

YUBA LOCAL AGENCY FORMATION COMMISSION

John Benoit, Executive Officer
Paige Hensley, Deputy Executive Officer
David Ruderman, LAFCO Counsel
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YUBA LOCAL AGENCY FORMATION COMMISSION AMENDED AGENDA

REGULAR MEETING

Wednesday, May 1, 2024, at 6:00 P.M.

Board of Supervisors Chambers
915 8th Street – Marysville, California 95901

1. Call To Order:

A. Roll Call:

Commissioners

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

Alternates:

Jon Messick, County Member Alternate
Angela Teeter, 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 the January 3rd, 2024 and April 3rd, 2024 meeting.

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. Public Hearing:

a. Review and Adopt Final Budget for 24/25 FY.

Action: Receive final budget report and adopt Resolution 2024-04 adopting the Final Budget for Fiscal Year 2024-2025.

6. Action Items:

a. Amend Support Services Agreement between Yuba LAFCO and Yuba County Water Agency.

Action: Approve amendment to Support Services Agreement between Yuba LAFCO and Yuba County Water Agency for Deputy Executive Officer/Executive Officer position.

b. Adopt Minute Order Appointing Paige Hensley as Executive Officer effective July 1, 2024 due to the retirement of the Current Executive Officer.

1. *Adopt minute order appointing Paige Hensley as Executive Officer effective July 1, 2024.*
2. *Adopt minute order appointing John Benoit interim LAFCo Analyst effective July 1, 2024.*

c. Discuss scheduling of a special meeting in June and canceling the July 3rd regular meeting.

d. Discuss changing Yuba LAFCO's regular meeting day schedule due to LAFCo Counsel time conflict.

7. Executive Officers and Commissioners Reports:

- a. Update on Zero Trust Initiative
- b. Update on pending projects.
- c. Review of CALAFCO Staff Conference in Pleasanton, CA

8. Adjourn to the next meeting to Special Meeting in June or to the regular meeting of Wednesday, July 3, 2024.

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

City - Angela Teeter
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 4th Street, Marysville, CA 95901 or by email at 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
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Website: www.yubalafco.org



MINUTES
YUBA LOCAL AGENCY FORMATION COMMISSION
REGULAR MEETING
JANUARY 3, 2024

1. A. CALL TO ORDER:

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

2. PLEDGE OF ALLEGIANCE:

Commissioner Bradford led the commission in the 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.

Action: Upon motion by Commissioner Vasquez and seconded by Commissioner Atwal the Commission approved the consent agenda with the following 3 to 0 vote: AYES: Atwal, Bradford and Vasquez; NOES: None; ABSTAIN: None; ABSENT: Hudson and West

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. Office Space Rental Contract Renewal

Action: Upon motion by Commissioner Vasquez and seconded by Commissioner Atwal the Commission authorized the Executive Officer to sign the amended office space rental contract with the following 3 to 0 vote: AYES: Atwal, Bradford and Vasquez; NOES: None; ABSTAIN: None; ABSENT: Hudson and West

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

Item was removed from the agenda.

C. Yuba LAFCO meeting schedule for 2024.

Action: Upon motion by Commissioner Vasquez and seconded by Commissioner Atwal the Commission approved the 2024 meeting schedule with the following 3 to 0 vote: AYES: Atwal, Bradford and Vasquez; NOES: None; ABSTAIN: None; ABSENT: Hudson and West

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

John Benoit discussed the suggested order of Municipal Service Reviews for the upcoming year.

Commissioners Bradford and Vasquez stated the fire districts should be the first priority.

Commissioner Vasquez suggested the MSR/SOI Update order should be South County Fire Districts, then Water and Sewer, and then CSA's.

The Commission directed staff to proceed with updating MSR/SOIs in the following order:

1. South County Fire Districts (to include Marysville Fire, Linda Fire, OPUD Fire, Plumas Brophy Fire and Wheatland Fire)
2. Water and Sewer Districts
3. County Service Areas 66 and 52.

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

Action: Vice-Chair Bradford appointed Commissioner Atwal and Pinney to the Ad-hoc Budget Committee for Fiscal Year 2024/2025.

