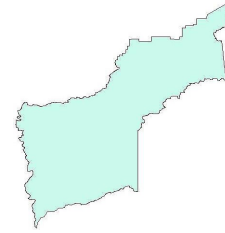


# YUBA LOCAL AGENCY FORMATION COMMISSION

John Benoit, Executive Officer  
Paige Hensley, Deputy Executive Officer  
David Ruderman, LAFCO Counsel  
417 4<sup>th</sup> Street  
P.O. Box 2305                      Phone (530) 749-5467  
Marysville, CA 95901              Fax (530) 749-5468



---

## YUBA LOCAL AGENCY FORMATION COMMISSION AGENDA

### REGULAR MEETING

Wednesday, January 3, 2024, at 6:00 P.M.  
Board of Supervisors Chambers  
915 8<sup>th</sup> Street – Marysville, California 95901

#### 1. Call To Order:

##### A. Roll Call:

##### Commissioners

Kuldip Atwal, Public Member  
Gary Bradford, County Member **Vice-Chair**  
Brad Hudson, City Member **Chair**  
Andy Vasquez, County Member  
Rick West, City Member

##### Alternates:

Jon Messick, County Member Alternate  
Dominique Belza, City Member Alternate  
Dennis Pinney, Public Member Alternate

#### 2. Pledge of Allegiance:

#### 3. Consent Agenda:

All matters listed under Consent Agenda are considered to be routine and can be enacted in one motion.

A. Approval of meeting minutes from October 4, 2023.

**4. Public Comment**

Members of the public are invited to address the Commission on any matter of interest to the public that is not on the agenda for a period of time not exceeding 3 minutes. Pursuant to the Brown Act, the Commission cannot take any action on items not listed on the posted agenda but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.

**5. Action Items:**

**A. Office Space Rental Contract Renewal**

*Action: Approve and authorize the Executive Officer to sign amended office space rental contract.*

**B. Amended Support Services between Yuba LAFCO and Yuba County Water Agency.**

*Action: Approve amended Support Services between Yuba LAFCO and Yuba County Water Agency for Deputy Executive Officer position.*

**C. Yuba LAFCO meeting schedule for 2024.**

*Action: Approve Yuba LAFCO meeting schedule for 2024.*

**D. MSR and SOI Update Schedule for 2024/2025.**

*Action: Discuss and approve MSR and SOI Schedule for 2024/2025*

**E. Adhoc Budget Committee for fiscal year 2024/2025.**

*Action: Appoint Adhoc Budget Committee for Fiscal Year 2024/2025*

**6. Other Items:**

A. Discussion regarding retirement of Executive Officer, John Benoit.

**7. Executive Officers and Commissioners Reports:**

- A. Review of Calafco 2023 Annual Conference in Monterey.
- B. Update the Commission on staff meeting with YCRCD.
- C. Update on pending projects.

**8. Adjourn to the next meeting on Wednesday, March 6, 2024.**

Commissioners – Please contact your alternate if you are unable to attend this meeting.  
Alternates are:

City - Dominique Belza  
County - Jon Messick  
Public - Dennis Pinney

The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.



**Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority Government Code Section 56325.1**

*Public Comment*

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be within the Commission’s subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).
- The total amount of time allotted for receiving public comment may be limited to 15 minutes.
- Any individual’s testimony may be limited to 3 minutes. Time to address the Commission will be allocated on the basis of the number of requests received. If you would like an item placed on a future agenda, you may do so by contacting the Commission at (530) 749-5467.

*Procedure for Public Hearing:*

The public may address the Commission on each agenda item during the Commission’s consideration of the item. When doing so, and when commenting on non-agenda items, we ask that the public kindly be recognized by the Chair before speaking, and to please keep their remarks brief. If several persons wish to address the Commission on the same item, or if any person’s comments are excessive, the Chair may limit any person’s input to 3 minutes. Written statements may be submitted in lieu of or addition to supplement oral statements made during a public hearing.

*Accessibility*

The telephonic/video meeting location is accessible to people with disabilities. Every reasonable effort will be made to accommodate participation of the disabled in all of the Commission’s public meetings. If particular accommodations for the disabled are needed or a reasonable modification of the teleconference procedures are necessary (i.e., disability-related aids or other services), please contact the Clerk at (530) 749-5467 at least 24 hours in advance of the meeting. An interpreter for the hearing-impaired may be made available upon request to the Clerk 72 hours before a meeting.

