

BUTTE LOCAL AGENCY FORMATION COMMISSION
Minutes of May 7, 2009

1. Call to Order

Chair Leverenz called the meeting to order at 9:01 a.m., May 7, 2009, in the Butte County Board of Supervisors Chambers, 25 County Center Drive, Oroville, California.

1.1 Roll Call

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

Absent: Commissioner Connelly & 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
B. Scott Browne, LAFCO Legal Counsel

Commissioner Connelly arrived at 9:02 a.m.

1.2 Nomination and Election of LAFCO Chair and Vice-Chair

Chairman Leverenz called for nominations. Commissioner Lotter nominated Carl Leverenz for Chair, the nomination was seconded by Commissioner Dolan. Commissioner Connelly moved to close the nominations. The nomination passed with a unanimous vote.

Commissioner Dolan nominated Scott Lotter for Vice-Chair, seconded by Commissioner Frith. Commissioner Beck moved to close the nominations. The nomination passed with a unanimous vote.

2. Consent Agenda

2.1 Approval of the Minutes of April 2, 2009

Commissioner Frith moved to approve the consent agenda, seconded by Commissioner Lotter, and the motion carried by the following vote:

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

3. NOTICED PUBLIC HEARINGS –

3.1 Review and Consideration of Final Budget for Fiscal Year 2009/10

(Continued from April 2, 2009 meeting)

Chair Leverenz asked if staff had anything else to add to the staff report. None noted.

Chair Leverenz opened the public portion of the hearing for comments. Seeing none, Chair Leverenz closed the public portion of the hearing.

Commissioner Beck moved to adopt the resolution and approve the Final Budget for Fiscal Year 2009/10. The motion was seconded by Commissioner Lotter.

The motion was carried by the following roll call vote:

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

3.2 Annual Review of Staff Charge-out Rates and Application of Employment Cost Index (ECI) Adjustment to Employee Hourly Charge-out Rates.

Chair Leverenz gave Commissioner Frith an overview of the history of how the LAFCo Commission developed a program, which is subject to review each year, to come up with a cost of living index increase in staff's charge-out rates so LAFCo don't lose money on our project processing.

Commissioner Frith asked what percentage of the cost of processing does this cover. Steve Lucas stated the cost of processing an individual application is based on time and material and is covered 100 percent by the charge-out rates.

Chair Leverenz opened the hearing to the public for comments. Seeing none, Chair Leverenz closed the public portion of the hearing.

Commissioner Lotter made a motion to approve the Staff Charge-out Rates. Commissioner Duncan seconded the motion and the motion carried by the following vote:

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

3.3 Review and Consideration of the Draft Municipal Service Reviews and Sphere of Influence Plan Updates for County Service Areas No. 31 (Schohr's Pool) and County Service Area No. 34 (Gridley Swimming Pool).

County Service Area No. 31 (Schohr's Pool) –

Steve Betts, LAFCo Deputy Executive Officer, summarized the Staff Memorandum and stated the draft reviews were circulated to the appropriate agencies. Comments received have been incorporated into the draft documents.

There was discussion regarding the following:

- Possible removal of identified parcels from the two pool districts' sphere of influence and proposing those parcels be put into the Feather River Recreation and Park District.
- It was stated any detachments and annexations between the districts would require the districts to go through the LAFCo application process.
- Concerns regarding the financial impact to the pool districts if parcels were removed were voiced.

Steve Betts stated staff contacted the affected agencies to get their view on what they would like to see happen with the two pool districts. Most of the agencies contacted stated they would like to see a regional comprehensive recreational district serve this area. He noted this type of district would be difficult to create due to a lack of funding. Steve Betts stated the general consensus was that the two pool districts should remain the same until such time as a new recreational district could be created.

Uma Hinman, consultant for Kleinschmidt Associates, provided a Power Point presentation for County Service Area No. 31 (Schohr's Swimming Pool) municipal service review and sphere of influence plan update. Corrections to the draft were noted.

Commissioner Dolan expressed concerns related to recommended sphere of influence boundary changes.

It was determined this issue would be better addressed during a future LAFCo meeting when the Commission is reviewing the Feather River Recreation & Park District MSR and SOI update plan.

Commissioner Connelly asked for the financial information showing the financial impact if the identified parcels were to be removed from the pool districts. Steve Lucas, LAFCo Executive Officer, stated he would be able to supply the financial information at the next LAFCo meeting.

Chair Leverenz opened the hearing to the public for comments. Seeing none, Chair Leverenz closed the public portion of the hearing.

Commissioner Connelly asked for a map showing the school district boundaries to be provided at the next LAFCo meeting. It was stated the school district map will be provided.

Commissioner Duncan made a motion to approve Option 2 of the staff report and continue this proposal to the LAFCo meeting in June. Commissioner Connelly seconded the motion and the motion carried by the following vote:

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

ABSTAINS: None

County Service Area No. 34 (Gridley Swimming Pool) –

Uma Hinman presented a Power Point presentation for the County Service Area No. 34 (Gridley Swimming Pool). Corrections to the draft review were noted.

There was discussion on which portion of the sphere of influence plans are subject to CEQA.

Chair Leverenz opened the hearing to the public for comments. Seeing none, Chair Leverenz closed the public portion of the hearing.

Commissioner Connelly asked if it was necessary that park district boundaries follow school boundaries. Steve Lucas stated no, there is no legal requirement. Commissioner Connelly stated to help clarify he would like the school district boundaries brought to the next meeting.

Chair Leverenz stated it would be helpful to have the financial impact information for those areas being proposed for detachment from the districts. Steve Lucas clarified how staff arrived at proposing the detaching of indentified parcels, which included looking at the overall comprehensive view of recreational services as a whole.

Commissioner Lotter asked for staff to also provide for the next meeting whether if someone living outside the recreational district would pay a different fee than someone within the district boundary. Commissioner Connelly stated he did not believe there were step fees.

Commissioner Duncan noted a correction needed on a table within the draft review.

Commissioner Connelly made a motion to approve Option 2 of the staff report and continue this proposal to the LAFCo meeting in June. Commissioner Frith seconded the motion and the motion carried by the following vote:

AYES: Commissioners Lotter, 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.

Steve Lucas gave an update to the election process for a Special District Regular and Alternate Commissioner member and stated staff had to extend the process for 30 additional days in hopes of getting the required number of ballots to come in.

Steve Lucas provided an update to the Oroville Region Sewer MSR update and stated staff has had discussion with the developer of the Rio d'Oro proposed development in the Oroville area and discussion with the developer of the Gateway at Butte Creek proposed development in the south Chico area.

6.2 Correspondence – None

7. ADMINISTRATION – None

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:08 a.m. to the June 4, 2009 regularly scheduled meeting.

LOCAL AGENCY FORMATION COMMISSION



By: **Stephen Lucas, Executive Officer**