

BUTTE LOCAL AGENCY FORMATION COMMISSION
Minutes of June 3, 2010

1. Call to Order

Chair Leverenz called the meeting to order at 9:00 a.m., on June 3, 2010, in the Butte County Board of Supervisors Chambers, 25 County Center Drive, Oroville, California.

1.1 Roll Call

Present: Commissioners Lotter, Duncan, Gill, Fichter, Dolan and Chair Leverenz.

Absent: Commissioner Connelly & Sweany. Alternate Commissioners Yamaguchi, Schwab & Steel

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

1.2 Welcome New Commissioners – Regular City Member Jerry Fichter, City of Gridley and Alternate City Member Ann Schwab, City of Chico

1.3 Special Recognition of Service – Commissioner Roger Frith and Alternate Commissioner Andy Holcombe

Commissioner Duncan made a motion to approve the special recognition of service resolutions. Commissioner Lotter seconded the motion and the motion carried with a unanimous vote.

2. Consent Agenda

2.1 Approval of the Minutes of May 6, 2010

Commissioner Lotter made a motion to approve the consent agenda. The motion was seconded by Commissioner Dolan.

The motion was carried by the following vote:

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

3. NOTICED PUBLIC HEARINGS – None

4. REGULAR AGENDA

4.1 Items Removed from the Consent Agenda – None

4.2 Wastewater Service Providers – Oroville Region Municipal Service Review Update.

Ray Sousa, Manager of SC-OR Treatment Plant, introduced some of the SC-OR JPA members present in the audience and the legal counsel for TWSD. Ray Sousa provided a PowerPoint presentation showing where they have been, where they are at now and where they are going.

There was discussion on the I&I issues and what is currently being done to control the I&I problems.

Chair Leverenz asked Ray Sousa if what LAFCo staff is doing in assisting SC-OR's process consistent with what SC-OR feels LAFCo should be doing. Ray Sousa stated he could not speak for all the entities but SC-OR has engineers and specialized individuals on staff and they welcome the involvement of LAFCo.

There was discussion on how large developments coming into the area could impact the treatment plant.

Jeff Carter, Attorney for Thermalito Water & Sewer District, stated the LAFCo staff being involved in the quarterly TAC meetings is appreciated. They see it as a working effort to coordinate with LAFCo so the Commission is apprised of what SC-OR is doing. Jeff Carter stated the quarterly TAC meetings are intended to create that communication that is going to address the long term development problems.

Commissioner Dolan stated since the TAC meetings are quarterly, perhaps we could have this item on our agenda quarterly instead of monthly. It was agreed to have this item appear on our agenda consistent with the quarterly TAC meetings.

Roger Frith, City of Biggs Mayor, voiced his concerns over the ongoing costs incurred with LAFCo staff being involved in the SC-OR TAC meetings. Chair Leverenz stated the policy has been, as discussed when we adopted our budget this year that we view this as part of our role and therefore we absorb that cost. Roger Frith stated you may start getting push back from those who are funding the agency.

4.3 CALAFCO Proposal to Establish Regions and Amend Bylaws.

Chair Leverenz provided some back ground history regarding CALAFCO. Chair Leverenz stated Commissioner Connelly is a member of the CALAFCO Board and has stated we may not have any real choice in the matter. There was some discussion on the proposed regionalization.

Commissioner Duncan moved to support the proposal and designate the Executive Officer to complete the ballot and submit it to CALAFCO. The motion was seconded by Commissioner Lotter.

The motion was carried by the following vote:

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

4.4 10-05MS – Richvale Sanitary District Municipal Service Review and Sphere of Influence Plan Update.

Chair Leverenz asked staff if they have anything to add to the staff report. Steve Betts, LAFCO Deputy Executive Officer, stated staff would like the Commission to review the draft Richvale Sanitary District MSR & SOI Plan update and let staff know if there are any comments. This item will be published and placed on the agenda for a public hearing in July.

Commissioner Dolan asked if the Commission will also hear the annexation at the July LAFCO meeting. Steve Betts stated first on the agenda to be heard would be the MSR & SOI plan update and following that would be the annexation request. The MSR & SOI plan update would need to be adopted before the annexation could be approved.

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. There was discussion on SB 1174 – Mandate to mitigate disadvantaged unincorporated communities in the General Plan and the possible need to annex these areas.

Under Administration, Steve Lucas stated the Executive Director of the Northern California Regional Land Trust had contacted LAFCo to talk about the similarities of their operations and goals and the LAFCo overall goals and policies in preserving AG land. Steve Lucas was asked by NCRLT if he or the Commission would be willing to write a letter of support in terms of their grant.

Chair Leverenz stated that this discussion could be an agenda item and the LCRLT could make a presentation to the Commission concerning support for their organization. Steve Lucas stated he will share with the LCRLT group that we can put this item on a future agenda and invite them to give a presentation to the Commission.

Commissioner Duncan, with reference to Roger Frith’s concerns, asked if we are looking into charging people for things that we do over and above what we do for others. Steve Lucas stated if something comes to us as a project or request for action, we have a procedure for a fee that is associated with that action. Chair Leverenz stated this was discussed when we were talking about our budget and at our next budget phase we should take a harder look at this. Commissioner Duncan stated it is not fair to the other agencies that pay, for us to be doing something extra for another agency.

There was discussion on the percentage split per agency that pays into LAFCo’s budget.

6.2 Correspondence –

A. May 11, 2010 letter to John Falk, Oroville Association of Realtors

7. ADMINISTRATION – None

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:05 a.m. to the July 1, 2010 regularly scheduled meeting.

LOCAL AGENCY FORMATION COMMISSION



By: Stephen Lucas, Executive Officer

Minutes prepared by Joy Stover, LAFCO Commission Clerk