

# SUTTER LAFCO

## LOCAL AGENCY FORMATION COMMISSION

P.O. Box 2694

GRANITE BAY, CA 95746 (707) 592-7528 FAX (530) 749-5468

### REGULAR MEETING AGENDA

**Meeting will begin at 2:00 PM**

**Yuba City Council Chambers  
1201 Civic Center Boulevard – Yuba City, California**

**Thursday, JULY 8, 2021 - 2:00 p.m.**

#### COMMISSION MEMBERS

##### Regular Members

County Member – Mat Conant  
County Member – Mike Ziegenmeyer  
City Member – Marc Boomgaarden  
City Member – Bob Woten  
District Member – Larry Munger  
District Member - Don Cochran, **Chair**  
Public Member - Rupinder Jawanda, **Vice Chair**

##### Commissioner Alternates:

County Alternate – Karm Bains  
City Alternate – Grace Espindola  
District Alternate – Vacant  
Public Alternate – Enita Elphick

##### LAFCo Staff:

John Benoit, Executive Officer  
Jennifer Stephenson, Deputy Exec. Officer  
Paige Hensley, Clerk-Analyst  
P. Scott Browne, LAFCo Counsel

The Governor has declared a State of Emergency in California as a result of the threat of Covid-19. The Governor also issued Executive Order N-33-20, which directs Californians to follow public health directives including canceling large gatherings. The Executive Order allows local agencies to hold meetings via teleconference calls while still meeting state transparency requirements. The Sutter Local Agency Formation Commission is providing the public two options to join the meeting:

- ***The public may attend the meeting located in the Yuba City Council Chambers, however due to public health guidelines regarding Covid-19 seating will be limited. If you choose to attend in person, you are asked to wear a mask and we ask that you practice social distancing. If you are ill or have been recently exposed to Covid-19 please stay home and participate via the web teleconference.***
- ***Web Teleconference (Please see instructions below) \*\*Please note...currently the video conferencing process does not allow for verbal comments but does have a chat function where comments will be read.\*\****

The complete agenda and related items are available on the Sutter LAFCO website at [www.sutterlafco.org](http://www.sutterlafco.org) subject to staff's ability to post the documents before the meeting.

Instructions to join the web teleconference are as follows:

You will first need to register for the web teleconference prior to the meeting. You will be asked to furnish you name and an email address.

Click the link below to register for the web teleconference:

**[https://zoom.us/webinar/register/WN\\_CREjAW2TRqmS4oTbIIOswQ](https://zoom.us/webinar/register/WN_CREjAW2TRqmS4oTbIIOswQ)**

After registering, you will receive a confirmation email containing information about joining the meeting.

The public may choose to make their comments thru the chat function during the teleconference or Public comment will also be accepted by email to [sutterlafco@gmail.com](mailto:sutterlafco@gmail.com) Please list the item number you wish to comment on and submit your written comments 24 hours prior to the start of the meeting. Written comments will be distributed to the Commission prior to the meeting and will be read.

**1. Call to Order:**

- a. Roll Call.
- b. Pledge of Allegiance.
- c. Approval of the Agenda

**2. Approval of Minutes from the MAY 13, 2021 LAFCo meeting:**

*Action: Approval of Minutes from the MAY 13, 2021, meeting*

**3. Consent Agenda:**

*Action: Payment of Claims for MAY AND JUNE 2021*

**Public Hearings**

**4. Newkom Ranch Annexation of 221.82-acres more or less to the City of Yuba City**

- a. *Hold Public Hearing and Consider LAFCo File 221.82-acre more or less annexation to the City of Yuba City and Consider Resolution 2021-0004 approving the Newkom Ranch Annexation to the City of Yuba City.*

**5. Gilsizer County Drainage District Sphere of Influence Amendment: Consider Resolution 2021-0005 Amending The Sphere of Influence for the Gilsizer County Drainage District**

