



**BUTTE LOCAL AGENCY FORMATION COMMISSION**

**Minutes of September 1, 2022**

*(A complete voice recording of the Commission's meetings can be obtained from [www.buttelafco.org](http://www.buttelafco.org))*

**1. CALL TO ORDER**

Chair Connelly called the meeting to order at 9:00 a.m., September 1, 2022, in the City of Oroville Council Chambers, 1735 Montgomery Street, Oroville, California. The meeting was also available to be viewed through Zoom Webinar.

**1.1 Roll Call**

Commissioners Present: Greg Bolin (City)  
Steve Betts (Public)  
Tod Kimmelshue (County)  
Al McGreehan (Special District)  
Bill Sharman (Special District)  
Bruce Johnson (City)  
Bill Connelly (Chair-County)

Commissioners Absent: None

Alternate Commissioners Present: Larry Bradley (Special District)

Alternate Commissioners Absent: Chuck Reynolds (City), Debra Lucero (County)

Others Present: Stephen Lucas, LAFCO Executive Officer  
Jill Broderson, LAFCO Management Analyst  
Shannon Costa, LAFCO Deputy Executive Officer  
Krystal Bradford, LAFCO Commission Clerk  
P. Scott Browne, LAFCO Legal Counsel

At the direction of Chair Connelly Item 4.2 will be taken out of order.

**4.2 Consideration and Selection of a Regular and Alternate Public Member**

Chair Connelly stated there are two applicants. He asked if there are any questions or comments from the commission.

Steve Betts stated he will step down as he is one of the candidates.

Chair Connelly asked if there were any electronic or public comment.

**Commissioner Kimmelshue made a motion to approve Steve Betts as the Commission's Regular Public Member and Don Rust as the Alternate Public Member. The motion was seconded by Commissioner McGreehan.**

**The motion was carried by the following vote:**

**AYES:** Commissioners Bolin, Johnson, Kimmelshue, McGreehan, Sharman, and Chair Connelly

**NOES:** None

**ABSENT:** None

**ABSTAINS:** Betts

At this time in the meeting Commissioner Betts assumed his seat as Regular Public Member.

## **2. CONSENT AGENDA**

### **2.1 Approval of the Minutes of June 2, 2022**

Chair Connelly asked if there were any questions or comments from the Commission. He then asked if there were any electronic or public comment on the consent agenda. No comments received.

### **2.2 Adoption of a Renewing Resolution In Support of AB361**

**Commissioner McGreehan made a motion to approve the consent agenda, approving the June 2, 2022 minutes and adopting Resolution No. 02 2022/23 in support of AB361. The motion was seconded by Commissioner Betts.**

**The motion was carried by the following vote:**

**AYES:** Commissioners Bolin, Johnson, Kimmelshue, McGreehan, Sharman, Betts, and Chair Connelly

**NOES:** None

**ABSENT:** None

**ABSTAINS:** None

## **3. NOTICED PUBLIC HEARINGS**

### **3.1 22-11 – South Feather Water & Power Agency – Palermo Community Annexation**

Shannon Costa explained the project and its parameters. She asked the commission to accept option one of the staff report adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, waive protest proceedings, and adopt Resolution 01/2022-23 approving the project. She offered to answer any questions the Commission may have.

Chair Connelly asked the Commission if they had any questions or comments.

Tod Kimmelshue asked if the Commission is being asked to take action today and waive protest proceedings.

Shannon Costa confirmed, today the Commission would be adopting the Mitigated Negative Declaration and approving annexation of portions of Palermo into SFWPA.

Steve Betts mentioned he thinks this is a great project. He asked if there is a timeline for landowners to hook up to SFWPA.

Kamie Loeser Director of Butte County Water and Resource Conservation Department, replied to Steve Betts' question. She explained phase one of the project is the extension of the existing SFWPA system. They will construct the mains and the laterals up to meter boxes. The resident can connect from house to meter whenever they would like to. Kamie explained there are numerous potential funding sources and they are hoping funding will allow them to facilitate the connection from houses to meter boxes.

