

# SUTTER COUNTY LOCAL AGENCY FORMATION COMMISSION MINUTES

May 27, 2004  
Yuba City Council Chambers  
1201 Civic Center Blvd., Yuba City

## 1. CALL TO ORDER

Chairperson Kroon called the meeting to order at 4:00 p.m.

## 2. ROLL CALL

Members Present: Commissioners Hellberg, Richards, Islip, Kroon, White, and Whiteaker.

Members Absent: Commissioner Hager.

Staff Present: Executive Officer Larry Combs, LAFCO Counsel Ron Erickson, Senior Planner Doug Libby, and Office Assistant Karna-Lisa Aucoin.

## 3. PLEDGE OF ALLEGIANCE

Mr. Combs led the audience, staff, and Commission in the Pledge of Allegiance.

## 4. APPROVAL OF MINUTES

On a motion by Commissioner Whiteaker and seconded by Commissioner Richards, the minutes of the meeting of April 22, 2004, were approved.

The motion was carried by a unanimous voice vote.

## 5. PUBLIC HEARINGS

- a. **LAFCO-04-01:** Conducting Authority (Protest Hearing) proceedings for the South Sutter Recreation and Park District Formation. A proposed change of organization to form a Recreation and Parks District to provide public recreation for the residents of southern Sutter County. The boundaries of the proposed district would include all of that area of Sutter County lying south of Yuba County easterly of the Feather and Sacramento Rivers, west of Placer County and north of Sacramento County.

Senior Planner Doug Libby summarized the previously circulated staff report.

Commissioner White confirmed the vote on the funding mechanism must also be approved and would be included on the ballot should the Board of Supervisors need to call an election.

Chairperson Kroon opened and closed the public hearing with no public comments being received.

It was moved by Commissioner White and seconded by Commissioner Richards to adopt Resolution No. 2004-12 making determinations on the value of written protest for the change of organization designated as the South Sutter Recreation and Park District formation.

The motion was carried by a unanimous voice vote.

- b. **LAFCO-03-04:** Conducting Authority (Protest Hearing) proceedings for the Northeast Yuba City Reorganization No. 316 - A reorganization proposing to annex 233± acres to Yuba City and detachment of the property from County Service Area G. The territory is generally located north of the current city limits, east of State Highway 99, west of and including Live Oak Boulevard and extending approximately 1,200 feet north of Pease Road.

Senior Planner Doug Libby summarized the previously circulated staff report.

Chairperson Kroon opened and closed the public hearing with no public comments being received.

It was moved by Commissioner White and seconded by Commissioner Richards to adopt Resolution No. 2004-13 making determinations on the value of written protest for the territory designated as the Northeast Yuba City Reorganization No. 316.

The motion was carried by a unanimous voice vote.

- c. **LAFCO-04-02:** Yuba City Unified School District Reorganization No. 321 – A reorganization proposing to annex 38± acres to Yuba City and detach the property from County Service Area G. The affected territory is located at the northwest corner of the intersection of the Garden Highway and Stewart Road and south of the current city limits line.

Senior Planner Doug Libby summarized the previously circulated staff report.

Chairperson Kroon opened the public hearing.

- Baldiv Johal, Assistant Superintendent of Yuba City Unified School District spoke in favor of the proposed annexation and stated a portion of the property would be sold for development and the remaining portion used to develop a K-8 school on it.

At Commissioner Richard's request, Senior Planner Libby displayed an overhead of the proposed subdivision map on the overhead projector.

In response to Commissioner White's question, Senior Planner Libby addressed drainage questions.

Chairperson Kroon stated that originally this area was added to the City's sphere of influence for the purpose of providing city services to a future high school. Chairperson Kroon stated he feels the City's environmental report is not accurate. Chairperson Kroon expressed concerns regarding traffic impacts and that an agricultural buffering was not addressed.

Commissioner Hellberg stated he feels the proposed annexation and proposed project are a good idea.

Some discussion ensued regarding items in the environmental report, items that some commissioners feel should be addressed in the environmental document, and various impacts that the project might involve.

- Dave Karnegas, Sutter County Agriculture Department stated this project hadn't been brought before the Ag. Commission and discussed various issues mainly in regard to ag. spraying. Mr. Karnegas stated that the Ag. Commissioner can impose conditions regarding times of day farmers would be allowed to spray. Mr. Karnegas stated he was in favor of the proposed annexation.

