

YUBA LOCAL AGENCY FORMATION COMMISSION

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YUBA LOCAL AGENCY FORMATION COMMISSION

AGENDA

SPECIAL MEETING

Wednesday July 11th, 2018– 6:00 P.M.

Board of Supervisor’s Chambers

915 8th Street – Marysville, California 95901

1. CLOSED SESSION:

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

2. CALL TO ORDER & REPORT OF OUT OF CLOSED SESSION, IF ANY

Commissioners:

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

Alternates:

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

3. PLEDGE OF ALLEGIANCE:

4. ELECTION OF OFFICERS

In accordance with LAFCO’s Bylaws, Conduct Election of Chair and Vice-chair for LAFCO for Fiscal Year 2018-2019

- A. Election of Chair for FY 2018-2019
B. Election of Vice-Chair for FY 2018-2019

5. APPROVAL OF MINUTES:

Approval of minutes from the May 2nd, 2018 meeting.

6. **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.

7. **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.

8. **PUBLIC HEARING:**

A. **Browns Valley Irrigation District Reorganization and Sphere of Influence**

Amendment: Including a request for annexation of approximately 804 acres consisting of 34 Parcels within 17 areas to the BVID, a detachment of 22 parcels consisting of 190.06 – acres more or less within 12 areas and a Sphere of Influence amendment removing 21,98 acres from the NYWD and placing 21.98 acres into the BVID Sphere.

Action:

1. *Adopt Resolution 2018-0006 approving a Sphere of Influence Amendment adding 21.98 acres to the BVID Sphere of Influence and removing 21.98 acres from the NYWD Sphere of Influence*
2. *Adopt Resolution 2018-0007 approving a detachment for NYWD of 190.06 acres more or less consisting of 22 parcels within 12 areas.*
3. *Adopt Resolution 2018-0008 approving an annexation for the Browns Valley Irrigation District consisting of an annexation of approximately 804-acres consisting of 34 parcels within 17 areas.*

9. **ACTION AND INFORMATIONAL ITEMS:**

- A. Review memo and consider appropriate action regarding the dispute between the Wheatland Fire Authority and Olivehurst Public Utility District regarding service to the Enterprise Rancheria.
- B. Authorize Staff and Commissioners to attend the Calafco annual conference at the Tenaya Lodge near Yosemite October 3-5, 2018.

- C. Consider nominations for a Calafco Achievement Awards 2018 (due August 1, 2018)
- D. Consider nomination for the Calafco Board of Directors (due Sept 4, 2018): City Member or Public Member
- E. Designate LAFCo member to vote on behalf of Yuba LAFCo at the Calafco Annual Conference

10. EXECUTIVE OFFICER AND COMMISSIONERS REPORTS:

11. 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

*Names of Parties: Michael E. Rue and Patricia M. Rue
Case No. CVPT 18-001025*

12. REPORT OUT OF CLOSED SESSION, IF ANY

13. ADJOURN to the next meeting on September 5, 2018.

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.

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.