- a. *Consider Resolution 2021-0005 amending the Gilsizer County Drainage District Sphere of Influence to include and additional 544-acres of the Bogue-Stewart Master Plan into the District.*

**6. Review and Discuss the 2021 Sutter County Grand Jury Report regarding Fire and EMS services.**

- a. *Hold discussion, consider submitting an invited response and provide direction to staff*

**7. Newkom Ranch annex to the Gilsizer County Drainage District**

- a) *Continue public hearing until LAFCo's September 9<sup>th</sup> 2021 meeting at 2:00 pm*

**Other Business**

**8. CALAFCo nominations for annual achievement awards and nominations for a County and (or) Special District Member**

- a. *Provide Direction to Staff*

**9. San Luis Obispo LAFCo v. City of Pismo Beach update**

- a) *Review case with LAFCo Counsel and provide direction to staff.*

**10. Executive Officer's Report:**

- a. *Gilsizer County Drainage District Annexation for the Newkom Ranch – Waiting for Tax Sharing Resolution.*  
b. *Fire MSR and SOI update*

**11. Commissioner Reports:**

This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters.

**12. Public Comment:**

Members of the public are invited to address the Commission on any matter of interest to the public that is not on the agenda for a period of time not exceeding 5 minutes. Pursuant to the Brown Act, the Commission cannot take any action on items not listed on the posted agenda but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.

**13. Adjournment:**

Adjourn to the regular meeting at Yuba City Hall or via Teleconference at **2:00 pm September 9th , 2021**

The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.

**Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority Government Code Section 56325.1**

Commissioners - Please contact your alternate member if you are either unable to attend this

meeting or unable to vote on a specific agenda item.

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Pursuant to Government Code Section 54954.2, Commission members may make a brief announcement or report on activities. Commission members may also provide a reference to staff or other resources for factual information, request staff to report back to the Commission at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

*Public Comment*

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be of interest to the public and within the Commission's subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).
- The total amount of time allotted for receiving public comment may be limited to 15 minutes.
- Any individual's testimony may be limited to 5 minutes. Time to address the Commission will be allocated on the basis of the number of requests received.

*Public Hearings*

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person's input to 5 minutes. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

*Agenda Materials*

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda are available for review for public inspection in the Sutter County Development Services office located at 1130 Civic Center Blvd, Yuba City, CA. [such documents are also available on the Sutter LAFCO website as noted below to the extent practicable and subject to staff's ability to post the documents prior to the meeting].

*Accessibility*

An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting. The location of this meeting is wheelchair-accessible.

*Disclosure & Disqualification Requirements*

Pursuant to Government Code Sections 56100.1, 56300(b), 56700.1, and 81000 et seq., Disclosure of Contributions and Expenditures in Support of and Opposition to Proposals, any person or combination of persons who directly or indirectly contribute \$1000 or more or expend \$1000 or more in support of or opposition to a change of organization or reorganization that has been submitted to Sutter LAFCO must comply with the disclosure requirements approved by Sutter LAFCO

A LAFCO Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

Contact LAFCO Staff LAFCO staff may be contacted at (707) 592-7528 or (530) 218-0886, by mail at Sutter LAFCO P.O. Box 2694, Granite Bay CA 95746 or by email [j.benoit4@icloud.com](mailto:j.benoit4@icloud.com)

Webpage Reports, agendas, minutes and general information about LAFCO are available on the LAFCO Webpage at [www.sutterlafco.org](http://www.sutterlafco.org)

# Sutter Local Agency Formation Commission

Item #3

## CLAIMS May and June 2021

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
2020-2021 Expenses		
June 1, 2021	Staff Services May 2021	\$ 3,172.97
May 15, 2021	Legal Counsel 4.16.21-5.15.21	\$ 1,500.00
May 13, 2021	Commission Stipend 5.13.21	\$ 700.00
July 1, 2021	Staff Services June 2021	\$ 6,326.01
June 15, 2021	Legal Counsel 5.16.21-6.15.21	\$ 500.00
TOTAL:		\$ 12,198.98
FY 2021-2022 Expenses:		
July 1, 2021	Calafco Dues for FY 21-22	\$ 2,410.00
July 1, 2021	GSRMA Insurance FY 21-22	\$ 2,527.00
TOTAL:		\$ 4,937.00

