

BUTTE LOCAL AGENCY FORMATION COMMISSION
Minutes of September 9, 2015

1. CALL TO ORDER

Chair Leverenz called the meeting to order at 9:00 a.m., on September 9, 2015, in the Butte County Board of Supervisors Chambers, 25 County Center Drive, Oroville, California.

1.1 Roll Call

Present: Commissioners Scott Lotter (City), Larry Duncan (Special District), Bill Connelly (County), Tom Lando (Special District), Linda Dahlmeier (City), Steve Lambert (County) and Chair Carl Leverenz (Public). Alternate Commissioner John Busch (City)

Absent: Alternate Commissioners Larry Wahl (County), Al McGreehan (Special District) and Greg Steel (Public).

Others Present: Stephen Lucas, LAFCO Executive Officer
Stephen Betts, LAFCO Deputy Executive Officer
Marsha Burch, LAFCO Counsel

2. CONSENT AGENDA

2.1 Approval of the Minutes of July 2, 2015.

Chair Leverenz asked if there were any modifications to be made to the minutes. None were stated.

Commissioner Lando made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Duncan.

The motion was carried by the following vote:

AYES: Commissioners Lotter, Duncan, Connelly, Lando, Dahlmeier, Lambert and Chair Leverenz

NOES: None

ABSENT: None

ABSTAINS: None

3. NOTICED PUBLIC HEARINGS – None.

4. REGULAR AGENDA

4.1 Items Removed from the Consent Agenda – None.

4.2 15-19 - City of Chico - Extension of Services - Non Compliant Parcels.

As a requirement between Butte LAFCO and the City of Chico, Deputy Executive Officer, Stephen Betts said that in cooperation with the City, a letter was sent to affected landowners for the 32 non compliant parcels requesting a completed covenant for future annexation. Although letters were sent, Mr. Betts said no replies had been received.

Commissioner Lando made a motion to adopt Resolution No. 01 2015/16, approving the 32 extensions of City of Chico sanitary sewer services. The motion was seconded by Commissioner Dahlmeier.

The motion was carried by the following roll call vote:

AYES: Commissioners Lotter, Duncan, Connelly, Lando, Dahlmeier, Lambert and Chair Leverenz

NOES: None

ABSENT: None

ABSTAINS: None

4.3 15-20 - City of Chico - West Sacramento Avenue Annexation No. 30.

Deputy Executive Officer, Stephen Betts said the proposed annexation was that of a single parcel. Notices were sent out to all affected landowners within 300 feet; however, no replies were received. Mr. Betts stated that the parcel is proposed to be developed with a multi-family dwelling unit, which has already been approved by the City of Chico.

Commissioner Duncan asked if the annexation was subject to the reduced fee.

Executive Officer, Stephen Lucas said subject annexation is a full cost recovery project.

Chuck Tatreau, project applicant stated the reason LAFCO staff had not received any responses to the mailed notices was probably due to the fact that he had held three neighborhood meetings and attended a board meeting from an adjacent homeowners' association, in which he has received a letter of support.

Commissioner Lando made a motion to adopt Resolution No. 02 2015/16, approving the annexation to the City of Chico. The motion was seconded by Commissioner Connelly.

The motion was carried by the following roll call vote:

AYES: Commissioners Lotter, Duncan, Connelly, Lando, Dahlmeier, Lambert and Chair Leverenz

NOES: None

ABSENT: None

ABSTAINS: None

4.4 15-21 - City of Chico - Extension of Services - 716 Oak Lawn Avenue.

Deputy Executive Officer, Stephen Betts said the parcel located at 716 Oak Lawn Avenue has applied for an extension of services for wastewater services from the City of Chico. The subject parcel is not adjacent to the City of Chico, with numerous parcels intervening. Therefore, annexation of the single parcel would not be practicable without taking another approximate 50 parcels. Mr. Betts indicated receipt of a completed annexation agreement and covenant from the parcel owner.

Chair Leverenz asked if there was any indication that the existing system had failed.

Mr. Betts said the documentation was not noted within the report; however, the City of Chico had initially applied for an emergency extension of waste water of sewer services for the subject parcel. Mr. Betts said that the Executive Officer, Stephen Lucas reviewed the initial request and determined that there was not adequate documentation for a failed system. Because the parcel is currently on the market, an emergency does not exist.

Commissioner Lotter asked if the sewer line ran down Oak Lawn Avenue.

Mr. Betts said yes.

Commissioner Dahlmeier made a motion to adopt Resolution No. 03 2015/16, approving the extension of City of Chico sanitary sewer services. The motion was seconded by Commissioner Lotter.

The motion was carried by the following roll call vote:

AYES: Commissioners Lotter, Duncan, Connelly, Lando, Dahlmeier, Lambert and Chair Leverenz

NOES: None

ABSENT: None

ABSTAINS: None

4.5 15-22 - City of Chico - Extension of Services - 2273 East 8th Street.

Deputy Executive Officer, Stephen Betts said the system located at 2273 East 8th Street had failed. After review, the Executive Officer granted an emergency connection with the condition that the applicant and the City of Chico follow up with a normal extension of services request as noted on the authorization. Mr. Betts said that the City will be required to annex the subject parcel as it is adjacent to the City of Chico boundaries on two sides, both north and south. Annexation is very feasible. A condition has been included within the adopting resolution which states the City of Chico shall initiate an annexation.

Commissioner Lotter made a motion to adopt Resolution No. 04 2015/16, approving the extension of City of Chico sanitary sewer services, with a condition that requires the City of Chico to initiate an annexation of the parcel within three months of approval. The motion was seconded by Commissioner Duncan.

The motion was carried by the following roll call vote:

AYES: Commissioners Lotter, Duncan, Connelly, Lando, Dahlmeier, Lambert and Chair Leverenz

NOES: None

ABSENT: None

ABSTAINS: None

5. PUBLIC COMMENTS NOT ON THE AGENDA – None.

6. REPORTS AND COMMUNICATION

6.1 Executive Officer's Report

Executive Officer, Stephen Lucas summarized the following items:

The election for the Special District *Alternate* Member position has concluded and resulted with one nomination received. Therefore, the election went to Director Al McGreehan with the Paradise Recreation and Park District. Mr. McGreehan will complete the remainder of the term (May 2017) vacated by Wes Gilbert.

With reference to the City of Biggs MSR/SOI Update, Staff has been reviewing the Administrative Draft of MSR & SOI Update for the City of Biggs, which has been prepared in cooperation with the City's planning staff. The draft document is anticipated to be ready for public review in early October, with consideration by the Commission at a noticed public hearing in November.

At its meeting on July 30, 2015, the CALAFCO Board of Directors appointed the Butte LAFCo Executive Officer to serve as the CALAFCO Executive Officer for a two-year term. In addition, Commissioners Duncan and Connelly were elected to their seats on the CALAFCO Board and will serve two-year terms.

CALAFCO awarded Butte LAFCO for the "Most Effective Commission".

A copy of the 2015 CALAFCO Report to the Membership was provided within the agenda packet. The report is a highlight reel of significant events related to CALAFCO.

A legislative update was provided within the agenda packet as well.

6.2 Correspondence – None.

7. ADMINISTRATION – None.

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:26 a.m. to the next LAFCO meeting to be held on **Thursday, October 1, 2015** at 9:00 a.m.

LOCAL AGENCY FORMATION COMMISSION



By: Stephen Lucas, Executive Officer

Minutes prepared by Jill Broderson, Management Analyst