

BUTTE LOCAL AGENCY FORMATION COMMISSION
Minutes of April 2, 2009

1. Call to Order

Chair Leverenz called the meeting to order at 9:01 a.m., April 2, 2009, in the Butte County Board of Supervisors Chambers, 25 County Center Drive, Oroville, California.

1.1 Roll Call

Present: Commissioners Duncan, Connelly, Beck, Frith, Dolan, and Chair Leverenz.
Alternate Commissioners Holcombe, Steel & Sweany

Absent: Alternate Commissioner Yamaguchi

Others Present: Stephen Lucas, LAFCO Executive Officer
Stephen Betts, LAFCO Deputy Executive Officer
Jill Broderson, LAFCO Management Analyst
Joy Stover, LAFCO Commission Clerk
Marsha A. Burch, LAFCO Legal Counsel Representative

1.2 Welcome New City Commissioner Roger Frith from the City of Biggs

Chairman Leverenz welcomed Commissioner Frith to the Commission.

1.3 Special Recognition – Departing Commissioner John Busch

The Commission thanked John Busch for his years of service and presented him with a Resolution of Commendation.

2. Consent Agenda

2.1 Approval of the Minutes of March 5, 2009

2.2 Notification of Automatic Renewal of Executive Officer's Contract

Chair Leverenz stated the Executive Officer's Contract calls for an automatic renewal and a mandatory review every third year. It is the Chair's recommendation that 1) The Commission not take up the matter as a performance review was conducted last year finding the employee exceeded standards and 2) Consistent with the Budget Committee recommendations, accept the employee's request for the suspension of a cost of living adjustment for fiscal year 2009/10 and maintain the compensation at step four of the adopted 2008 salary plan.

Commissioner Beck moved to approve all items on the consent agenda, seconded by Commissioner Duncan, and the motion carried by the following vote:

AYES: Commissioners Holcombe, Duncan, Connelly, Beck, Frith, Dolan and Chair Leverenz
NOES: None
ABSENT: None
ABSTAINS: None

3. NOTICED PUBLIC HEARINGS –

3.1 Review and Consideration of the Draft Municipal Service Reviews and Sphere of Influence Plan Updates for the Paradise Recreation and Park District and the Chico Area Recreation and Park District.

ACTIONS REQUESTED:

Action 1 (Paradise Recreation and Park District): 1) Receive comments from the public and affected agencies; and 2) Direct staff and consultant to make any identified changes to the draft Municipal Service Review and Sphere of Influence Plan; and 3) Adopt Resolution 15 2008/09 and direct staff to prepare the Final Municipal Service Review and Sphere of Influence Plan for the Paradise Recreation and Park District.

Steve Betts gave a brief overview of the recreation & park district draft reviews for the Paradise Recreation and Park District and the Chico Area Recreation and Park District. Steve Betts stated the Districts' comments have been included in the public draft documents and additional comments will be added. Steve Betts went over some Sphere of Influence change recommendations.

Uma Hinman, consultant for Kleinschmidt Associates, provided a Power Point presentation for the Paradise Recreation & Park District municipal service review and the sphere of influence plan update. Corrections to the draft review were noted.

There was discussion for clarification regarding the changes in Sphere of Influence boundaries for the two districts. Commissioner Connelly discussed jurisdiction and funding issues that have been raised by Feather River Recreation and Park District.

Commissioner Beck commented on corrections that need to be made and gave some historical background on the Merlo Park and asked for the park to be mentioned earlier in the document. Commissioner Beck commented on the significance of Concow Lake and made a clarification on the location of the rifle range now.

Commissioner Duncan stated there was no mention of Paradise Lake and stated it is maintained by the Paradise Irrigation District.

Steve Lucas stated he and Steve Betts met with the Golden Feather Community Alliance members and heard concerns over the level of service being provided to their area.

Chair Leverenz opened the hearing to the public.

Mike Ashlock, Golden Feather Community Alliance (GFCA) member, commented on his handout he provided to the Commission and voiced his concerns over the services being provided to the Concow area by the park district. Chair Leverenz stated the Commission is limited in what they can do about the level of service being provided. Chair Leverenz stated the Commission can make some strong suggestions regarding the level of service and the areas of service and direct staff to meet with the districts to help facilitate a resolution. Commissioner Connelly stated he would like to see the Commission direct staff to meet with the Community group and both recreation districts, the Paradise Recreation and Park District and the Feather River Recreation and Park District, to go over the boundary and service issues.

Rebekah Funes, GFCA member, stated she wanted to give a community perspective related to the infrastructure in Concow, the opportunity and constraints for recreation and the government structuring options. Ms. Funes requested changes be made to the description of the Concow area public park and voiced other concerns she had.

Deborah Grubbs Ingvoldsen, GFCA member, voiced her concerns.

Amber Pierce, GFCA member, stated she was thankful that Steve Lucas and Steve Betts were able to meet with the community group and listen to their concerns. Ms. Pierce thanked Paradise Recreation and Park District for working with the group and said she looks forward to additional meetings.

Mike Trinca, General Manager for the Paradise Recreation & Park District, stated he wanted to thank the consultants and staff for working on this review. Mr. Trinca said his district has been working with the Community Alliance members. Mr. Trinca stated the district has hired a consultant to review Crane Park and the district is aggressively looking at the Crane Park issues. Mr. Trinca stated the Concow swimming pool belongs to the Golden Feather School District and the PRPD has an agreement to run a summer program only.

Chair Leverenz closed the hearing to the public at this time and stated since the matter is coming back in June it is considered still open for comment.

Commissioner Beck stated he believes it is very important to get the boundary issues resolved.