DATED: July 8, 2021

APPROVED: July 8, 2021

\_\_\_\_\_  
Don Cochran, Chair or Rupinder Jawanda, Vice-Chair  
Sutter Local Agency Formation Commission

Attest:

\_\_\_\_\_  
John Benoit  
Executive Officer

FUND: SUTTER LAFCO  
DEPT: Expenditures and Revenue  
FY 2020-2021

Item	Account Number	Insurance	Memberships	Copies	Postage	Communications	Office Exp.	Courier	Staff Svcs	Capital S/pend	Notices and Publics
		62301	63101	62601	62301	62201	62501	62750	63701	63210	62403
<b>Total Budgeted 2020-2021</b>		\$ 2,600.00	\$ 2,400.00	\$ 1,000.00	\$ 600.00	\$ 750.00	\$ 350.00	\$ 15,000.00	\$ 48,000.00	\$ 6,600.00	\$ 1,500.00
Calafco Dues 2020-2021		\$ (2,536.71)	\$ (2,400.00)								
GSRMA Insurance 2020-2021											
Payroll July 9, 2020				\$ (10.00)		\$ (41.77)		\$ (1,500.00)	\$ (2,000.00)	\$ (600.00)	
Staff Svcs July 2020 #0064						\$ (41.96)		\$ (1,500.00)	\$ (2,000.00)		
Browne Ending 7.15.2020											
Staff Svcs Aug 2020											
Browne Ending 8.15.2020											
Comm Stipend Sept 10, 2020											
Browne ending 9.15.2020 #624				\$ (15.00)		\$ (41.32)		\$ (500.00)	\$ (3,612.50)	\$ (700.00)	
Staff Svcs September 2020						\$ (41.96)			\$ (4,356.25)		
Staff Svcs October 2020											
Appeal Democrat YC MSR and SOI Legal											
Payroll November 12, 2020 meeting				\$ (15.00)		\$ (48.99)	\$ (71.80)	\$ (1,500.00)	\$ (2,462.50)	\$ (700.00)	\$ (376.18)
Staff Svcs November 2020											
Browne ending 11.15.2020				\$ (10.00)		\$ (44.57)	\$ (64.00)	\$ (500.00)	\$ (3,506.25)		
Staff Svcs December 2020											
Browne Ending 12.15.2020				\$ (10.00)		\$ (68.77)			\$ (3,400.00)		
Staff Svcs Jan 2021				\$ (5.00)		\$ (63.77)			\$ (3,761.25)	\$ (800.00)	
Staff Svcs Feb 2021											
Payroll Jan 15, 2021											
Browne ending 1.15.2021								\$ (1,500.00)	\$ (800.00)		
Browne ending 2.15.21								\$ (500.00)			
Payroll March 2021											
Appeal Dem Prop Budget 21-22											
Staff Svcs March 2021									\$ (3,527.50)	\$ (185.91)	
Browne ending 3.15.2021				\$ (7.50)		\$ (54.76)		\$ (1,500.00)	\$ (2,783.75)		
Staff Svcs April 2021											
Browne ending 4.15.2021				\$ (5.00)		\$ (54.77)		\$ (500.00)	\$ (3,060.00)		
Staff Svcs May 2021											
Browne ending 5.15.21											
May 13, 2021 Sutter Payroll											
Staff Svcs June 2021				\$ (15.00)		\$ (54.76)	\$ (30.00)	\$ (500.00)	\$ (4,000.00)	\$ (700.00)	
Browne ending 6.15.21											
<b>Total Expenditures to Date</b>		\$ (2,536.71)	\$ (2,400.00)	\$ (92.50)	\$ (617.16)	\$ (165.80)	\$ 184.20	\$ 3,500.00	\$ 9,530.00	\$ 2,300.00	\$ (563.09)
<b>Total Budget Remaining</b>				\$ 907.50	\$ 600.00	\$ 137.84	\$ 184.20	\$ 3,500.00	\$ 9,530.00	\$ 2,300.00	\$ 937.91

