner West as the Vice-Chair.

IV. APPROVAL OF MINUTES

Approval of minutes from the June 7th, 2017 meeting:

Upon motion of Commissioner Samayoa and seconded by Commissioner Vasquez the minutes were unanimously approved with 5 Ayes and 0 Noes.

V. PUBLIC COMMUNICATIONS

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 5 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.

VI. PROCEDURE FOR PUBLIC HEARINGS

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 5 minutes. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

VII. ACTION ITEMS:

- A. Consider an Alternate Public Member:** to serve on the Yuba LAFCo Commission for the remainder of the Alternate Public Member term ending in May 2020, recently left vacant due to Kuldeep Atwal being appointed as the Public Member.

Dennis Pinney expressed his interest in serving as the Public Member Alternate for Yuba LAFCo.

Action: Upon motion of Commissioner Vasquez and seconded by Commissioner West the Commission appointed Dennis Pinney as the Public Member Alternate with a 5-0 vote. (Ayes: Lofton, Atwal, Samayoa, Vasquez and West. Noes: None)

B. Consider authorizing Commissioners and Staff to attend the CALAFCO Annual Conference in San Diego October 25-27, 2017.

Action: Upon some discussion the Commission authorized staff and Commissioners Samayoa, Lofton and Atwal to attend the upcoming CALAFCO Conference.

C. CALAFCO Achievement Award Nominations:

Action: Upon some discussion there were no Achievement Award Nominations.

D. CALAFCO 2017-2018 Nominations for the CALAFCO Board of Directors:

Action: Upon some discussion there were no nominations for CALAFCO Board of Directors.

E. Appoint a voting member and an alternate voting member to vote on behalf of Yuba LAFCo at the Calafco Annual Conference.

Action: Upon motion of Commissioner Lofton and seconded by Commissioner Vasquez with a 5-0 vote the Commission appointed Commissioner Samayoa as the voting member and Commissioner Lofton as the alternate voting member to vote on behalf of Yuba LAFCo at the CALAFCO Annual Conference.

VIII. BYLAW AMENDMENT:

A. Discuss changing meeting days to every other month: July, September, November, January, March and May.

John Benoit explained the benefits of going to an every other month meeting schedule.

Commissioner Samayoa asked why not start in July as opposed to August.

Action: Upon motion from Commissioner Vasquez and seconded by Commissioner West, the Commission voted with a 4-1 vote (AYES: Atwal, Lofton, Vasquez and West; NOES: Samayoa) to adopt Resolution 2017-0006 amending the Bylaws, thereby changing the meeting days to bi-monthly meetings.

IX. OTHER BUSINESS:

A. Conduct Workshop regarding North Yuba Water District Municipal Service Review (MSR). Review draft MSR for the North Yuba Water District and set public hearing for the September 6, 2017 LAFCo meeting.

LAFCo Counsel David Ruderman recused himself from the discussion since his law firm (Colantuono, Highsmith & Whatley) previously represented the North Yuba Water District.

John Benoit reviewed the draft Municipal Service Review.

Commissioner Vasquez suggested the Yuba County Water Agency would be able to assist the North Yuba Water District with their report.

Commissioner Atwal pointed out the North Yuba Water District does not have a Master Plan.

John Benoit suggested a finding for the district to work with the Yuba County Water Agency to assist with the Master Plan.

Commissioner Vasquez stated he would check with some of the board members to see what he could find out.

Public Comments:

Alton Wright, Yuba County Resident, asked if the Sphere of Influence would be analyzed as a part of this MSR process.

John Benoit stated a Sphere of Influence update can be part of this process; however this district already has a Sphere of Influence.

Alton Wright explained the Sphere of Influence includes over 1500 parcels that are annexed, but don't receive any service. Alton Wright stated the Sphere of Influence is quite large and is pulling in a lot of taxpayer money without many not getting any service from the district and suggested the Sphere of Influence needs to be reduced.

John Benoit explained if residents are only in the Sphere of Influence, but not in the service area, they do not pay any taxes to the North Yuba Water District.

Commissioner Lofton explained there is a difference between a service boundary verses a sphere of influence.

Commissioner Vasquez explained a discussion with the Yuba County Water Agency about a Master Plan for the North Yuba Water District may be helpful in this situation.

Alton Wright stated the district has proposed spending a lot of money to prepare a master plan and said he's glad to hear there may be a helpful resource available within the county.

John Benoit explained the district does have a proposed funding source for a Master Plan and perhaps we should revisit the Sphere of Influence after the Master Plan is completed.

Alton Wright stated the district staff should be required to have the appropriate credentials.

Action: After some discussion the Commission set the public hearing to adopt the MSR for September 6th, 2017.

X. EXECUTIVE OFFICER AND COMMISSIONERS REPORTS:

A. Update status of current projects: LAFCO 2016-0002 RD784; LAFCO2017-0001 BVID.

John Benoit, explained LAFCO 2016-0002/RD784 has been amended and is now going to include a Sphere of Influence Amendment and LAFCO 2017-0001/BVID is still going thru the processing period.

B. Little Hoover Commission

John Benoit gave an update on the recommendations of the Little Hoover Commission.

C. Opposition letter regarding AB-1361

John Benoit explained CALAFCO's opposition to AB1361 that would allow water districts to provide water to tribal lands without going thru LAFCo.

D. Legislation

John Benoit had nothing more to report.

Commissioner West thanked staff for the work done on the Municipal Service Review for the North Yuba Water District.

Commissioner West suggested the meeting be closed in honor of the two Yuba County Sheriff Officers who were shot and injured yesterday.

Commissioner Vasquez thanked the North Yuba County Water residents for attending the meeting.

****Commissioner Samayoa recused himself from the following item (XI) and left the meeting at 6:55 pm****

XI. CLOSED SESSION:

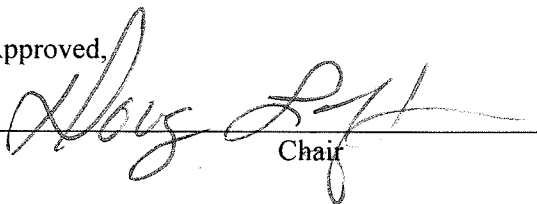
Conference with Legal Counsel: initiation of Litigation (Gov. Code 54956.9(d)(4))
Number of Cases: 1

There was no reportable action taken in closed session.

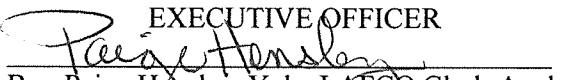
IX. ADJOURN:

There being no further business, the meeting was adjourned at 7:30 p.m. to the next regular meeting on September 6th, 2017 at 6:00 p.m. in the Board of Supervisors Chamber, 915 8th Street, Marysville.

Approved,


Chair

ATTEST: JOHN BENOIT
EXECUTIVE OFFICER


By: Paige Hensley, Yuba LAFCO Clerk-Analyst