*Disclosure & Disqualification Requirements*

Any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Yuba LAFCO must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals; they may be reviewed at Government Code §§56700.1 and 81000 *et seq.* Additional information about the requirements pertaining to local initiative measures to be presented to the electorate can be obtained by calling the Fair Political Practices Commission at (916) 322-5660.

A LAFCO Commissioner must disqualify herself or himself from voting on an application involving an “entitlement for use” (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law

(Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

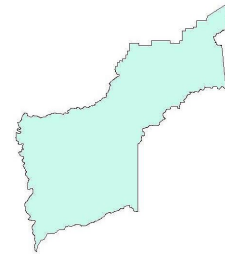
Late-Distributed Materials. Any material submitted to the Commission after this agenda is posted will be made available for public inspection as soon as possible in the LAFCO office, as indicated below.

Contact LAFCO Staff: LAFCO staff may be contacted at 530-749-5467 or by mail at Yuba LAFCo c/o John Benoit, Executive Officer, 417 4<sup>th</sup> Street, Marysville, CA 95901 or by email at [phensley@co.yuba.ca.us](mailto:phensley@co.yuba.ca.us) or by fax at (530) 749-5468.

**YUBA LOCAL AGENCY FORMATION COMMISSION**

John Benoit, Executive Officer  
Paige Hensley, Clerk-Analyst  
David Ruderman, LAFCo Counsel  
915 8<sup>th</sup> Street, Suite 130  
Marysville, CA 95901

Phone: (530)749-5467  
Fax (530)749-5468  
Website: [www.yubalafco.org](http://www.yubalafco.org)



---

**ACTION MINUTES**  
**YUBA LOCAL AGENCY FORMATION COMMISSION**  
**SPECIAL MEETING**  
October 4<sup>th</sup>, 2023

**1. A. CALL TO ORDER:**

At 6:00 p.m. the Yuba County Local Agency Formation Commission (LAFCO) was called to order by the Chair, Commissioner Vasquez, with Commissioners Atwal, Bradford, West and Public Member Pinney were present. Commissioner Hudson, County Alternate Messick and City Alternate Belza were absent. Also present were Executive Officer-John Benoit, Legal Counsel-David Ruderman and LAFCo Deputy Executive Officer-Paige Hensley.

**B. PLEDGE OF ALLEGIANCE:**

Commissioner West led the commission in the Pledge of Allegiance.

**2. ELECTION OF OFFICERS:**

**In accordance with LAFCO's Bylaws, Conduct Election of Chair and Vice-chair for LAFCO for Fiscal Year 2023-2024**

**A. Election of Chair for FY 2023-2024**

**Action:** Upon motion by Commissioner West and seconded by Commissioner Bradford the Commission elected Commissioner Hudson as the Chair for FY 2023-2024 with the following 4 to 0 vote: AYES: Atwal, Bradford, Vasquez and West; NOES: None; ABSTAIN: None; ABSENT: Hudson

**B. Election of Vice-Chair for FY 2023-2024**

**Action:** Upon motion by Commissioner West and seconded by Commissioner Vasquez the Commission elected Commissioner Bradford as the Vice-Chair for FY 2023-2024 with the following 4 to 0 vote: AYES: Atwal, Bradford, Vasquez and West; NOES: None; ABSTAIN: None; ABSENT: Hudson

**3. Consent Agenda:**

All matters listed under Consent Agenda are considered to be routine and can be enacted in one motion.

A. Approval of amended meeting minutes from June 5, 2023. (minutes were amended to reflect David Ruderman, LAFCO Counsel, in attendance at the June 5<sup>th</sup> meeting, rather than Alexandra Jack)

**Action:** Upon motion by Commissioner Vasquez and seconded by Commissioner West the Commission approved the consent agenda with the following 4 to 0 vote: AYES: Atwal, Bradford, Vasquez and West; NOES: None; ABSTAIN: None; ABSENT: Hudson

**4. Public Comment**

Members of the public are invited to address the Commission on any matter of interest to the public that is not on the agenda for a period of time not exceeding 3 minutes. Pursuant to the Brown Act, the Commission cannot take any action on items not listed on the posted agenda but may add to a future agenda matter brought up under public comments for appropriate action at a future meeting.