unaudited July 1, 2020 Fund Carryover \$ 173,073.90

Revenue Received to date:  
20-21 Contribns Received City-Dist-County \$ 83,339.33 \$ 82,680.00  
REVENUE FOR PROJECTS  
Interest  
Reserve  
Less Expenditures \$ (69,775.28)  
Actual Cash Balance \$ 186,637.95

FUND:  
DEPT:

SUTTER LAFCO  
Expenditures and Revenue  
FY 2020-2021

Category	Trans	Travel	File	Scen	Prod	Rep	SR	50%	Updates	TOTAL
62801	62801	66001	66001	62701	62701					
\$ 2,500.00	\$ 1,500.00	\$ 6,000.00	\$ 20,000.00	\$ 105,800.00						
										\$ (2,400.00)
										\$ (2,536.71)
										\$ (600.00)
										\$ (4,259.27)
										\$ (1,500.00)
										\$ (4,206.96)
										\$ (1,500.00)
										\$ (700.00)
										\$ (500.00)
										\$ (3,668.82)
										\$ (4,427.54)
										\$ (376.18)
										\$ (700.00)
										\$ (4,652.34)
										\$ (1,500.00)
										\$ (3,972.87)
										\$ (500.00)
										\$ (3,478.77)
										\$ (3,830.02)
										\$ (800.00)
										\$ (1,500.00)
										\$ (500.00)
										\$ (800.00)
										\$ (185.91)
										\$ (3,634.90)
										\$ (1,500.00)
										\$ (2,846.01)
										\$ (500.00)
										\$ (3,172.97)
										\$ (1,500.00)
										\$ (700.00)
										\$ (6,326.01)
										\$ (500.00)

\$ 2,500.00	\$ 1,302.73	\$ 5,660.00	\$ 11,401.25	\$ 39,024.72
\$ (197.27)	\$ (340.00)	\$ (8,588.75)	\$ (69,775.28)	\$



STEPHANIE M. HANSEL  
COURT EXECUTIVE OFFICER

# SUPERIOR COURT OF CALIFORNIA COUNTY OF SUTTER

1175 Civic Center Blvd., Yuba City, CA 95993

(530) 822-3302 FAX: (530) 822-3502

June 11, 2021

Dear Sir or Madam:

Enclosed is a copy of the 2020-2021 Sutter County Civil Grand Jury Report: Sutter County Fire and Emergency Services – Is Sutter County Playing with Fire?

The 2020-2021 Grand Jury invites your response to the enclosed report.

If you wish to submit a response, please do so within the next 90 days. Please provide an original and one copy to Susan E. Green, Presiding Judge of the Sutter County Superior Court, at the above address. Your response will be filed with the Court and a copy will be posted on the Court's website at [www.suttercourts.com](http://www.suttercourts.com).

Please acknowledge the receipt of these documents by signing below and returning the same in the enclosed envelope. Please retain one copy for your records.

Very truly yours,

JACKIE LASWELL  
Court Clerk

JL  
Enclosure

Receipt Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
Respondent

Department: \_\_\_\_\_

\_\_\_\_\_  
Please Print Name



# SUTTER COUNTY FIRE AND EMERGENCY SERVICES



**SUTTER**



**MERIDIAN**



**ROBBINS**



**OSWALD-TUDOR**

IS SUTTER COUNTY  
PLAYING  
WITH FIRE?



**EAST NICOLAUS**



**LIVE OAK**



**YUBA CITY**



**PLEASANT GROVE**

**2020-2021 Sutter County  
Civil Grand Jury Report**

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## **SUTTER COUNTY FIRE AND EMERGENCY SERVICES – Is Sutter County Playing with Fire?**

### **SUMMARY**

The 2020-2021 Sutter County Grand Jury has heard the smoke alarm. Is Sutter County playing with fire? The Grand Jury reviewed six previous Grand Jury reports, the 2017 Local Agency Formation Commission (LAFCO) Municipal Service Review/Sphere of Influence (MSR/SOI) reports, conducted interviews, compiled data, and concluded that the County continues to underfund its Fire and Emergency Services. This underfunding potentially endangers the people of Sutter County and risks the doubling or tripling of home and fire insurance rates. Funding is so inconsistent and dire that at the end of Fiscal Year 2023 the County may have to close one of its fire stations to come within present budget constraints. Identifying a permanent source of funding is essential. Additionally, 65% of the Sutter County Fire's equipment is out-of-date and needs to be replaced by instituting a viable capital improvement plan. Many of Sutter County Fire stations' personnel are volunteers and, though dedicated, may not be available on an immediate basis. The County is cautioned that it takes four firefighters (Two-In and Two-Out) to fight an interior structural fire in accordance with OSHA and County requirements.

### **BACKGROUND**

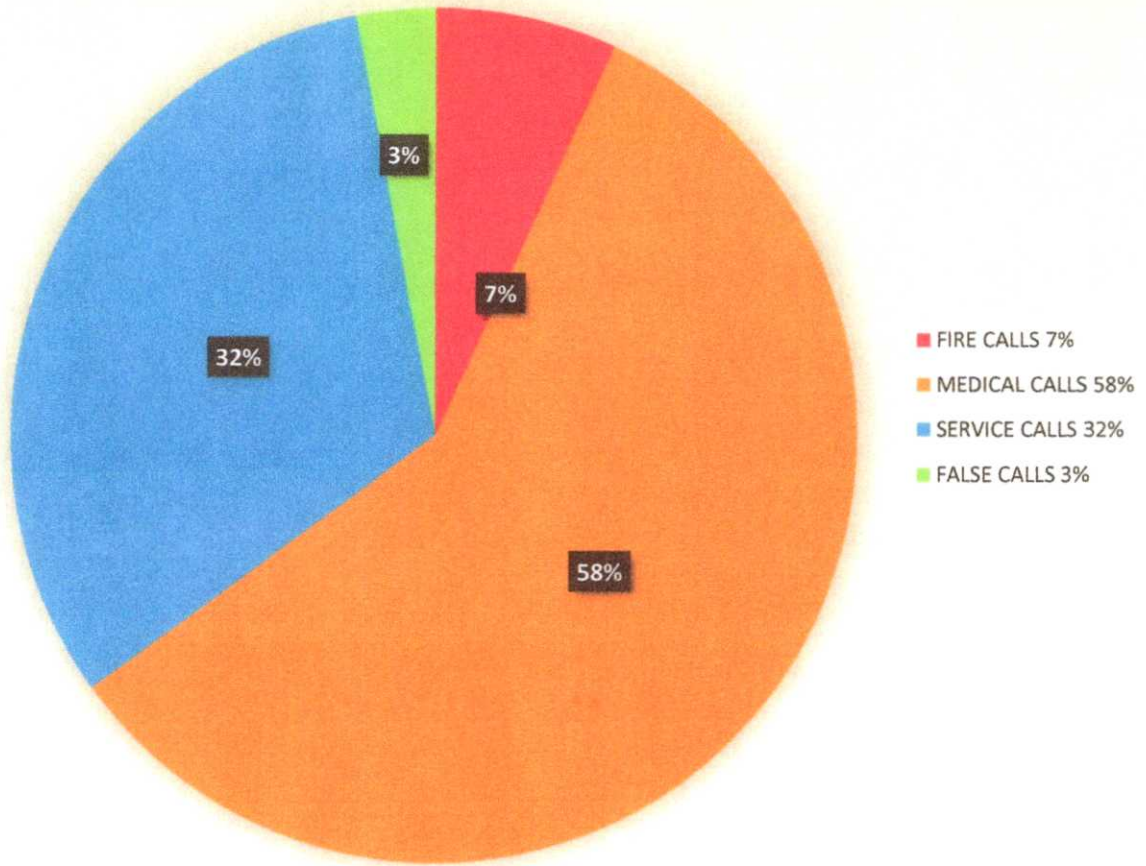
The Grand Jury chose to investigate the Sutter County Fire and Emergency Services to insure the best response and protection for our citizens. Since 2006, this subject, in some form, has been reviewed by six previous grand juries. This undertaking was complex, due to the varied and numerous fire, safety and other emergency services organizations within Sutter County. Staff at the Yuba City Fire Department (YCFD) were interviewed, providing information that was extremely valuable. However, the focus of this report is on the Sutter County Fire Departments outside of Yuba City. YCFD information and data were included to provide a comparison and for report clarity.

