

BUTTE LOCAL AGENCY FORMATION COMMISSION DRAFT Minutes of May 1, 2014

1. CALL TO ORDER

Chair Leverenz called the meeting to order at 9:00 a.m., on May 1, 2014, 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), Steve Lambert (County) and Chair Carl Leverenz (Public).
Alternate Commissioner Greg Steel (Public).

Absent: Commissioner Jerry Fichter (City). Alternate Commissioners Wes Gilbert (Special District), Ann Schwab (City) and Larry Wahl (County).

Others Present: Stephen Lucas, LAFCO Executive Officer
Stephen Betts, LAFCO Deputy Executive Officer
Jill Broderson, LAFCO Management Analyst
Joy Stover, LAFCO Commission Clerk
Scott Browne, LAFCO Legal Counsel

1.2 Nomination and Election of LAFCO Chair and Vice-Chair

Commissioner Lotter moved to nominate Carl Leverenz as LAFCO Chair. Commissioner Connelly seconded the nomination. Commissioner Lotter moved to close the nominations. The motion passed by unanimous vote.

Commissioner Lambert nominated Scott Lotter as LAFCO Vice-Chair. Commissioner seconded the nomination. The motion passed by unanimous vote.

2. CLOSED SESSION

2.1 Conference with Legal Counsel of Significant Exposure to Litigation Pursuant to Gov. Code Section 54956.9(b)(1) – One Case

Chair Leverenz stated there is no reason to meet in closed session today. The closed session will be placed back on the agenda for next month's meeting.

3. CONSENT AGENDA

3.1 Approval of the Minutes of April 3, 2014

Chair Leverenz asked if anyone wanted any corrections or changes to the minutes. None stated.

Commissioner Lando made a motion to approve the minutes of April 3, 2014. The motion was seconded by Commissioner Lambert.

The motion was carried by the following vote:

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

NOES: None

ABSENT: Commissioner Fichter
ABSTAINS: None

4. NOTICED PUBLIC HEARINGS

4.1 14-02 – City of Chico – Boucher Street Annexation No. 6 (Continued from April 3, 2014)

Steve Betts stated the action requested on the agenda is incorrect as staff is asking for this item to be continued to the June meeting. Staff recommends the annexation not be filed before the applicant completes the store remodel.

Chair Leverenz opened this item to the public. No comments received.

Commissioner Lando made a motion to continue the public hearing on this item to the June 5, 2014 LAFCo meeting. The motion was seconded by Commissioner Duncan.

The motion was carried by the following vote:

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

4.2 Review and Consideration of Proposed Final Budget for FY 2014/15 (Continued from April 3, 2014)

Chair Leverenz asked if there were any responses received from in of the affected agencies to date.

Steve Lucas stated we have received no comments of any sort.

Commissioner Duncan stated he is sorry the Commission has to raise the fees and it is time the staff receive a raise as it has been six years since they received one.

Commissioner Lando made a motion to adopt Resolution No. 26 2013/14 approving the Final Budget for FY 2014/15. The motion was seconded by Commissioner Duncan.

The motion was carried by the following roll call vote:

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

5. REGULAR AGENDA

5.1 Items Removed from the Consent Agenda – None

5.2 14-06 – City of Chico – Extension of Services – 970 Wisconsin Street

Steve Betts stated the Executive Officer has approved an emergency extension of sanitary sewer services for the one dwelling on the parcel and staff has received a signed annexation agreement from the landowner.

Commissioner Lotter made a motion to adopt Resolution No. 27 2013/14 approving the extension of sanitary sewer services. The motion was seconded by Commissioner Lando.

The motion was carried by the following roll call vote:

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

NOES: None

ABSENT: Commissioner Fichter

ABSTAINS: None

5.3 13-15 – City of Chico – Stewart Avenue Annexation No. 03

Steve Lucas stated staff held a protest proceeding and it was determined to be unsuccessful as it failed to meet the minimum requirements as stated in the staff report. No further action by the Commission on the annexation is necessary other than to acknowledge the results of the April 7, 2014, protest proceeding. The Executive Officer will file the Certificate of Completion with the Butte County Recorder's Office for the annexation once the official map and legal description of the territory are completed.

5.4 Update of Sewer Service Extensions in the City of Chico

Chair Leverenz reaffirmed that the City Council is going to hear the issue of the annexation agreement at their next Tuesday meeting.

Steve Lucas stated the City Council will hear this item on May 6th.

6. PUBLIC COMMENTS NOT ON THE AGENDA – None

7. REPORTS AND COMMUNICATION

7.1 Executive Officer's Report

Steve Lucas summarized the Executive Officer's Report. An update to the CALAFCO Workshop was provided and discussed. There was discussion on Shasta LAFCO being sued for not preparing Municipal Service Reviews according to the law and how that suit impacts other LAFCOs around the state. There was an update on future LAFCO projects provided.

7.2 Correspondence - None

8. ADMINISTRATION – None

9. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:28 a.m. to the next LAFCo meeting to be held on Thursday, **June 5, 2014** at 9:00 a.m.

LOCAL AGENCY FORMATION COMMISSION

By: Stephen Lucas, Executive Officer

Minutes prepared by Joy Stover, Commission Clerk