
BUTTE LOCAL AGENCY FORMATION COMMISSION
1453 DOWNER STREET, SUITE C, OROVILLE, CALIFORNIA 95965
TELEPHONE (530) 538-7784 FAX (530) 538-2847

REGULAR MEETING NOTICE OF THE COMMISSION

Location: **Oroville City Council Chambers**
1735 Montgomery Street, Oroville, California
Date/Time: **Thursday, June 1, 2023 - 9:00 a.m.**

SPECIAL NOTICE

Following the Governor's termination of the Proclamation of a State of Emergency issued on March 4, 2020, the Commission will no longer be operating under the modified open meeting rules of Assembly Bill 361 and will operate under the traditional provisions of the Brown Act with all meetings fully open to the public and all commissioners attending in-person. As a continued courtesy the public, the meeting is voluntarily being broadcast via Zoom, but will be **view only, no interaction or comments will be taken through the Zoom platform.**

Please click the link below to join the meeting or utilize the telephone option (audio only)

1. JOIN MEETING:

<https://us02web.zoom.us/j/82646684478?pwd=UXYxTFByM0pWM1N1bXFNTIZuTG00QT09>

Passcode: **062514**

2. Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 669 444 9171 or +1 719 359 4580

Webinar ID: 826 4668 4478

Passcode: 062514

Comments from the public on the agenda items will also be accepted as follows:

1. Attend meeting in-person and comment.
2. Via email to Commission Clerk (kbradford@buttecounty.net)
2. Via phone (530-538-7784)
3. Mail to Butte LAFCo, 1453 Downer Street, Suite C, Oroville, CA 95965.

MEETING PARTICIPATION: All comments received will be conveyed to the Commission for consideration during the meeting. All meetings will be recorded and placed on the LAFCo website (www.buttelafco.org) for public access and accountability. Public comments will be limited to three (3) minutes.

ROLLCALL VOTES ON ALL MOTIONS: As a continued courtesy to the public viewing the Zoom broadcast, all votes taken during a teleconferenced meeting will be by roll call.

THANK YOU: The Commission appreciates the public's adaptation and patience during this crisis and will endeavor to refrain from placing non-essential items, or matters of significant public interest on the agenda until such time greater public participation can be reasonably accommodated.

AGENDA
ALL ITEMS ARE OPEN FOR PUBLIC COMMENT

1. CALL TO ORDER

1.1 Roll Call

1.2 Acknowledge appointment of new Commissioners.

2. CONSENT AGENDA

2.1 Approval of the Minutes of May 4, 2023

2.2 Acceptance of Independent Auditor's Report and Financial Statements for Fiscal Year ending June 30, 2022.

The Independent Auditor's Report and Financial Statements for Fiscal Year ending June 30, 2022 have been prepared by Horton McNulty & Saeteurn, LLP, Certified Public Accountants and are submitted for the Commission's acceptance. **Action Requested:** Accept Independent Auditor's Report and Financial Statements for Fiscal Year ending June 30, 2022.

3. NOTICED PUBLIC HEARINGS

3.1 23-14 – City of Chico – Paradise Extension of Sewer Services

The City of Chico requests approval to extend sanitary sewer services outside its jurisdictional boundary and sphere of influence to the Town of Paradise. The proposed extension of services would facilitate the Paradise Sewer Project, reducing the Town's reliance on septic systems. The proposal is consistent with Butte LAFCo policies regarding Extension of Service requests outside of an agency's sphere and with Government Code Section 56133(c) (Threat to Health and Safety). As the lead agency pursuant to CEQA Guidelines, the Town of Paradise has prepared and adopted a Final Programmatic Environmental Impact Report that will be considered at this meeting. **Action Requested:** Adopt Resolution No. 23 2022/23 approving the Extension of Services Request.

3.2 20-09 – LAFCo - Public Review Draft Municipal Service Review of Water and Wastewater Service in the Oroville Region.