Sutter County and San Francisco County are the only two counties in California with no federal or state forests to help fund fire districts. Other counties have forested lands and receive additional state and/or federal funding.

The role of a firefighter has drastically changed. In the past, training of fire fighters involved just that, fighting fires. Now the job includes qualifications for: Emergency Medical Technicians, hazardous material handling, automotive accident techniques (Jaws-of-Life and Electric Vehicles) and Search and Rescue to name just a few. Outside of Yuba City firefighters are normally the first on the scene when emergencies happen in our county. Most of the situations that Sutter County Fire responds to are medical in nature. (See chart of emergency call tables for 2018 -2020 below and Appendix A)

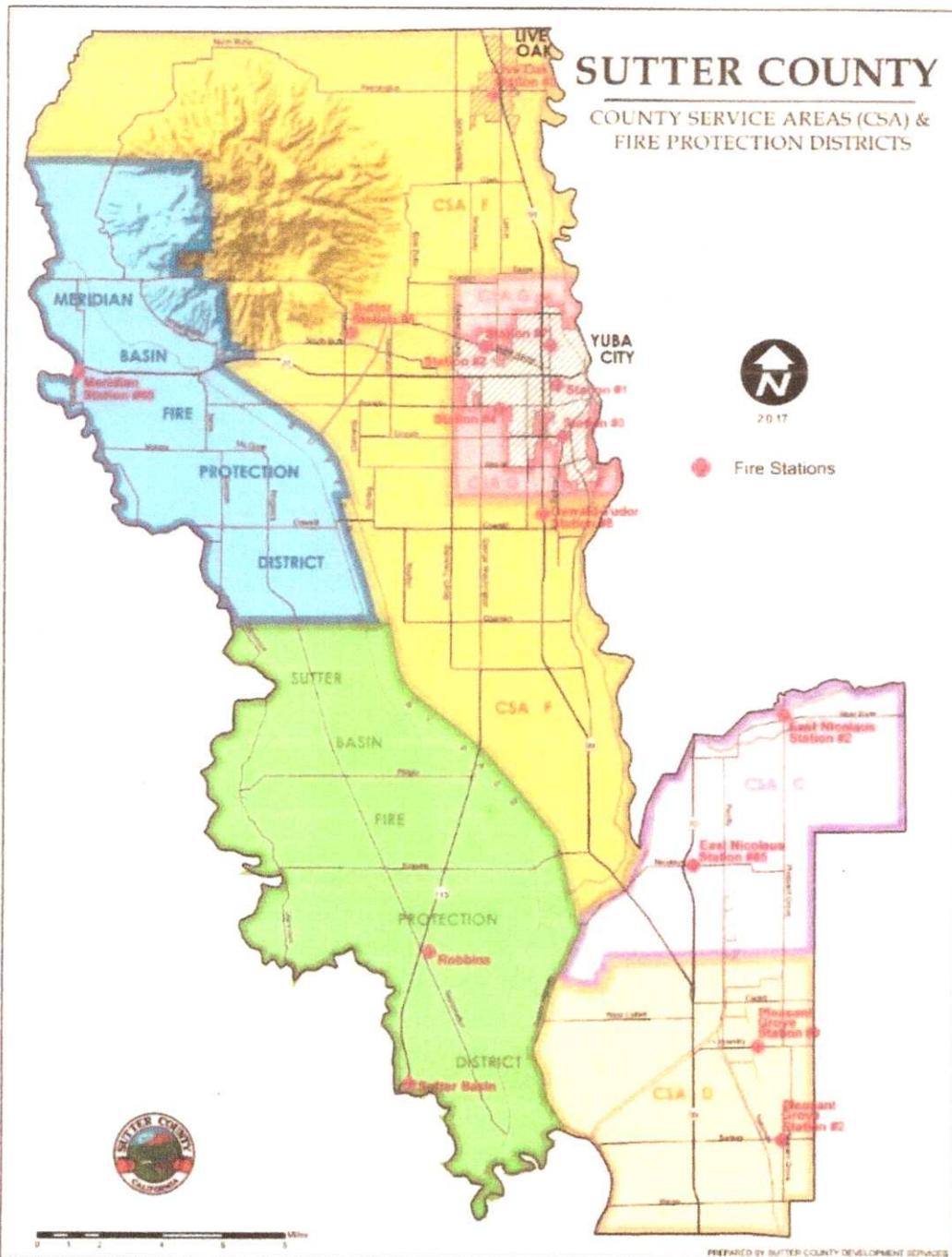
SUTTER COUNTY FIRE AND EMERGENCY SERVICES – Is Sutter County Playing with Fire?