6. **Other Items:**

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

John Benoit announced he will be stepping down as Executive Officer effective June 30, 2024. John Benoit stated the Commission had previously determined and planned for Paige Hensley to be promoted to Executive Officer and then John Benoit would stay on during a transitional period and serve in the position of Deputy Executive Officer.

John Benoit stated the Commission will need to discuss and determine the salary for Paige Hensley in the roll of Executive Officer and it can be discussed during the budget hearing at the next meeting.

The Commission was in agreement with the Executive Officer's transition plan and directed the staff to bring the salary discussion forward to the next meeting.

John Benoit also stated he will need an amendment to his contract as he steps down from Executive Officer to the Deputy Executive Officer position.

7. Executive Officers and Commissioners Reports:

- A. John Benoit gave a brief summary of the Calafco Conference in Monterey.
- B. Staff gave a summary of a recent meeting with YCRC
- C. Update on pending projects.

Paige Hensley, Deputy Executive Officer, gave a status update on pending projects such as the RD784 Levee annexation; Lennar Homes – OPUD/CSA 66 annexations; Bishops Pumpkin Farm - Out of Agency Agreement, and Wheatland-Pottery World annexation.

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

There being no further business, the meeting was adjourned at 6:50 p.m. to the next meeting on March 6th, 2024, at 6:00 p.m. in the Board of Supervisors Chamber, 915 8th Street, Marysville.

Approved,

ATTEST: JOHN BENOIT
EXECUTIVE OFFICER

By: Paige Hensley, Deputy Executive Officer

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MINUTES
YUBA LOCAL AGENCY FORMATION COMMISSION
SPECIAL MEETING
April 3, 2024

****Upon motion from Commissioner Vasquez and a second by Commissioner Pinney, the Commission unanimously appointed Commissioner West as the Chair Pro-tem****

1. CALL TO ORDER:

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

2. PLEDGE OF ALLEGIANCE:

Commissioner Bradford led the commission in the Pledge of Allegiance.

3. Election of new Vice-Chair:

Action: Upon motion by Commissioner Fuhrer and seconded by Commissioner Vasquez the Commission voted to appoint Commissioner West as the new Vice-Chair with the following 5 to 0 vote: AYES: Fuhrer, Vasquez, West, Alternate Pinney, and Alternate Teeter; NOES: None; ABSTAIN: None; ABSENT: Hudson and Atwal

4. 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 January 3rd, 2024:

The minutes were continued to the next meeting, due to most of those present at this meeting, were not present at the January 3rd, 2024, meeting.

5. 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.

6. Public Hearing:

A. LAFCO 2023-04: A request from Reclamation District 784 for a Sphere of Influence Amendment and Annexation of the Urban Levee System totaling approximately 740.48 acres into RD784.

Staff Report: Paige Hensley, Deputy Executive Officer, reviewed the staff report.

Public Hearing was opened.

There being no comments the public hearing was closed.

Action:

1. Upon motion by Commissioner Fuhrer and seconded by Commissioner Vasquez the Commission voted to adopt Resolution NO. 2024-01, approving the Sphere of Influence Amendment for Reclamation District 784, with the following 5 to 0 vote: AYES: Fuhrer, Vasquez, West, Alternate Pinney, and Alternate Teeter; NOES: None; ABSTAIN: None; ABSENT: Hudson and Atwal

2. Upon motion by Commissioner Fuhrer and seconded by Commissioner Vasquez the Commission voted to adopt Resolution NO. 2024-02, approving the annexation of 740.48 acres of the Urban Levee System and new levee area northeast of the current district boundary into Reclamation District 784, with the following 5 to 0 vote: AYES: Fuhrer, Vasquez, West, Alternate Pinney, and Alternate Teeter; NOES: None; ABSTAIN: None; ABSENT: Hudson and Atwal

B. Review and Adopt Proposed Budget for FY24/25:

Staff Report: John Benoit, Executive Officer, presented the proposed budget report.

Commissioner Pinney asked if this budget allows Paige Hensley (as the new Executive Officer) to have an assistant.

John Benoit explained he will stay on for a while to assist, but after he fully retires there will be a need for an assistant.

Commissioner Pinney asked if LAFCO has addressed the Zero Trust Initiative and asked if it can be discussed further at the next meeting.

Action: Upon motion by Commissioner West and seconded by Commissioner Pinney the Commission voted to adopt Resolution No. 2024-03, approving the Proposed Budget for Fiscal Year 2024/2025 with the following 3 to 2 vote: AYES: West, Alternate Pinney, and Alternate Teeter; NOES: Fuhrer and Vasquez; ABSTAIN: None; ABSENT: Hudson and Atwal

7. **Action Items:**

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

Item was removed from the agenda.

8. **Correspondence:**

John Benoit gave a brief summary of correspondence from Alton Wright regarding some dissatisfaction with the North Yuba Water District.

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

A. John Benoit explained the upcoming initiative “Right to Vote on Taxes” coming up in the November meeting.

B. Update on pending projects.

Paige Hensley, Deputy Executive Officer, gave a status update on pending projects.

Adjourn to the next meeting on Wednesday, May 1, 2024.

There being no further business, the meeting was adjourned at 6:44 p.m. to the next meeting on May 1, 2024, at 6:00 p.m. in the Board of Supervisors Chamber, 915 8th Street, Marysville.

Approved,

ATTEST: JOHN BENOIT
EXECUTIVE OFFICER

By: Paige Hensley, Deputy Executive Officer

YUBA LAFCo

EXECUTIVE OFFICER'S REPORT

MEETING DATE: May 1, 2024

AGENDA ITEM No. 5a

TO: LAFCO Commissioners

FROM: John Benoit, Executive Officer

SUBJECT: FINAL Budget for 2024-2025 Fiscal Year

EXECUTIVE OFFICER'S RECOMMENDATION: Review the FINAL budget for the 2024-2025 Fiscal Year, amend as necessary, and adopt the attached resolution (Resolution 2024-04) approving the FINAL budget.

Attached is the FINAL budget for Yuba LAFCO. The overall goal of this budget is to conduct LAFCO business in a proactive and sustainable manner involving the community while meeting the overall requirements of the Cortese-Knox-Hertzberg Act in the most economical manner.

Analysis:

This year Yuba LAFCo continues its physical location at 417 4th Street in Marysville and its financial relationship with the Yuba County Water Agency. A change in the LAFCo budget for the 2024-2025 fiscal year is the creation of the Executive Officer position as a full time employee and the reduction in costs for the existing Executive Officer who will become the Deputy Executive Officer who will also aid in the staffing transition and acquisition of a LAFCo Clerk as a part-time employee. Cost increases due to the rising costs of doing business include higher insurance, communication, rent and membership costs and lower costs include office expenses, copies, E.O special project costs. Costs associated with travel for Commissioner and staff training remain the same.

SUMMARY OF EXPENSES:

Insurance: The Commission recommended in its proposed budget of \$2,250 which will remain the same in the upcoming fiscal year for liability insurance provided by Golden State Risk Management (GSRMA). This covers liability for the Commission and Staff.

Office Expense: The Commission recommended in its proposed budget \$3,400 a decrease of \$500. This category is used to pay for expenses incurred during the day-to-day business of the Commission and includes the costs for the Energov-Tyler software tracking system on the County network, a monthly maintenance fee for the Yuba LAFCo website and expenses necessary to maintain an office.

Office Rent-Utilities: The final budget includes \$8,550 for office space, which is a slight increase over last year, due to a monthly increase. LAFCO continues with its office space at 417 4th Street, Marysville. The rent covers office space and some utilities.

Project and Sphere Mapping: Based on previous years expenses the Commission recommended in its proposed budget a decrease over last year to \$5,000 for mapping. This item includes Projects and Sphere of Influence mapping costs. The County is currently unable to provide this service for LAFCo, and they have outsourced their GIS work to a third party. We have asked for a quote from their GIS provider and are looking into other options.

Copies: In the proposed budget, the Commission recommended \$1,900 for miscellaneous copying and printing which is a \$600 decrease from last year.

Communications: The Commission recommended in its proposed budget \$3,750 for this item to pay for ongoing expenses related to phone, fax and Internet.

Postage: The Commission recommended \$600.00 for Postage for LAFCo related activities.

Memberships: The Commission recommended in its proposed budget \$2,445 for Calafco dues.

Legal Services: The Commission recommended in its proposed budget \$12,000 for this item, which includes miscellaneous general legal services. LAFCo Counsel attends all LAFCo meetings and other meetings with staff and the Chair, as necessary. Legal Counsel is necessary since it is anticipated most, if not all the Spheres of Influence will be initiated during the upcoming fiscal year. LAFCo Counsel is needed to provide legal advice to LAFCo, as needed in the day-to-day operations of the Commission. Project Processing and Sphere Updates are a separate budget category.

Executive Officer Services: The Commission recommended in its proposed budget \$135,002 for General Executive Officer services. This represents a transition of the full time Deputy Executive Officer to Executive Officer and includes \$50,400 for ongoing benefit costs. Sphere of Influence Updates and Special Executive Officer Services include project processing under separate line items. \$35,000 is budgeted for services to be provided by a LAFCo Analyst and Clerk during this transition.

Deputy Executive Officer Position: This position will be eliminated.

Legal Notices/Publications: The Commission recommended in its proposed budget \$1,500 for legal notices, which is the same as last year. Given the costs of legal advertising and the projected workload this amount remains reasonable.

Training and Travel: The Commission recommended in its proposed budget \$9,000 for this item. This includes miscellaneous mileage, the Calafco Annual Conference, staff training and the annual staff workshop in March of 2025. The Calafco conference this year is at Yosemite from October 16th thru the 18th 2024. It is anticipated to cost approximately \$2,000 per person including transportation, lodging, and conference registration. As well as the annual staff workshop next spring with details to be announced as they become available.

Special Project Legal Services: This item includes special project related legal services associated with processing LAFCO applications. Costs in this category will be offset by special project related billings. A \$5,000 amount is in the budget.

Special Projects – E.O. Services: This item has been eliminated.

Municipal Service Review Updates: This item includes funding for Staff services, and office expenses associated with the preparation and adoption of updates to Municipal Service Reviews. This item is proposed to be funded at \$30,000.00.

Sphere of Influence Updates: This item includes funding for Staff services, and office expenses associated with the preparation and adoption of Spheres of Influence. This item is proposed to be funded at \$10,000.00.

Banking and Bookkeeping: This item includes \$1,200.00 for bookkeeping and financial services provided by the Yuba County Water Agency for LAFCo.

Contingency: The Commission recommended in its proposed budget a contingency of \$13,000

Reserve Fund: The Commission would have a general reserve of \$80,000.

SUMMARY OF ANTICIPATED REVENUE

\$25,000 of Anticipated Fee Deposits for LAFCO project processing is included in this budget.

CARRYOVER

This year LAFCO will not expend its entire budget. Therefore, an anticipated rollover of \$170,000.00 will be realized this year of which \$80,000 is re-budgeted to fund a general reserve , \$40,000 to fund the fire MSR's and SOI's, \$13,000 to fund the contingency budget and \$37,000 to fund portions of other LAFCo budget items mentioned above.

Recommendation:

- a. Review, discuss, and consider the 2024-2025 Final Budget. A budget justification report for FY 2024-2025 was prepared for the April 3, 2024, meeting by staff prior to adopting the proposed budget.
- b. Adopt LAFCO Resolution 2024-0004 approving a final budget.

Attachment: Resolution 2024-0004 Adopting the FINAL 2024-2025 LAFCO Budget

**BEFORE THE YUBA LOCAL AGENCY FORMATION,
YUBA COUNTY, STATE OF CALIFORNIA**

IN RE:

**RESOLUTION APPROVING THE FINAL)
2024-2025 FISCAL YEAR BUDGET OF THE)
YUBA LOCAL AGENCY FORMATION)
COMMISSION)**

RESOLUTION NO. 2024 - 0004

WHEREAS, Section 56381 of California Government Code requires the Yuba Local Agency Formation Commission to adopt a proposed budget by May 1st and a final budget by June 15th; and

WHEREAS, the Commission has prepared a proposed final budget for public review; and,

WHEREAS, on April 3, 2024, a noticed public hearing was held on the proposed draft budget for the 2024-2025 Fiscal Year for this Commission and following such hearing, adopted a proposed budget; and

WHEREAS, on May 1, 2024, a noticed public hearing was held by Yuba LAFCO on the final budget for the 2024-2025 Fiscal Year for this Commission.

WHEREAS, the Executive Officer has given notice of hearing in the form and manner specified by law for adoption of the final budget and upon the date, time and place specified in said notice of hearing, the Commission heard, discussed and considered all oral and written testimony submitted including, but not limited to, the approved budget priorities for Fiscal Year 2024-2025 and the Executive Officer's report and recommendations; and

WHEREAS, the Commission has considered the attached Budget in light of the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED, the Yuba Local Agency Formation Commission does hereby determine, resolve, and order the following:

1. That Yuba LAFCO hereby adopts the attached final 2022-2023 budget totaling **\$409,997.00 including a \$80,000 General Reserve, \$40,000 for the preparation of Municipal Service Reviews and Sphere updates for several fire agencies, and a \$13,000 Contingency Fund.**
2. Directs the Executive Officer to transmit the final budget to the Auditor and all parties specified in Government Code Section 56381 (a) as promptly as possible.
3. Request the Yuba County Auditor apportion and collect the funds from the Cities and the County as required in Section 56381 of the government code in the amount of **\$ 214,997.00** In the event of non-payment of LAFCO funds by any entity subject to the LAFCO's apportionment, the Commission hereby requests and authorizes the Auditor to collect the funds from property tax revenues or any other revenue source and deposit the funds into the LAFCO account.
4. Any unexpended funds not otherwise re-budgeted into the 2024-2025 budget shall be retained by

LAFCO and be either re-budgeted or placed into LAFCO's general reserve fund. To implement a Commission directive, the Commission directs the Executive Officer to deposit all unallocated carryover into LAFCO's reserve account up to \$100,000.00 upon determination of the final 2023-2024 carryover. The Executive Officer is hereby authorized to transfer all unallocated carryover into the LAFCo reserve fund.

PASSED AND ADOPTED at a regular meeting of the Yuba Local Agency Formation Commission, State of California, on the 1st day of May 2024, by the following vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

ATTEST: JOHN BENOIT
EXECUTIVE OFFICER

Brad Hudson, Chair
YUBA LOCAL AGENCY
FORMATION COMMISSION

APPROVED AS TO FORM:

David Ruderman
LAFCO COUNSEL

	A	B	C	D	E	F
			Adopted Budget 2022-2023	Adoped Final Budget 2023-2024	Adopt Prop Budget 2024-2025	Final Budget 2024-2025
9	General Services and Supplies					
10		INSURANCE	\$ 2,250.00	\$ 2,106.00	\$ 2,250.00	\$ 2,250.00
11		OFFICE EXPENSE	\$ 3,900.00	\$ 3,900.00	\$ 3,400.00	\$ 3,400.00
12		MAPPING - SOI reports	\$ 7,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
13		COPIES	\$ 2,750.00	\$ 2,500.00	\$ 1,900.00	\$ 1,900.00
14		COMMUNICATIONS	\$ 2,760.00	\$ 2,760.00	\$ 3,750.00	\$ 3,750.00
15		POSTAGE	\$ 800.00	\$ 600.00	\$ 600.00	\$ 600.00
16		MEMBERSHIPS	\$ 2,206.00	\$ 2,388.00	\$ 2,445.00	\$ 2,445.00
17		LEGAL SERVICES - General & Specific	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00
18		Clerk Analyst -YWA Salary	\$ 79,355.00	\$ -	\$ -	\$ -
19		Clerk Analyst -YWA Benefit	\$ 36,988.00	\$ -	\$ -	\$ -
20		Executive Officer-YWA-Salary/Executive Officer		\$ 95,025.00	\$ 135,002.00	\$ 135,002.00
21		Executive Officer -YWA- Benefits/ Executive Officer		\$ 45,030.00	\$ 50,400.00	\$ 50,400.00
22		Misc Services LAFCo Analyst - Clerk transition			\$ 35,000.00	\$ 35,000.00
23		Services -Executive Officer	\$ 40,000.00	\$ 35,000.00		
24		LEGAL NOTICES/PUBLICATIONS	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
25		TRAINING AND TRAVEL (CALAFCO)	\$ 6,000.00	\$ 9,000.00	\$ 9,000.00	\$ 9,000.00
26		Special Project Legal Services	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
27		Special Projects EO Services	\$ 15,000.00	\$ 15,000.00		
28		Municipal Service Review Updates	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
29		Sphere of Influence Updates	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
30		Rent/Utilities	\$ 8,112.00	\$ 8,250.00	\$ 8,550.00	\$ 8,550.00
31		Bookeeping (YCWA)	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00
32		Rue v. LAFCo RD 2103-817	\$ 50,000.00	\$ -	\$ -	\$ -
33		Banking Fees		\$ -	\$ -	\$ -
34		Total General Services and Supplies	\$ 321,821.00	\$ 286,259.00	\$ 316,997.00	\$ 316,997.00
36		Contingency	\$ 13,000.00	\$ 13,000.00	\$ 13,000.00	\$ 13,000.00
37		Reserve Fund	\$ 70,000.00	\$ 70,000.00	\$ 80,000.00	\$ 80,000.00
39		Total Expenditure Budget: LAFCO	\$ 404,821.00	\$ 369,259.00	\$ 409,997.00	\$ 409,997.00
41		Carryover	\$ (150,000.00)	\$ (150,000.00)	\$ (170,000.00)	\$ (170,000.00)
43		Interest Revenue	\$ (50.00)	\$ -	\$ -	\$ -
44		Anticipated General Revenue	\$ (25,000.00)	\$ (25,000.00)	\$ (25,000.00)	\$ (25,000.00)
45		Anticipated Rue v. LAFCo Revenue	\$ (50,000.00)			
46		Total Expenditures less anticipated carryover & General Reserve	\$ 179,771.00	\$ 194,259.00	\$ 214,997.00	\$ 214,997.00
49		Amount to be apportioned between the Cities and the County	\$ 179,771.00	\$ 194,259.00	\$ 214,997.00	\$ 214,997.00

**FIRST AMENDMENT TO SUPPORT SERVICES AGREEMENT
BETWEEN YUBA LAFCO AND YUBA COUNTY WATER AGENCY**

THIS FIRST AMENDMENT TO SUPPORT SERVICES AGREEMENT ("Amendment") is entered into by and between Yuba County Water Agency, a local government agency ("Agency"), and the Local Agency Formation Commission of the County of Yuba, a local government agency ("LAFCO"), who agree as follows:

RECITALS

This Amendment is made with reference to the following background recitals:

A. Agency and LAFCO entered into an agreement effective October 7, 2016 ("Agreement") whereby LAFCO would engage Agency's employee, Paige Hensley ("Employee"), to perform certain analyst and clerk services ("Staff Work" as defined in the Agreement) for LAFCO for an hourly fee to be paid by LAFCO to Agency. The Agreement also provides that Agency will perform certain check preparation and related bookkeeping services as described in the Agreement ("Check Writing Services") for LAFCO, also for a fee. The Staff Work and Check Writing Services are referred to collectively as the "Agency Tasks" as set forth in the Agreement.

B. Through this Amendment, the Agency and LAFCO desire to update the Agreement to accurately reflect Employee's new job title and pay range, as well as clarify the benefits available to Employee. Otherwise, Agency and LAFCO intend to continue their arrangement for performance of Agency Tasks for LAFCO pursuant to the terms of the Agreement.

LAFCO and the Agency agree that this Amendment replaces and supersedes the Agreement only with respect to the following enumerated sections. All other provisions of the Agreement remain in full force and effect:

2. Special Employment

a. Employee's employment with the Agency as a full-time at-will employee commenced on December 27th of 2016. Effective January 1, 2023, Employee assumed the position of Deputy Executive Officer. The Agency will provide the services of Employee to perform the Staff Work for and on behalf of LAFCO, and LAFCO agrees to accept and utilize the services of Employee, on and subject to

the terms of this Agreement. When working for LAFCO, Employee will perform the Staff Work under the direction of LAFCO and its Executive Officer. LAFCO shall determine the precise tasks, services and assignments that Employee will perform under this Agreement. LAFCO shall be responsible for any performance reviews for Employee related to the Staff Work. In the event that, at some point in the future, LAFCO duly reassigns Employee to assume the duties of Executive Officer, the provisions of this Agreement will continue to remain in effect with Employee in that new capacity, except that Employee's compensation level is subject to adjustment in accordance with the new position, as approved by the Agency's Board of Directors.

