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

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REGULAR MEETING NOTICE OF THE COMMISSION

Location: **Oroville City Council Chambers**  
**1735 Montgomery Street, Oroville, California**  
Date/Time: **Thursday, March 2, 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 under 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/85035161942?pwd=VVV0Q09LZGE5aDB6eEhlQzhseEldz09>

Passcode: **055940**

**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: **850 3516 1942**

Passcode: **055940**

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](mailto: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](http://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

## 2. CONSENT AGENDA

### 2.1 Approval of the Minutes of February 2, 2023

## 3. NOTICED PUBLIC HEARINGS

### 3.1 23-08 – Dissolution - Drainage District No. 2

Proposed by its Board of Directors is the dissolution of Drainage District #2 consisting of approximately 51 parcels. The District is generally located west of the community of Richvale, north of Hwy 162. The District lies entirely within the bounds of Butte Creek Drainage District, whom will be named the successor agency. The project is exempt from environmental review pursuant to CEQA Guidelines Section 15320 (Changes in Organization of Local Agencies). **ACTION REQUESTED:** Consider staff report and approve Resolution No. 15 2022/23.

### 3.2 21-06 – Tuscan Water District Formation - Amendment to Adopting Resolution

At its February 3, 2022 meeting, the Butte Local Agency Formation Commission LAFCo) adopted Resolution No. 11 2021/22 approving the formation of a California Water District (Water Code 34000), a landowner voter district, initiated through a landowner petition and to be called the Tuscan Water District (TWD). On April 5, 2022, the LAFCo conducted a protest proceeding resulting in insufficient protest to terminate the formation application, therefore, on April 7, 2022, LAFCo requested the Butte County Board of Supervisors direct the County Elections Official to conduct the necessary election. On September 27, 2022, the County Elections Official determined that due to procedural issue, the official canvass would not be conducted as scheduled and no results could be certified. On January 3, 2023, Butte County Counsel requested on behalf of the Clerk of the Board of Supervisors and the Clerk-Recorder/Registrar of Voters Office, that the Butte LAFCo Commission review any and all election issues and adopt an amended TWD Formation resolution to the County that addresses the procedural issues raised. No changes or amendment to the services or functions of the TWD are proposed. The Commission is requested to consider and adopt, an amended Resolution for the Formation of the Tuscan Water District that is intended to address procedural issues regarding election processes and funding mechanisms. **ACTION REQUESTED:** Consider Staff Report and Approve Resolution No. 18 2022/23.

## 4. REGULAR AGENDA

### 4.1 Items Removed from the Consent Agenda (*If any*)

### 4.2 23-11 - South Feather Water & Power Agency - Foothill Boulevard Annexation No. 8

Annexation of an approximately 7.42-acre parcel identified as Assessor's Parcel Number 072-150-006 for the purpose of providing domestic (treated) water to the territory. The parcel is located on Foothill Boulevard, north of Dunstone Drive and south of Oro Bangor Hwy in the unincorporated Wyandotte area of Butte County. The parcel is developed with a single-family home and tree crops. The proposed annexation is exempt from environmental review, pursuant to CEQA Guidelines Section 15319 (Annexation of Existing Facilities and Lots for Exempt Facilities). **ACTION REQUESTED:** Consider Staff Report and Approve Resolution No. 19 2022/23.

## 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, April 6, 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.*