YUBA LOCAL AGENCY FORMATION COMMISSION

AGENDA
SPECIAL MEETING
Thursday, January 10th, 2019 at 6:00 P.M.
Board of Supervisor’s Chambers
915 8th Street – Marysville, California 95901

1. CALL TO ORDER:

Commissioners:

Kuldip Atwal, Public Member
Doug Lofton, County Member
Ricky Samayoa, City Member
Andy Vasquez, County Member - Vice Chair
Rick West, City Member - Chair

Alternates:

Randy Fletcher, County Member Alternate
Jay Pendergraph, City Member Alternate
Dennis Pinney - Public Member Alternate

2. PLEDGE OF ALLEGIANCE:

3. APPROVAL OF MINUTES:

Approval of minutes from the July 11th and November 7th, 2018 meetings.

4. 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 5 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.
5. **PUBLIC HEARING:**

**A. Formation of County Service Area 72:** A request to form County Service Area 72 (CSA72) and to annex for road and drainage maintenance to 27 parcels within an area of approximately 847.74 acres located in the vicinity of Candlewood Way and Providence Way in the area of Oregon House in Yuba County.

**Action:** Conduct Public Hearing, and consider Resolution 2019-0001 approving the formation of County Service Area 72

6. **WORKSHOP:**

**A.** Review Service Review requirements and conduct a goal setting workshop for Yuba LAFCO with regards to Yuba LAFCO’s role in orderly growth in Yuba County and discuss the need and methods of achieving consolidations of certain services.

7. **OTHER BUSINESS:**

**A.** Discuss State Controller’s Notification of Inactive CSA’s.

**B.** Review letter from Colantuono, Highsmith and Whatley (CHW) dated November 20, 2019 and consider consenting to allow CHW to simultaneously represent Yuba County in a taxation matter which has no adverse interest to the interests of LAFCo and therefore authorize the Chair to sign the letter thereby consenting.

**C.** Adopt 2019 Meeting Schedule.

**D.** Authorize staff to attend the Calafco Annual Staff Workshop April 10-13, 2019 in San Jose, Ca.

**E.** Appoint an Ad Hoc Budget Committee for the FY2019-2020 Annual Budget.

**F.** 700 Forms due April 1, 2019

8. **CLOSED SESSION:**

**A. Conference with Legal Counsel; Existing Litigation(Gov. Code § 54956.9(d)(1))**

_The Commission finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation._

_Name of Case: Michael E. Rue; Patricia M. Rue v. Yuba Local Agency Formation Commission; Does 1–50_  
_Name of Parties: Michael E. Rue and Patricia M. Rue_  
_Case No. CVPT 18-001025_

9. **REPORT OUT OF CLOSED SESSION, IF ANY**

10. **ADJOURN to the next meeting on Wednesday March 6th, 2019.**

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

Alternates are:
City - Jay Pendergraph  
County – Randy Fletcher  
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 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.

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

Accessibility
An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting.

The location of this meeting is wheelchair-accessible. If other accommodations are required to assist a person with a disability to participate in the meeting, please contact the Commission Clerk 24 hours before the meeting as indicated below.

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 8th Street, Suite #130, CA 95901 or by email at phensley@co.yuba.ca.us or by fax at (530) 749-5468.