Chair Connelly asked if there were any electronic comments. He asked the Commission if they had any comments.

Chair Connelly opened this item to the public for comment.

Palermo Resident asked if her residence is included in the annexation of SFWPA.

Steve Lucas confirmed the Resident is inside the annexation and gave her a map.

Chair Connelly asked if there are any other comments from the public.

Palermo Resident stated he heard the hook up would be to the house and they would eliminate the well.

Shannon Costa explained the well abatement process.

Chair Connelly asked if there are any other questions or comments from the public. No comments received. Chair Connelly closed public comment.

**Commissioner McGreehan made a motion to approve option one as recommended by staff and adopt Resolution 01/2022-23. The motion was seconded by Commissioner Betts.**

**The motion was carried by the following roll call vote:**

**AYES:** Commissioners Bolin, Johnson, Kimmelshue, McGreehan, Sharman, Betts, and  
Chair Connelly

**NOES:** None

**ABSENT:** None

**ABSTAINS:** None

#### **4. REGULAR AGENDA**

##### **4.1 Items Removed from the Consent Agenda- None**

##### **4.3 23-01 - City of Chico Ext of Services - 1721 Chico River Road**

Shannon Costa explained the project.

Chair Connelly asked if there were any questions or comments from the Commission.

Steve Betts noted a change to the verbiage on section two of the Resolution. Section 2 Item E "dwelling" should be changed to "dwellings".

Tod Kimmelshue asked a general question regarding annexing properties that are outside of city limits for sewer services.

Shannon Costa and Steve Lucas had a discussion with Tod Kimmelshue regarding annexing for sewer services and future plans of this specific property.

Greg Bolin asked if this is how islands were created in the past.

Steve Lucas explained LAFCo staff will not allow islands to be formed.

Chair Connelly asked if there were any electronic comment. No comments received.

Chair Connelly opened this item to public comment. No comments received.

Alternate Commissioner Larry Bradley left the meeting.

**Commissioner Bolin made a motion to approve the extension of sewer services to 1721 Chico River Road. The motion was seconded by Commissioner Kimmelshue.**

**The motion was carried by the following roll call vote:**

**AYES:** Commissioners Bolin, Johnson, Kimmelshue, McGreehan, Sharman, Betts, and  
Chair Connelly

**NOES:** None

**ABSENT:** None

**ABSTAINS:** None

## **5. Public Comment on Items not on the Agenda**

Chair Connelly opened to public comments on items not on the agenda.

Palermo Resident asked a question regarding fees associated with the SFWPA Palermo Community Annexation.

Chair Connelly reiterated the plan is to bring the connection to the door for free but as of now there's enough funding to put a meter on the property line that can sit there until the resident desires to tie into it. He also explained the well abatement plan.

Palermo Resident asked why the meeting is in the middle of the day in Oroville.

Chair Connelly replied this meeting is held per state law and this is the regular meeting time of this Commission.

## **6. Reports and Communications**

### **6.1 Executive Officer's Report**

Steve Lucas summarized the Executive Officer's report, provided updates and answered questions on a variety of items including Contractual Services Agreement with Butte County, City of Chico Island Annexations Agreement, Paradise Irrigation District/Option Study, El Medio Fire Protection District, County of Butte General Plan, Town of Paradise/City of Chico Sewer Line, Upper Ridge Community Council, and Gridley subdivision ag buffering.

Al McGreehan excused himself from the meeting 9:47 am.

### **6.2 Correspondence - None**

**7. ADMINISTRATION**

**8. ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:06 a.m. to the next LAFCO meeting scheduled for October 6, 2022.

**LOCAL AGENCY FORMATION COMMISSION**

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**By: Stephen Lucas, Executive Officer**

Minutes prepared by Krystal Bradford, Commission Clerk