

# SUTTER COUNTY LOCAL AGENCY FORMATION COMMISSION MINUTES

February 24, 2005  
Yuba City Council Chambers  
1201 Civic Center Blvd., Yuba City

## 1. CALL TO ORDER

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

## 2. ROLL CALL

Members Present: Commissioners Hager, Hellberg, Montna, Nelson, Richards, Tarke and Chairperson White

Members Absent: None.

Staff Present: Executive Officer Larry Combs, LAFCO Counsel Janet Bender, Senior Planner Doug Libby, and Office Assistant Gail Gould.

## 3. PLEDGE OF ALLEGIANCE

Commissioner Tarke led the audience, staff, and Commission in the Pledge of Allegiance.

## 4. APPROVAL OF MINUTES

On a motion by Commissioner Nelson and seconded by Commissioner Hager, the minutes of the meeting of January 27, 2005, were approved.

The motion was carried by voice vote, with Commissioner Hellberg abstaining.

## 6. PUBLIC HEARINGS

**LAFCO-04-06:** Tierra Buena Area 2 Reorganization No. 322 - A reorganization proposing to annex approximately 19 acres to Yuba City and detach the property from County Service Area G. The affected territory is the unincorporated area generally located south of Butte House Road between Tierra Buena and Hooper Roads

Senior Planner Doug Libby summarized the previously circulated staff report.

Chairperson White asked if the City would be taking over Tierra Buena Road and its maintenance. Senior Planner Libby replied that is correct. The annexation map reflects the inclusion of Tierra Buena Road and that portion of Butte House Road that it adjoins. Mr. Libby explained that the road annexations will match what was previously accomplished in the original Tierra Buena annexation that was completed last year.

Commissioner Nelson questioned the proposed annexation boundary in relation to the current City boundaries because a pocket of unincorporated land will continue to exist south of Butte House Road. Senior Planner Libby responded that is correct and is because pre-annexation zoning has not been completed for those lands. Mr. Libby explained that LAFCO cannot annex territory until pre-annexation zoning is established.

Executive Officer Combs stated the issue involving this proposal has to do with the delivery of services and explained that leaving the boundaries as they are is very confusing for police services even though we have an agreement with the City to provide Sheriff's services in this area. Ultimately in time, the City Police Department will provide service but as of today, it is easier to square up the boundaries. Mr. Combs explained that this was the initial staff concern and that the City responded by filing the current proposal.

Commissioner Nelson stated it would make more sense if the entire pocket was annexed.

Denis Cook, Director of the Community Development Department of Yuba City, stated in retrospect he wished the City had established pre-annexation zoning on all lands located south of Butte House Road, however; at the time, the City was only trying to address the water issues associated with the former Hillcrest Water Company.

Executive Officer Combs explained that the State law was changed in 2001 and mandated that the Cities must adopt pre-annexation zoning before land can be annexed.

Mr. Cook stated that he anticipates in the near future that the City will bring LAFCO a proposal to annex the larger area in order to square off the City/County boundary.

Commissioner Montna stated it does not make sense that the Tierra Buena School was not included in the annexation.

Chairperson White replied that the school is already in the City.

Denis Cook stated the reason the City only wanted to annex the former Hillcrest territory at the time was because soon after the City purchased the former Hillcrest Water Company, the City discovered that the Hillcrest water wells were polluted by nitrates and arsenic. The City was mandated by the State to address the contamination issue. As a result the City wanted to limit the annexation at the time to only the former Hillcrest Water boundaries.

Senior Planner Libby noted that in March of 2001, LAFCO adopted a resolution which authorized Yuba City to provide water to anywhere within its sphere of influence. So if County residents have problems, they can connect to the City system if the City is in agreement.

Chairperson White opened the public hearing.

Dennis Green, elder for River Valley Fellowship Christian Church, 1764 Tierra Buena Road, stated they strongly support the annexation and would like to see it completed as soon as possible.

Kevin McCool, owner of 1625 Tierra Buena Road, stated in a previous zoning change, his parcel was bisected making it partly City and partly County. Mr. McCool said he would like to see his entire property be within the City limits and not just a portion of it.

Executive Officer Combs stated that the entire Tierra Buena area could be in the City in the near future based upon comments made by Mr. Cook that would address Mr. McCool's concerns.

Chairperson White closed the public hearing.

It was moved by Commissioner Hellberg and seconded by Commissioner Montna to adopt Resolution No. 2005-03 making determinations and approving the reorganization of territory designated as Tierra Buena Area 2 Reorganization No. 322.

The motion carried by a unanimous voice vote.

Senior Planner Libby noted that this is the first step in the annexation process and he summarized the filing for reconsideration process and conducting authority proceedings.

7. **OTHER BUSINESS**

None.

8.. **COMMENTS FROM THE PUBLIC**

None.

9. **ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 4:19 p.m.

Respectfully submitted,

Larry T. Combs  
Executive Officer