There were no public comments.

**5. Action Items:**

A. **L AFC-23-0005/Alexander Point/CSA66 Annexation:** A request from Greypoint Development, LLC to annex 8.71 acres, known as APN 014-850-009, into County Service Area (CSA) 66

**Staff Report:**

John Benoit, Executive Officer presented the staff report.

Alternate Commissioner Dennis Pinney questioned the spelling of Alexander “Point”. It was showing spelled with an “e” in some places and without an “e” in others. Staff confirmed the correct spelling was without an “e” and will correct to read as “Point.”

Alexandra Jack, LAFCo Counsel, also notated resolution 2023-06 had been amended to correct acreage from 204 acres to 8.71 acres.

**Action:** Upon motion by Commissioner West and seconded by Commissioner Vasquez, the Commission voted to adopt Resolution No. 2023-06 approving the Alexander Point annexation into CSA 66 with the following 4 to 0 vote: AYES: Atwal, Bradford, Vasquez; and West; NOES: None; ABSTAIN: None; ABSENT: Hudson

**B.** Review, discuss and adopt proposed updated Yuba LAFCo Bylaws.

John Benoit, Executive Officer, summarized the updated LAFCo Bylaws.

Commissioner Bradford asked to be able to see a redlined version on amended documents in the future, so they can more easily see what changes are made.

Staff agreed and indicated to him that a redlined version was included in the hard copy packet but not in the emailed version of the packet.

**Action:** Upon motion by Commissioner Vasquez and seconded by Commissioner West, the Commission voted to adopt resolution No. 2023-07 approving the updated Bylaws with the following 4 to 0 vote: AYES: Atwal, Bradford, Vasquez; and West; NOES: None; ABSTAIN: None; ABSENT: Hudson.

## **6. Executive Officers and Commissioners Reports:**

**A.** Update on pending projects.

Paige Hensley, Deputy Executive Officer gave a status update on the following pending projects:

1. RD784 annexation – LAFC 23-0004 – waiting on map and legal description review.
2. Rio Del Oro – annexation into CSA 66 and OPUD – waiting for secondary application for westerly strip.

**B.** Reminder of CALAFCO Annual Conference – Hyatt Regency Monterey - October 18 thru 20, 2023.

John Benoit reminded Commission of the upcoming CALAFCO Conference.

**C.** Designate new CALAFCO Voting Delegate.

The Commission designated Commissioner Vasquez to be the voting delegate at the upcoming conference.

**D.** Discussion of an MSR-SOI update for OPUD, Linda Water, CSA 66 and 52 in this next year.

John Benoit discussed the need to update the MSRs and SOI's for multiple south county special districts.

The Commission suggested including some of the south county fire districts in the updates.

Commissioner Vasquez expressed an interest in discussing consolidation of the Marysville, Linda and Olivehurst areas.

Commissioner Vasquez suggested discussing it further with the new Chair, Commissioner Hudson.

7. **Adjourn to the next meeting on Wednesday, November 1, 2023.**

There being no further business, the meeting was adjourned at 6:36 p.m. to the next meeting on November 1, 2023, at 6:00 p.m. in the Board of Supervisors Chamber, 915 8th Street, Marysville, and via a Zoom meeting.

Approved,

---

Brad Hudson, Chair

ATTEST: JOHN BENOIT  
EXECUTIVE OFFICER

---

By: Paige Hensley, Deputy Executive Officer





MODIFICATION OF LISTING, BUYER REPRESENTATION OR OTHER AGREEMENT BETWEEN PRINCIPAL AND BROKER

(C.A.R. Form MT, Revised 12/23)

The [ ] Listing Agreement [ ] Buyer Representation Agreement, [X] Other Commercial Lease Agreement dated 12/06/2021, between Melia Campbell ("Broker") and Yuba LAFCO ("Principal"), regarding the real property, manufactured home or business described as 417 4th Street Units C & D, Marysville, CA 95901 is modified as follows:

PRICE: The listing price, price range, lease or rental amount shall be changed to: Seven Hundred Dollars (\$ 700.00)

EXPIRATION DATE: The expiration date is changed to: 01/31/2025

NOTE: If the listing agreement is an exclusive right to sell (C.A.R. Form RLA) or a seller reserved listing (C.A.R. Form RLA-SR) for residential property improved with one to four units, the renewal may not last longer than 12 months. This restriction does not apply if Seller is a corporation, LLC or partnership. It is unlawful to record or file the listing agreement, or a memorandum or notice thereof, with the county recorder.

