



BUTTE LOCAL AGENCY FORMATION COMMISSION

Draft Minutes of June 4, 2020

(A complete voice recording of the Commission's meetings can be obtained from www.buttelafco.org)

1. CALL TO ORDER

Steve Lucas called the meeting to order at 9:00 a.m., June 4, 2020, through telephonic conference attendance only due to the COVID-19 pandemic.

1.1 Roll Call

Commissioners Present: Bill Connelly (Vice Chair - County)
Steve Lambert (County)
Carl Leverenz – (Chair-Public)
Al McGreehan (Special District)
Bo Sheppard (City)

Commissioners Absent: Greg Bolin (City)

Alternate Commissioners Present: Debra Lucero (County-Alt)

Alternate Commissioners Absent: Bruce Johnson (City-Alt) and Greg Steel (Public-Alt)

Vacant Seat: Alternate Commissioner (Special District)

Others Present: Stephen Lucas, LAFCO Executive Officer
Jill Broderson, LAFCO Management Analyst
Shannon Costa, LAFCO Government Planning Analyst
Joy Stover, LAFCO Commission Clerk
P. Scott Browne, LAFCO Legal Counsel

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2. CONSENT AGENDA

2.1 Approval of the Minutes of May 7, 2020

Steve Lucas asked if there was any discussion or if there is a motion to approve?

Commissioner McGreehan requested one correction to page 3.

Commissioner Leverenz made a motion to approve the Minutes with one correction. The motion was seconded by Commissioner Connelly.

The motion was carried by the following roll call vote:

AYES: Connelly, Lambert, McGreehan, Sheppard & Chair Leverenz
NOES: None
ABSENT: Bolin
ABSTAINS: None

3. NOTICED PUBLIC HEARINGS

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

Jill Broderson stated she has no further comments from what was provided in the staff report.

Steve Lucas asked if any there were any comments from the Commissioners. None stated. This item was opened to the public for comments. No comments were received. Steve Lucas stated we have received no emails or phone messages for comments on this item.

Commissioner Sheppard made a motion to approve. The motion was seconded by Commissioner McGreehan.

The motion was carried by the following roll call vote:

AYES: Connelly, Lambert, McGreehan, Sheppard & Chair Leverenz
NOES: None
ABSENT: Bolin
ABSTAINS: None

4. REGULAR AGENDA

4.1 Items Removed from the Consent Agenda – None

4.2 Consideration and Selection of Public Member and Alternate Public Member

Jill Broderson stated late last week staff heard from Alternate Commissioner Greg Steel and he has asked to have his application for the Alternate Public Member seat be withdrawn.

Steve Lucas asked if the Commission had any questions about the process or anything in the staff report before we move on.

Steve Lucas stated he wanted to give each applicant a chance to speak.

Carl Leverenz stated as indicated in the application he would be happy to be reappointed, he stated he takes a great deal of interest and is prepared to spend the time necessary to actively participate as a Public Member and he would welcome the support of the Commission in being reappointed.

Pam Figge stated it would be an honor to serve as an alternate on Butte County LAFCo and she would be happy to answer any questions the Commission may have.

Sara Lee stated she thinks she would bring a younger perspective and slightly diversified. She would be happy to serve either capacity as an alternate or public member. She is available to answer any questions.

Steve Lucas stated he would now take nominations for the regular Public Member seat.

Commissioner Lambert made a motion to Nominate Carl Leverenz as the LAFCo Public Member for a four year term to end May 31, 2024. The motion was seconded by Commissioner Connelly.

The motion was carried by the following roll call vote:

AYES: Connelly, Lambert, McGreehan, and Sheppard
NOES: None
ABSENT: Bolin
ABSTAINS: Chair Leverenz

Steve Lucas asked for the final tally.

Commission Clerk Joy Stover reported the final tally.

Commissioner McGreehan made a motion to appoint Pam Figge as the LAFCo Alternate Public Member. The motion was seconded by Commissioner Lambert.

