

# SUTTER COUNTY

## LOCAL AGENCY FORMATION COMMISSION

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## SUTTER COUNTY LOCAL AGENCY FORMATION COMMISSION MINUTES

Date: June 24, 2010  
Yuba City Council Chambers  
1201 Civic Center Blvd., Yuba City

### 1. CALL TO ORDER

Chairperson Maan called the meeting to order at 4:03 p.m.

#### a. Roll Call

Members Present: Commissioners Maan, Montna, White, Pardesi,  
Gallagher and Klotz (arrived at 4:05)

Members Absent: Commissioner Islip

Staff Present: Executive Officer Stephanie Larsen, LAFCO Counsel Janet  
Bender, Assistant Executive Officer Doug Libby, and LAFCO  
Clerk Virginia Perry

#### b. Pledge of Allegiance

Chairperson Maan asked Commissioner Montna to lead the Pledge of Allegiance.

It was noted that Commissioner Klotz had arrived.

#### c. Approval of Minutes

##### **Consideration to approve the minutes for the May 27, 2010, meeting.**

Commissioner Montna made a motion to approve the minutes of the May 27, 2010, meeting which was seconded by Commissioner White and unanimously approved by those present.

## 2. PUBLIC HEARINGS

- a. **LAFCO 07-04: Valley Development Reorganization No. 333. Consideration to extend the expiry date by one year, for the reorganization of territory annexing approximately 23± acres to the City of Yuba City and detachment of the land from County Service Area "G", as approved on April 26, 2007. The reorganization area is generally located south of State Highway 20 and immediately west of the Industrial Drive industrial park; Assessor's Parcel Number 19-010-039.**

Assistant Executive Officer Libby summarized the previously circulated staff report and told the Commissioners the reference to "34 acres" in the subject heading is an error and should read "23 acres". Assistant Executive Officer Libby informed the Commissioners this public hearing was advertised to all registered voters and property owners within 300 feet of the proposal's boundaries.

Chairperson Maan noted the extension expired April 26, 2009. Assistant Executive Officer Libby explained that staff began putting an expiry date on resolutions at that time to facilitate the timely completion of proposals. Assistant Executive Officer Libby stated this proposal has previously completed a public review process and no opposition was expressed against the annexation. Staff believes it does not serve a public benefit to require a new application and review. Assistant Executive Officer Libby reported staff has researched the matter and nothing in the law prohibits the Commission from extending the expiration date on the proposal.

Commissioner Pardesi noted there has been a change in ownership but the new owner's name was not reflected in the title of this proposal. Assistant Executive Officer Libby explained the original annexation approved termed the annexation as "*Valley Development Reorganization*" and does not need to reflect the current landowner's name.

After a lengthy discussion, Chairperson Maan opened the public hearing. Due to no response the public hearing was closed.

Commissioner Gallagher made a motion to adopt the staff recommendation and findings contained in the staff report. Commissioner Klotz seconded the motion. The resolution was adopted by a unanimous voice vote.

**3. OTHER BUSINESS**

**b. Consideration of vote on mail ballot for proposed CALAFCO bylaw change.**

Assistant Executive Officer Libby reminded the Commission this item was continued from the May 27, 2010 LAFCO meeting. At that time, the Commission requested staff contact other LAFCOs regarding the bylaw change and report back to the Commission in June. Assistant Executive Officer Libby reported CALAFCO declined to say how many LAFCOs are voting for or against the proposal. However, CALAFCO did communicate that one LAFCO requested more regions be proposed in the bylaw change, which was considered and rejected by the CALAFCO Board. A second LAFCO proposed a "weighted vote" based on population, which was considered by the CALFCO Board and rejected. Assistant Executive Officer Libby provided the Commission with a copy of a letter received from El Dorado LAFCO, which expressed that agency's support for the bylaw change. Assistant Executive Officer Libby told the Commission there does not appear to be the level of opposition that existed in October 2009 and based upon feedback he has received the majority of LAFCOs will approve this bylaw change.

After a lengthy discussion Commissioner White made a motion to authorize the Executive Officer to complete the CALAFCO mail ballot in the affirmative supporting the bylaw change and return it to CALAFCO. The motion was seconded by Commissioner Montna and passed with a unanimous voice vote.

**4. COMMENTS FROM THE PUBLIC**

None

**5. COMMENTS FROM STAFF**

Assistant Executive Officer Libby informed the Commission there are no items scheduled for the July or August meetings at this time.

**6. ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 4:22 p.m.

Respectfully submitted,

  
Doug Libby, AICP  
Assistant Executive Officer

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