2018-2020 TOTAL CALLS



## SUTTER COUNTY FIRE AND EMERGENCY SERVICES – Is Sutter County Playing with Fire?

The main portion of Sutter County's fire protection is County Service Area (CSA) F. Sutter County Fire operates fire and emergency services for the City of Live Oak on a contractual basis, Sutter Fire Station, and Oswald-Tudor (Barry Rd) Fire Station. Other jurisdictions include: Meridian Basin Fire Protection District (FPD), East Nicolaus CSA C, Pleasant Grove CSA D and Sutter Basin (Robbins) Fire Protection District, mostly all volunteer fire districts and CSAs. Yuba City is CSA G.



**SUTTER COUNTY FIRE AND EMERGENCY SERVICES – Is Sutter County Playing with Fire?**

<b>City Name</b>	<b>Desig #</b>	<b>Address</b>	<b>Manning</b>	<b>Remarks</b>
Yuba City	#1	824 Clark Avenue, Yuba City	24/7	CSA G
Yuba City	#2	1641 Gray Avenue, Yuba City	24/7	CSA G
Yuba City	#3	795 Lincoln Road, Yuba City	24/7	CSA G
Yuba City	#4	150 Ohleyer Road, Yuba City	24/7	CSA G
Live Oak	#5	2745 Fir Street, Live Oak	24/7	CSA F Under contract
Sutter	#6	2340 California Street, Sutter	24/7	CSA F
Meridian	#65	1100 3 <sup>rd</sup> Street, Meridian	24/7 and Volunteer	FPD Paid Chief & Asst Chief
Yuba City	#7	2855 Butte House Road, Yuba City	24/7	CSA G
Oswald- Tudor	#8	1280 Barry Road, Yuba City	24/7	CSA F
East Nicolaus	#85	1988 Nicolaus Avenue, East Nicolaus	Volunteer	CSA C #2 is a storage garage
Pleasant Grove	#9	3100 Howsley Road, Pleasant Grove	Volunteer	CSA D #2 is a storage garage
Sutter Basin (Robbins)	#45	1719 Pepper Street, Robbins	Volunteer	FPD Closed. Not actively engaged

**(Staff, Sutter County CSAs and Fire Stations)**