The Commission will consider and adopt an updated Municipal Service Review for water and wastewater providers in the Oroville region to include South Feather Water and Power Agency, Thermalito Water, Lake Oroville Area Public Utility District, Sewer District, Sewerage Commission Oroville Region and the City of Oroville. **Action Requested:** Adopt resolution 24 2022/23 approving the Municipal Service Reviews for Water and Wastewater Providers in the Oroville Region.

3.3 Amendment to Current Staff Charge-out Rates, Including Continuation of the Application of the Annual Cost Escalator Based upon the Employment Cost Index (ECI).

The Commission will consider a revision to its current individual staff hourly charge-out rates that will create a new, single flat hourly rate for all billable projects and the continuation of an annual cost escalator based upon the Employment Cost Index. **ACTION REQUESTED:** Adopt Resolution 25 2022/23 approving amendment to current staff charge-out rates and to continue the application of the annual cost escalator based upon the Employment Cost Index.

4. REGULAR AGENDA

4.1 Items Removed from the Consent Agenda (If any)

4.2 CALAFCO Board of Directors Nomination – Bill Connelly

The Commission will consider the nomination of Bill Connelly to the Board of Directors of the California Association of Local Agency Formation Commissions for a 2 year term to begin in October 2023. **ACTION REQUESTED:** Accept public comment and nominate Bill Connelly.

4.3 Acceptance of Protest Proceeding Results, Call for Election and Consideration of Impartial Analysis for the Ballot for the Tuscan Water District Election

The Commission approved the formation of the Tuscan Water District on March 2, 2023, subject to a protest proceeding and an election. The Protest Proceeding was held on May 5, 2023, and resulted in the need to call an election. The Commission will receive the Protest Proceeding Results, be asked to request the County Board of Supervisors call for an election and to approve an Impartial Analysis pursuant to Government Code §57144. These are all procedural actions and will not involve any further project review or changes to the adopting resolution. **ACTION REQUESTED:** Accept Protest Proceeding Results, consider and approve both the draft Resolution No. 26 2022/23 and the Impartial Analysis and direct staff to submit to the Board of Supervisors and the County Elections Official.

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (If any)

6. REPORTS AND COMMUNICATION

6.1 Executive Officer's Report

6.2 Correspondence (If any)

7. ADMINISTRATION. The Commission will discuss and provide direction to the Executive Officer on administrative matters relating to the operation of the Commission.

8. ADJOURNMENT NOTICE: Adjourn to **Thursday, August 3, 2023** in the City of Oroville Council Chambers.

TO THOSE WHO PARTICIPATE IN LAFCO PROCEEDINGS:

- * Government Code Section 84308 requires you to disclose campaign contributions to LAFCO Commissioners if they amount to \$250 or more and were made within the last twelve months. Please announce your applicable campaign contributions when you speak.
- * Any disabled person needing special accommodation to participate in the Commission proceeding is requested to contact LAFCO staff at (530) 538-7784 prior to meeting and arrangements will be made to accommodate you.
- * Any person may address the Commission during the "Public Comment." Please see the rules regarding public comments below.
- * Agenda documents relative to an Agenda item may be obtained from the Clerk of the Commission at a cost of \$.10 per page.

RULES APPLYING TO PUBLIC COMMENTS

1. Members of the public wishing to address the Commission upon any subject within the jurisdiction of Butte LAFCO may do so upon receiving recognition from the Chair at the appropriate time.
2. Comment on items not on the agenda should be made at the time indicated for "Public Comment" on the agenda. The Commission may not act on any matter so raised and will have to put off action until a meeting at which the matter can be put on the agenda.
3. Comment on specific agenda items may be made during the discussion of that agenda item, upon recognition by the Chair.
4. After receiving recognition, please stand and state your name and address before making your presentation, so that the Clerk may take down this information.
5. All documents to be presented to the Commission will be given to the Clerk of the Commission (original and eleven copies) prior to Call of Order of meeting. Such documents will be distributed to the Commission and made available for public inspection.
6. This agenda was mailed to those requesting notice and posted 72 hours in advance of the meeting at the following locations: LAFCO front entrance.