- Denis Cook, Community Development Director for the City of Yuba City, stated the traffic issue should not be a problem and also noted a traffic signal is proposed just north of the area on Garden Highway. Mr. Cook also discussed drainage and an agricultural buffer. Mr. Cook stated that since the school is independent from the city and county, they would have to do their own environmental document.

With no further comments being received, Chairperson Kroon closed the public hearing.

Chairperson Kroon stated he believes the environmental document is not accurate.

Executive Officer Combs stated that the LAFCO commission can reject the current environmental analysis and request their own and noted the Commission must make their decision on whether the proposed annexation area makes sense.

LAFCO Counsel Ron Erickson suggested the matter be continued so the Commission can direct staff to provide a revised environmental analysis.

It was moved by Commissioner White and seconded by Commissioner Richards to continue the matter of the proposed reorganization of the territory designated as the Yuba City Unified School District Reorganization No. 321 so that LAFCO could assume lead agency status under the California Environmental Quality Act and directed staff to prepare its own environmental analysis.

The motion was carried five to two with Commissioners Whiteaker and Hellberg voting in opposition.

- d. **LAFCO-03-09**: Pleasant Grove Cemetery District Municipal Service Review and sphere of influence update. In accordance with Government Code Section 56425(f), Sutter LAFCO is conducting a municipal service review and sphere of influence update for the Pleasant Grove Cemetery District. The review evaluates the services provided by the District, its service area, and current and future service needs within the District along with its sphere of influence boundary.

Senior Planner Doug Libby summarized the previously circulated staff report.

Chairperson Kroon opened and closed the public hearing with no public comments being received.

It was moved by Commissioner White and seconded by Commissioner Islip to adopt Resolution No. 2004-14 making determinations and approving a Municipal Service Review and Sphere of Influence Update for the Pleasant Grove Cemetery District.

The motion was carried by a unanimous voice vote.

- e. **LAFCO-03-10:** Nicolaus Cemetery District Municipal Service Review and sphere of influence update. In accordance with Government Code Section 56425(f), Sutter LAFCO is conducting a municipal service review and sphere of influence update for the Nicolaus Cemetery District. The review evaluates the services provided by the District, its service area, and current and future service needs within the District along with its sphere of influence boundary.

Chairperson Kroon opened and closed the public hearing with no public comments being received.

It was moved by Commissioner Islip and seconded by Commissioner Richards to adopt Resolution No. 2004-15 making determinations and approving a Municipal Service Review and Sphere of Influence Update for the Nicolaus Cemetery District.

The motion was carried by a unanimous voice vote.

- f. **LAFCO-03-11:** Live Oak Cemetery District Municipal Service Review and sphere of influence update. In accordance with Government Code Section 56425(f), Sutter LAFCO is conducting a municipal service review and sphere of influence update for the Live Oak Cemetery District. The review evaluates the services provided by the District, its service area, and current and future service needs within the District along with its sphere of influence boundary.

Chairperson Kroon opened and closed the public hearing with no public comments being received.

It was moved by Commissioner Islip and seconded by Commissioner Richards to adopt Resolution No. 2004-16 making determinations and approving a Municipal Service Review and Sphere of Influence Update for the Live Oak Cemetery District.

The motion was carried by a unanimous voice vote.

- g. Consideration of the final LAFCO budget for fiscal year 2004-'05.

Senior Planner Doug Libby summarized the previously circulated staff report.

Chairperson Kroon opened and closed the public hearing with no public comments being received.

It was moved by Commissioner Whiteaker and seconded by Commissioner Hellberg to adopt the final LAFCO Budget for the 2004-2005 fiscal year.

The motion was carried by a unanimous voice vote.

6. **OTHER BUSINESS**

**LAFCO-03-03:** South Yuba City Reorganization No. 315 - Consideration of an impartial analysis for the ballot measure for the South Yuba City Reorganization No. 315.

Senior Planner Doug Libby summarized the previously circulated staff report and noted that if this resolution is adopted the impartial analysis will be forwarded to the Sutter County Elections office.

Chairperson Kroon asked if anyone in the audience wished to address the Commission on this matter.

There were no public comments provided.

It was moved by Commissioner White and seconded by Commissioner Whiteaker to adopt Resolution No. 2004-17 adopting an impartial analysis for the South Yuba City Reorganization No. 315 ballot measure.

The motion was carried by a unanimous voice vote.

7. **COMMENTS FROM THE PUBLIC**

None.

8. **ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Larry T. Combs  
Executive Officer