Commissioner Beck moved to continue this item open to the June LAFCO meeting. The motion was seconded by Commissioner Frith.

The motion was carried by the following vote:

AYES:	Commissioners Holcombe, Duncan, Connelly, Beck, Frith, Dolan, and Chair Leverenz
NOES:	None
ABSENT:	None
ABSTAINS:	None

Action 2 (Chico Area Recreation and Park District): 1) Receive comments from the public and affected agencies; and 2) Direct staff and consultant to make any identified changes to the draft Municipal Service Review and Sphere of Influence Plan; and 3) Adopt Resolution 11 2008/09 and direct staff to prepare the Final Municipal Service Review and Sphere of Influence Plan for the Chico Area Recreation and Park District.

Uma Hinman, consultant for Kleinschmidt, provided a Power Point presentation for the Chico Area Recreation and Park District. Identified changes and/or corrections were suggested and noted.

Commissioner Beck noted some changes/additions that need to be made. Commissioner Dolan identified some clerical, accuracy and clarification changes that need to be made.

Chair Leverenz opened the public portion of the hearing.

Steve Visconti, CARD General Manager, thanked the LAFCo staff and the consultants for their help in working on this project. Steve Visconti stated he appreciated Steve Lucas attending the CARD Board meeting and explaining the review process to them. Steve Visconti gave a status update to the aquatic facility mentioned in the draft review.

Greg Steel, LAFCo Alternate Commissioner, asked what the status is regarding the district obtaining additional funding. Steve Visconti stated the district is in the process of doing a study to determine the impact fees. Steve Visconti also stated any annexation would need to have participation from the residents.

Chair Leverenz closed the public portion of the hearing.

Commissioner Beck moved to approve the proposed resolution noting the modifications and changes mentioned. The motion was seconded by Commissioner Frith.

The motion was carried by the following vote:

AYES: Commissioners Holcombe, Duncan, Connelly, Beck, Frith, Dolan, and Chair Leverenz

NOES: None

ABSENT: None

ABSTAINS: None

3.2 Review and Consideration of Proposed Budget for FY 2009/10

Chair Leverenz summarized the proposed budget and asked Steve Lucas if he had anything else to add.

Steve Lucas stated the Budget Committee's number one concern was LAFCo's ability to cut the member agency contributions and the Committee formally endorsed the 10 percent cut in contributions. The Budget Committee

also created a reserve fund to cover liabilities such as leave accruals, to begin to fund post employment benefits, to defer employment costs through a furlough program, and finally to cover potential litigation costs should such costs arise.

Commissioner Holcombe asked if this was truly a voluntary furlough if it is at the discretion of the Executive Officer. Steve Lucas explained the furlough was agreed upon by all at-will employees.

Commissioner Connelly stated he wanted to commend the staff for making an effort to save money and to pass those savings down to the agencies that contribute to our budget. He stated he understands it was voluntary and the staff came together as team players to take this hit. Commissioner Connelly stated he wanted to commend Steve Lucas for coming up with a plan that allows us to stay in the black and start building a reserve.

Commissioner Holcombe stated if the employees have a problem with this furlough they can come to the Commission and if there's an issue the Commission will hear about it.

Commissioner Dolan requested a clarification on how the furlough days will be decided.

Chair Leverenz stated today is a hearing for the opportunity to hear from the public and the Commission relating to the budget and we will formally approve everything next month. At that time the Commission will authorize the Executive Officer, at his discretion during the course of the year to work out when the furlough days will take place.

Steve Lucas stated he received an email from Andrea Redamonti, the City of Gridley Community Development Director, and a copy of the email has been provided to the Commission for review.

Chair Leverenz opened the hearing to the public at this time.

John Peace, with the Oroville Economic Development Corporation (ODECO), stated he attended the Budget Committee meeting and thanked the Commissioners in attendance. Mr. Peace stated he wanted to thank the entire Commission for taking on the ODECO petition to study the sewer situation between the four agencies. Mr. Peace stated he wanted to commend the LAFCo staff for the work performed and stated ODECO recognizes the municipalities are hurting and ODECO appreciates the staff being willing to share the pain by deciding to take un-paid days off and appreciates the planning that went into putting the salary savings into a reserve account for help for future years.

Chair Leverenz closed the public portion of the hearing.

Commissioner Connelly made a motion to approve the Proposed Budget and continue this item to the May 7, 2009 LAFCo meeting for final adoption. Commissioner Duncan seconded the motion and the motion carried by the following vote:

AYES: Commissioners Holcombe, Duncan, Connelly, Beck, Frith,
Dolan, and Chair Leverenz
NOES: None
ABSENT: None
ABSTAINS: None

4. REGULAR AGENDA

4.1 Items Removed from the Consent Agenda – None

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

6. Reports and Communications

6.1 Executive Officer's Report

Steve Lucas, LAFCo Executive Officer, summarized the Executive Officer's Report and gave an update to the election progress to nominate a special district non-enterprise representative to the LAFCO Commission. Steve Lucas stated we need a quorum of 21 ballots and until we get a quorum vote, Commissioner Beck will remain seated on the Commission. Steve Lucas gave an update to the Oroville Region Sewer MSR. Steve Lucas stated the Richvale Sanitation District is working on initiating a review and update of their municipal service review and sphere of influence plan and may be submitting an application for annexation soon.


6.2 Correspondence – None

7. ADMINISTRATION – None

8. ADJOURNMENT.

There being no further business, the meeting was adjourned at 11:05 a.m. to the May 7, 2009 regularly scheduled meeting.

LOCAL AGENCY FORMATION COMMISSION



By: Stephen Lucas, Executive Officer

Minutes prepared by Joy Stover, LAFCO Commission Clerk