

SUTTER COUNTY

LOCAL AGENCY FORMATION COMMISSION

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SUTTER COUNTY LOCAL AGENCY FORMATION COMMISSION MINUTES

Date: May 28, 2009
Yuba City - Sutter Room
1201 Civic Center Blvd., Yuba City

1. CALL TO ORDER

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

a. **Roll Call**

Members Present: Commissioners Montna, Gallagher, Maan, Klotz, and White

Members Absent: Commissioner Islip

Staff Present: LAFCO Counsel Ron Erickson, Senior Planner Sydney Vergis,
LAFCO Clerk Gina Garcia

b. **Pledge of Allegiance**

Chairperson Montna asked Diane Fales, Nicolaus Cemetery District, to lead the Pledge of Allegiance.

3. OTHER BUSINESS

b. **Presentation of Resolution of Appreciation to former Commissioner John Hager III.**

Chairperson Montna moved this item to the forefront of the agenda. The Commission recognized John Hager III for his service to LAFCO and presented him with the signed resolution of appreciation.

1. **CALL TO ORDER (continued)**

c. **Approval of Minutes**

Consideration to approve the minutes for the March 26, 2009, meeting.

Commissioner Maan made a motion to approve the minutes of the March 26, 2009, meeting which was seconded by Commissioner White and approved by a unanimous voice vote.

2. **PUBLIC HEARINGS**

a. **LAFCO-08-02: Pleasant Grove Cemetery District Municipal Service Review and Sphere of Influence Update.**

Senior Planner Vergis summarized the previously circulated staff report.

Chairperson Montna opened the public hearing. Due to no response the public hearing was closed.

Commissioner Maan made a motion to adopt Resolution 2009-04 which was seconded by Commissioner Klotz. The resolution was adopted with a unanimous voice vote.

b. **LAFCO-08-03: Nicolaus Cemetery District Municipal Service Review and Sphere of Influence Update.**

Senior Planner Vergis summarized the previously circulated staff report.

Chairperson Montna asked about the current renovations to the Nicolaus Cemetery. Diane Fales, Nicolaus Cemetery District, outlined renovations and made mention of a sizable contribution from an anonymous donor.

Chairperson Montna opened the public hearing. Due to no response the public hearing was closed.

Commissioner White made a motion to adopt Resolution 2009-05 which was seconded by Commissioners Maan and Gallagher. The resolution was adopted with a unanimous voice vote.

c. **LAFCO-08-04: Live Oak Cemetery District Municipal Service Review and Sphere of Influence Update.**

Senior Planner Vergis summarized the previously circulated staff report.

Chairperson Montna opened the public hearing. Due to no response the public hearing was closed.

Chairperson Montna made mention of vandalism that occurred to the Live Oak Cemetery last year.

Commissioner White made a motion to adopt Resolution 2009-06 which was seconded by Commissioner Gallagher. The resolution was adopted with a unanimous voice vote.

d. Consideration to approve a final budget for fiscal year 2009-2010.

Senior Planner Vergis summarized the previously circulated staff report.

Chairperson Montna opened the public hearing. Due to no response the public hearing was closed.

It was moved by Commissioner Maan and seconded by Commissioner Montna to adopt the staff recommendation and finding contained in the staff report.

The Final Budget for fiscal year 2009-2010, was adopted by a unanimous voice vote.

3. OTHER BUSINESS (continued)

a. Commission consideration of applications and possible appointment to the positions of LAFCO Public Member and LAFCO Alternate Public Member.

Senior Planner Vergis summarized the previously circulated staff report. Commissioner White asked why Joginder Cheema Pardesi was not listed in the staff report as one of the applicants. Senior Planner Vergis explained that Mr. Pardesi had not requested that his application be brought forward from the previous filing but that she had included it as an attachment in the staff report, with the other applications, to leave it up to the discretion of the Commission whether or not to accept it as valid.

Appointment of Public Member:

Commissioner Klotz made a motion that the Commission appoint the previous Alternate Public Member, Joginder Cheema Pardesi, to the position of Public Member. Commissioner White seconded the motion.

Joginder Cheema Pardesi was appointed to the position of Public Member by a unanimous voice vote.

Commissioner White asked Counsel if Mr. Pardesi could participate in the meeting. LAFCO Counsel, Ron Erickson, stated that he would not be able to since he has to first be sworn in.

Appointment of Alternate Public Member:

There was a brief discussion among the Commissioners as to how the selection process should be handled. The Commission allowed the applicants who were present to speak regarding the Alternate Public Member position. Dan Cucchi, John Shaffer, and Don Kessler spoke on behalf of their qualifications to serve on the LAFCO Commission. Senior Planner Vergis stated to the Commission that applicant, Paul Carr, had called to express his regret over not being able to attend the meeting and wanted the Commission to know he was still interested in being considered.

Commissioner Gallagher suggested that the appointment of Alternate Public Member should come from those applicants who were present at the meeting.

Commissioner Maan made a motion to appoint Dan Cucchi as Alternate Public Member. There was no second. Commissioner Maan withdrew his motion.

Commissioner Maan made another motion to appoint John Shaffer as Alternate Public Member. Commissioner Gallagher seconded the motion.

There was a short discussion between Commissioner Gallagher and Chairperson Montna as to Robert's Rules of Order and the matter on the table.

John Shaffer was appointed to the position of Alternate Public Member by a voice vote of 4-1 with Commissioner Gallagher dissenting.

The Commission discussed the fact that making these appointments was difficult with the applicants in the same room and discussed ways to change that for future process. Senior Planner Vergis proposed drafting an amendment to the Rules of Procedure to bring before the Commission and the Commission agreed.

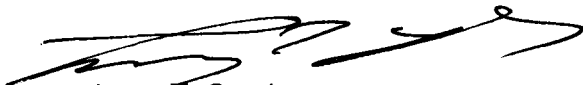
4. COMMENTS FROM THE PUBLIC

John Shaffer spoke to the Commission regarding his attributes and his appreciation for being appointed to the Commission as an alternate.

5. 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