NOTICE: THE AMOUNT OR RATE OF REAL ESTATE COMMISSIONS IS NOT FIXED BY LAW. THEY ARE SET BY EACH BROKER INDIVIDUALLY AND MAY BE NEGOTIABLE BETWEEN PRINCIPAL AND BROKER (REAL ESTATE COMMISSIONS INCLUDE ALL COMPENSATION AND FEES TO BROKER).

OTHER: Rent increase to begin 2/1/2024.

All other terms of the Listing Agreement, Buyer Representation Agreement, or other agreement as applicable, remain in full force and effect, except as modified herein.

I acknowledge that I have read, understand and received a copy of this Modification of Terms.

Principal Yuba LAFCO Date

Principal Melia Campbell Date

Real Estate Broker (Firm) DRE Lic #

By DRE Lic # Date

© 2023, California Association of REALTORS®, Inc. United States copyright law (Title 17 U.S. Code) forbids the unauthorized distribution, display and reproduction of this form, or any portion thereof, by photocopy machine or any other means, including facsimile or computerized formats. THIS FORM HAS BEEN APPROVED BY THE CALIFORNIA ASSOCIATION OF REALTORS® (C.A.R.). NO REPRESENTATION IS MADE AS TO THE LEGAL VALIDITY OR ACCURACY OF ANY PROVISION IN ANY SPECIFIC TRANSACTION. A REAL ESTATE BROKER IS THE PERSON QUALIFIED TO ADVISE ON REAL ESTATE TRANSACTIONS. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL. This form is made available to real estate professionals through an agreement with or purchase from the California Association of REALTORS®. It is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by members of the NATIONAL ASSOCIATION OF REALTORS® who subscribe to its Code of Ethics.

Published and Distributed by: REAL ESTATE BUSINESS SERVICES, LLC. a subsidiary of the CALIFORNIA ASSOCIATION OF REALTORS® 525 South Virgil Avenue, Los Angeles, California 90020

MT REVISED 12/23 (PAGE 1 OF 1)



## 2024 YUBA LAFCO MEETING SCHEDULE

JANUARY 3, 2024

MARCH 6, 2024

MAY 1, 2024

JULY 3, 2024

SEPTEMBER 4, 2024

NOVEMBER 6, 2024

Unless otherwise provided by resolution of the Commission, regular meetings of the Commission are scheduled for the **first** Wednesday of every other month at 6:00 p.m. in the Yuba County Board of Supervisors Chambers, at 915 8<sup>th</sup> Street – Marysville, California 95901. **Regular meetings are scheduled during the months of January, March, May, July, September, and November**, The Commission may, at its own discretion, meet at a different time or place from time to time, provided that public notice of such time and place is given in accordance with the Ralph M. Brown Act, Government Code Section 54954 et seq. and applicable provisions of the LAFCO Act.

The Chair or Executive Officer may call a special meeting of the Commission. The Chair shall call a special meeting if requested by two or more Commissioners. Any special meetings of the Commission shall be called in the manner provided by Section 54956 of the Government Code. The order calling the special meeting shall specify the time and place of the meeting and the business to be conducted and no other business shall be conducted at that meeting. The special meeting may be called for any day prior to the date established for the next regular meeting of the Commission.

**MSR and SOI Update 24/25**  
**Suggested Order of Priority**

- 1) South County Water/Sewer Districts:
  - a. Olivehurst Public Utility District (OPUD)
  - b. Linda Water
  
- 2) County Service Areas (CSA):
  - a. CSA 66 – Plumas Lake Area
  - b. CSA 52 – Linda Area
  
- 3) South County Fire:
  - a. Linda Fire
  - b. OPUD Fire
  - c. Wheatland Fire- **Currently City of Wheatland conducting an analysis on current JPA with Plumas Brophy Fire**
  - d. Plumas Brophy Fire - **\*\*See Wheatland Fire\*\***
  - e. Marysville Fire
  
- 4) Cities:
  - a. City of Marysville: Currently updating their General Plan
  - b. City of Wheatland: