

YUBA COUNTY LOCAL AGENCY FORMATION COMMISSION

JOHN BENOIT, EXECUTIVE OFFICER

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MINUTES

YUBA LOCAL AGENCY FORMATION COMMISSION

December 7th, 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 Abe, with Commissioners Griego, and Alternate Commissioner Pendergraph present. Commissioners Samayoa, West and Wilkins were absent. Alternate Commissioners Atwal and Vasquez were also absent. Also present were Executive Officer John Benoit, Legal Counsel David Ruderman and LAFCo Clerk-Analyst Paige Hensley.

II. APPROVAL OF MINUTES:

Upon motion by Commissioner Griego and seconded by Alternate-Commissioner Pendergraph, the minutes from the October 5th, 2016 meeting were unanimously approved with a vote of 3-0 vote.

III. PUBLIC COMMUNICATIONS:

None.

IV. PROCEDURE FOR PUBLIC HEARINGS:

V. ACTION ITEMS:

A. Consider approving new MOU between Yuba LAFCO and the County of Yuba for office rental space.

John Benoit, Executive Officer, explained the increase in proposed office rental fees, therefore requiring a change to the proposed MOU for office space.

Action: Upon motion of Commissioner Griego and seconded by Commissioner Pendergraph and carried as follows AYES: Commissioners Abe, Griego and Pendergraph; Noes: None ABSENT: Samayoa, West and Wilkins; The Commission unanimously voted to approve the MOU between Yuba LAFCO and the County of Yuba for office rental space and to authorize John Benoit to sign said MOU.

B. Discuss status of contract termination negotiation with the City of Marysville and direct staff as needed.

John Benoit, Executive Officer, explained the City is requesting \$128,000.00 in unfunded liability for the contracted Clerk-Analyst position, however LAFCo staff is questioning their methodology in calculating that figure and has submitted a public records request for documentation to examine LAFCO's financial records and CALPERs invoices.

Commissioner Pendergraph suggested ordering a micro audit for the City of Marysville.

David Ruderman, LAFCo Counsel, explained LAFCo has the right to do that under our contract.

John Benoit, Executive Officer, stated LAFCo is not there yet.

David Ruderman, LAFCo Counsel, explained there is a 90 day termination notice required, which was already given to the City, however LAFCo is trying to negotiate an earlier termination date. He explained the City has stated their willingness to discuss an earlier termination date; however they wish to have the unfunded liability issue resolved before agreeing to that discussion.

John Benoit, Executive Officer, explained he is willing to meet with the City to discuss the unfunded liability issue, however he needs to see and examine the financial records before such a meeting.

Action: No Action was taken.

VI. EXECUTIVE OFFICER AND COMMISSIONERS REPORTS:

A. John Benoit explained the upcoming project for the RD 784 reorganization should be submitted this month.

Paige Hensley, Clerk-Analyst, explained a recent application for annexation into CSA 66 for a gas station in Plumas Lake area had recently been submitted.

John Benoit, Executive Officer, explained the increase in proposed office rental fees, therefore requiring a change to the proposed MOU for office space.

Action: Upon motion of Commissioner Griego and seconded by Commissioner Pendergraph and carried as follows AYES: Commissioners Abe, Griego and Pendergraph; Noes: None ABSENT: Samayoa, West and Wilkins; The Commission unanimously voted to approve the MOU between Yuba LAFCO and the County of Yuba for office rental space and to authorize John Benoit to sign said MOU.

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Action: *No Action was taken.*

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B. John Benoit, Executive Officer, gave a brief summary of the recently attended CALAFCO Conference.

Commissioner Griego explained that CALAFCO is in a good financial place. She stated CALAFCo will be publishing their newsletter once a year and they are updating their website.

John Benoit, Executive Officer, reported Ricky Samayoa was re-elected to the CALAFCo Board.

Commissioner Abe reminded the commission to appoint a new chair at the next meeting.

John Benoit, Executive Officer, explained this is the last LAFCo meeting for Commissioner Abe and Commissioner Griego and thanked them for their service on LAFCo.

VII. ADJOURN:

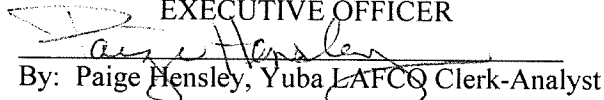
There being no further business, the meeting was adjourned at 6:35 p.m. to the next regular meeting on January 4th, 2017 at 6:00 p.m. in the Board of Supervisors Chamber, 915 8th Street, Marysville.

Approved,



Chair

ATTEST: JOHN BENOIT
EXECUTIVE OFFICER



By: Paige Hensley, Yuba LAFCO Clerk-Analyst

