

BUTTE LOCAL AGENCY FORMATION COMMISSION
Minutes of October 10, 2012

1. CALL TO ORDER

Chair Leverenz called the meeting to order at 9:00 a.m., on October 10, 2012, 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), Jerry Fichter (City) and Chair Carl Leverenz (Public)

Absent: Commissioners Mark Sweany (Special District), Bill Connelly (County), Steve Lambert (County), and Alternate Commissioners Ann Schwab (City), Kim Yamaguchi (County), Loren Gill (Alternate-Special District) and Greg Steel (Public)

Others Present: Stephen Lucas, LAFCO Executive Officer
Stephen Betts, LAFCO Deputy Executive Officer
Joy Stover, LAFCO Commission Clerk
P. Scott Browne, LAFCO Counsel

Commissioner Connelly arrived at 9:01a.m.

2. CONSENT AGENDA

2.1 Approval of the Minutes of September 6, 2012

Commissioner Fichter made a motion to approve the Consent Agenda approving the minutes. The motion was seconded by Commissioner Duncan.

The motion was carried by the following vote:

AYES: Commissioners Lotter, Duncan, Connelly, Fichter and Chair Leverenz

NOES: None

ABSENT: Commissioners Sweany and Lambert

ABSTAINS: None

3. NOTICED PUBLIC HEARINGS – None

4. REGULAR AGENDA

4.1 Items Removed from the Consent Agenda – None

4.2 13-01 – City of Chico – Extension of Services – 1238 Guill Street

Steve Betts stated the Executive Officer has already authorized the sewer service to be extended under an emergency agreement due to a failed septic system. The parcel is not adjacent to the City of Chico boundaries and an annexation is not feasible at this time.

Commissioner Duncan asked if the owner submitted a covenant and annexation agreement.

Steve Betts stated there is a condition on this project for the City to submit the covenant and annexation agreement. The parcel is currently owned by the Bank of New York Mellon and in order for the applicant to be able to purchase the parcel and get the loan approved, the parcel must be hooked up to the sewer system.

Chair Leverenz opened this item to the public. No response and the public portion was closed.

Commissioner Fichter made a motion to adopt Resolution No. 03 2012/13 approving the extension of sanitary sewer services. The motion was seconded by Commissioner Duncan.

The motion was carried by the following roll call vote:

AYES: Commissioners Lotter, Duncan, Connelly, Fichter and Chair Leverenz

NOES: None

ABSENT: Commissioners Sweany and Lambert

ABSTAINS: None

4.3 13-02 – City of Chico – Extension of Services – 862 Virginia Street

Steve Betts stated staff has received the properly executed covenant and annexation agreement that has been recorded which binds current and future landowners to agreeing to future annexation of the parcel.

The City has indicated the septic system on this parcel has failed but staff has not received any verifying documentation. Staff believes that the City has stated there is septic system failure due to the parcel being in the identified nitrate hot spot area. Staff believes there is still a viable working septic system.

The parcel is not adjacent to the City of Chico's jurisdictional boundaries and annexation to the City of Chico is not feasible at this time.

Chair Leverenz opened this item to the public. No response received and the public portion was closed.

Commissioner Connelly made a motion to adopt Resolution No. 04 2012/13 approving the extension of 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, Fichter and Chair Leverenz
NOES: None
ABSENT: Commissioners Sweany and Lambert
ABSTAINS: None

4.4 13-03 – City of Chico – Extension of Services – 2208 Laurel Street

Steve Betts stated we do have a properly executed and recorded covenant and annexation agreement for this property. This parcel is in the Mulberry area.

Chair Leverenz opened this item to the public. No response received and the public portion was closed.

Commissioner Fichter made a motion to adopt Resolution No. 05 2012/13 approving the extension of sanitary sewer services. The motion was seconded by Commissioner Duncan.

The motion was carried by the following roll call vote:

AYES: Commissioners Lotter, Duncan, Connelly, Fichter and Chair Leverenz
NOES: None
ABSENT: Commissioners Sweany and Lambert
ABSTAINS: None

5. PUBLIC COMMENTS NOT ON THE AGENDA – None

6. REPORTS AND COMMUNICATION

6.1 Executive Officer's Report –

Steve Lucas summarized the Executive Officer's report. He stated the City of Chico's Internal Affairs Committee met yesterday and LAFCo staff was invited to attend the meeting. The meeting focused on an annexation plan to primarily address the DUCs and the existing island areas within the middle of the City. The City Internal Affairs Committee voted 3-0 to have their staff continue to work together with LAFCo staff to refine a plan that would allow the city to come back to the Commission with a predictable plan for annexation of those island areas.

Fritz McKinley, Director of Building and Development Services for the City of Chico, stated he wanted to thank the Commission for allowing LAFCo staff to attend the City's Internal Affairs Committee meeting. He believes he can provide the Commission a schedule of meetings that will be available by the November LAFCo meeting. He stated there has been a shift to move forward on the 3 island areas and he appreciated the direction given by LAFCo staff. There was discussion regarding the City of Chico hiring a consultant to prepare their feasibility study.

Steve Lucas went over the current status of the Lake Oroville Area Public Utility District's Municipal Service Review and Sphere of Influence Update and stated the Environmental Impact Report still needs to be funded and prepared.

6.2 Correspondence – None

7. ADMINISTRATION – None

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:43 a.m. to the **Thursday, November 1, 2012** regularly scheduled meeting.

LOCAL AGENCY FORMATION COMMISSION



By: **Stephen Lucas, Executive Officer**