The motion was carried by the following roll call vote:

AYES: Connelly, Lambert, McGreehan, Sheppard & Chair Leverenz
NOES: None
ABSENT: Bolin
ABSTAINS: None

Chair Leverenz stated the reason Greg Steel has withdrawn his application is due to him facing some medical issues. Greg has been an alternate Public Member for many, many years and it would be appropriate to authorize staff to write a letter complimenting Greg Steel for his years of service.

Commissioner Connelly stated he thinks this is a great idea. Greg has been very influential in his capacity, attending budget meetings, and he has been very helpful and very dedicated.

Steve Lucas welcomed Pam Figge to the LAFCo Commission.

4.3 20-07 – Rock Creek Reclamation District – Extension of Services Request – Rock Creek/Keefer Slough Drainage Work

Shannon Costa stated this is a request from the Rock Creek Reclamation District to extend their services beyond their jurisdictional boundaries. Their original request included the District's entire Sphere of Influence area. After discussions with the District, the area has been limited down to the area bordering Keefer Slough and Rock Creek. The Commissioners should have received by email a letter that staff received from the District last night. The District is asking that the letter be considered today and be made a part of the record. Shannon read the letter to the Commission and the letter is on file with LAFCo.

Carl asked if it would be appropriate, rather than to take action at this time, to continue this item to the next meeting to get some clarification from the District?

Shannon stated perhaps it would be appropriate to either hear from Tara Rhodes or Paul Behr for the District.

Paul Behr stated he is speaking as the chairman of the Rock Creek Reclamation Board and the Rock Creek Reclamation Board formerly request to withdraw the application today.

Chair Leverenz stated he just didn't want the District to have to reapply at a later time.

Paul Behr speaking as a private citizen stated this hostile takeover by the AGUBC and the Tuscan boys has been going on for a couple of years. The Rock Creek District sent a demand letter to the Tuscan Water Board not to overlay the Rock Creek Reclamation District. Mr. Behr explained why the letter was sent. He stated the board of the AGUBC is behind the petition to remove the current board on the Rock Creek Reclamation District.

Chair Leverenz stated he appreciates Mr. Behr's concerns. The Commission anticipates hearing the Tuscan Water District Group's proposal sometime in the near future. At that time the public will be given an opportunity to express their concerns. Chair Leverenz suggested Mr. Behr reduce his concerns with some written facts to support his concern.

Paul Behr stated he would be happy to submit the facts.

Commissioner Lucero stated all of this took her by surprise because the District has been working very diligently for the last year and half on this project. She explained Rock Creek has been working with Butte County Public Works & property owners in the area and they were looking forward to getting the flooding issues taken care of. Commissioner Lucero stated this is the only entity that could truly provide local control of ground water resources as a GSA with an agricultural perspective, which she feels is very important. Commissioner Lucero stated she feels the District was given very poor advice from their attorney. Commissioner Lucero stated the AGUBC and the Tuscan Water District were born out of the County of Butte and was led by Paul Gosselin and now it is in LAFCO's lap. We have lost a reclamation flood control district that was functioning within her district, because of all this mess.

Chair Leverenz stated he was aware of much of what Commissioner Lucero was bringing up and that is why he was concerned about taking this proposal off the calendar.

Steve Lucas opened this item up to the public for public comment.

Commissioner McGreehan stated we heard verbally today that the District wants to withdraw the application but hopefully staff will receive a hardcopy for our file that the withdrawal has been formally acted upon by the District Board.

Steve Lucas stated he will reach out to the District to secure the hardcopy showing the District's withdrawal.

5. Public Comment on Items not on the Agenda - None

6. Reports and Communications

6.1 Executive Officer's Report

Steve Lucas summarized the Executive Officer's report. An update was provided concerning the Upper Ridge Coordinating Council and the Magalia Park Board requesting LAFCo update the Paradise Recreation and Park District Municipal Service Review.

6.2 Correspondence - None

7. ADMINISTRATION - None

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:36 a.m. to the next LAFCO meeting scheduled for July 2, 2020. It is anticipated that the July 2, 2020 meeting may be cancelled and if so we will meet on the next scheduled date of August 6, 2020.

LOCAL AGENCY FORMATION COMMISSION

By: Stephen Lucas, Executive Officer

Minutes prepared by Joy Stover, Commission Clerk