

**SUTTER COUNTY LOCAL AGENCY FORMATION COMMISSION  
MINUTES**

Date: June 23, 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: Nelson, Montna, Hellberg, Richards, White, Islip, and Mr. Hager once his appointment to the Commission was made.

Members Absent: None

Staff Present: Assistant Executive Officer Curt Coad, LAFCO Counsel Janet Bender, Senior Planner Doug Libby, and Office Assistant Debbie Howell

**3. PLEDGE OF ALLEGIANCE**

Debbie Howell led the audience, Staff, and Commission in the Pledge of Allegiance.

**4. APPROVAL OF MINUTES**

On a motion by Commissioner Montna and seconded by Commissioner Hellberg the minutes of the meeting of May 26, 2005 were approved.

The motion was carried by a unanimous voice vote.

**5. PUBLIC HEARINGS**

None

**6. OTHER BUSINESS**

**a. Commission consideration of applications and possible appointments to the positions of LAFCO Public member and Alternate Public member.**

Senior Planner Libby summarized the previously circulated staff report.

Chairperson White confirmed with staff that two out of three applications received by staff for the positions did not qualify due to the applicant's participation on other boards and commissions. As such the only application remaining is that of previous Public Member Mr. John J. Hager III.

It was moved by Commissioner Nelson and seconded by Commissioner Hellberg to appoint John J. Hager III to the position of LAFCO Public member for a term to expire on May 4, 2009.

The motion was carried by a unanimous voice vote and Mr. Hager took his seat as LAFCO Public member.

Mr. Libby stated that staff intends to re-advertise for the position of LAFCO Alternate Public member and will bring all qualifying applications to Commission for consideration at a later meeting.

**b. Consideration to initiate municipal service reviews and sphere of influence updates for all cities and districts in Sutter County requiring such reviews and consideration to authorize the Executive Officer to enter into a contract with Pacific Municipal Consultants to prepare municipal service reviews and sphere of influence updates for agencies in Sutter County.**

Senior Planner Libby summarized the previously circulated staff report and noted that staff provided before the start of the meeting a revised draft contract between LAFCO and Pacific Municipal Consultants (PMC). Mr. Libby then identified the changes that had been made to the proposed contract and concluded by indicating that there are two representatives from PMC in the audience who would like to make a brief presentation to the Commission.

Some discussion amongst the Commission regarding the monies in reserve for the municipal service reviews and sphere of influence updates took place.

Chairperson White opened the public meeting.

Eric Norris, Senior Associate with PMC gave a brief overview of the firm and stated in the proposal is a summary of their qualifications.

Ben Luna, with PMC stated he will be the Project Manager working on the project and also gave a brief overview of the firm.

Assistant Executive Officer Curt Coad brought to the Commission's attention that PMC is under contract with the City of Yuba City in the capacity of Assistant City Manager and that PMC Principal, Phillip Carter, who signed the proposed contract between PMC and LAFCO, is the individual working at the Yuba City administrative offices. Mr. Coad stated he did not know if this would present a conflict of interest and stated that it was staff's recommendation that this matter

be reviewed by Counsel before the Commission enters into the contract with PMC.

Mr. Norris stated that PMC will work with legal Counsel on the issue.

Mr. Luna stated Commission might want to consider adopting the resolution with conditional language that is based on the interpretation of the legal Counsel. This will enable County staff to execute the contract rather than there being a delay.

Discussion amongst the Commission took place regarding the concern.

With no further comments being received, Chairperson White closed the meeting.

On a motion by Commissioner Montna and seconded by Commissioner Islip, the Commission requested Counsel to review the matter to determine if a conflict of interest will arise if LAFCO contracts with PMC when PMC is already under contract for services with the City of Yuba City.

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 4:35 p.m.

Respectfully submitted,

Larry T. Combs  
Executive Officer