3. General Employer Responsibilities

b. As Deputy Executive Officer, Employee is an exempt employee with a starting salary of \$_____ per month. Employee's salary will adjust to the next level within the pay range annually on the anniversary of Employee assuming the position, upon approval of LAFCO. Employee will receive any general wage increase implemented by the Agency for Employee's position, as approved by the Agency's Board of Directors. LAFCO may request future wage increases during the term of this Agreement, which Agency will approve unless it determines that there is good cause to disapprove the request. LAFCO will ensure that Employee tracks her vacation time, sick leave time, other leave time taken, and time worked on the Agency's payroll/timecard system and timely submits the timecards to the Agency's Administrative Manager in accordance with the Agency payroll procedures and applicable deadlines. Agency shall have responsibility for: (i) the timely payment of all wages, salaries and other forms of compensation for Employee; (ii) the timely payment of all payroll, benefits, worker's compensation, and unemployment taxes related to Employee; (iii) the timely submission of all federal and state reporting forms related to the payment of compensation; (iv) maintenance and implementation of all established Agency employee benefit programs and personnel policies (including but not limited to legally mandated training and notices); and (v) compliance with all applicable laws pertaining to items (i) through (iv) herein, except as to duties expressly undertaken by LAFCO under this Agreement.

c. The following employment benefits apply to Employee through the Agency in accordance with the terms of each of the benefit plans and based on

Employee's date of hire with the Agency: life insurance, Health Reimbursement Arrangement (HRA), Flexible Spending Account (FSA); health, dental and vision insurance; employee assistance program; CalPERS retirement; 457 deferred income plan; vacation, sick leave and holidays; and retired annuitant medical coverage (after completing 10 years of service with the Agency and upon retirement from CalPERS, retiree medical coverage is paid for employees and dependents, up to \$1,850 per month). Benefits may be changed periodically upon a vote of the Agency Board of Directors. Employee will be notified of benefit changes in a timely manner.

4. **Check Writing Services**

a. Pursuant to this Agreement, Agency agrees to pay LAFCO- approved invoices and other payments for goods or services provided to LAFCO, expenditure and travel expense requests in accordance with LAFCO's adopted policies, and perform related bookkeeping services for LAFCO. Agency will provide all labor, services, equipment, material and supplies necessary to properly, competently and completely perform the Check Writing Services. Agency will determine the method, details and means of performing the Check Writing Services.

c. Agency will rely on and accept the accuracy and validity of the invoice and payment requests submitted to it by the LAFCO Executive Officer or Employee. Agency will have no obligation to confirm, validate or audit the invoice and payment requests submitted by LAFCO. Agency will provide monthly financial statements detailing all expenses, deposits, and fund balance within seven days of receiving all supporting documents for cash receipts, payment requests, and other financial transactions at the Agency office.

5. **Payment**

a. **Staff Work.** For the Staff Work, LAFCO shall pay Agency for the actual total costs of Employee's employment, including, but not limited to, costs of wages, vacation and sick leave as paid to employee, benefits, retirement and applicable employer share of insurance costs for similar Agency administrative personnel, excluding the cost for insurance covered under section 7(b).

16. **Notice.** Any notice, invoice or other communication that is required or permitted to be given under this Agreement shall be in writing and either delivered personally or sent by prepaid, first class U.S. mail addressed as follows:

LAFCO: Executive Officer Yuba LAFCO P.O. Box 2305 Marysville, CA 95901	Agency: General Manager Yuba County Water Agency 1220 F Street Marysville, CA 95901
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Any party may change its address by notifying the other party of the change in the manner provided above.

The undersigned parties hereby confirm and agree that the Agreement is hereby amended by the above superseding provisions, effective _____.

Yuba LAFCO

Yuba County Water Agency

By: _____
John Benoit, Executive Officer

By: _____
Willie Whittlesey, General Manager

Date: _____

Date: _____