

Local Agency Formation Commission (LAFCo)
Amended Agenda for a Regular Meeting

(amended to include Item 6.1)

Thursday, May 17, 2018 ... 9:30 a.m.

Board of Supervisors Chamber — Nevada County Administrative Center
950 Maidu Avenue, Nevada City, CA

The Commission may take action upon any item listed on the agenda at any time during the meeting. Scheduled items will normally be heard at the time noted, but the Commission may interrupt or defer discussion in order to deal with other matters.

Agenda materials submitted for the Commission's attention at least 72 hours before the meeting are available for review at the LAFCo office and are posted online, accessible via link from the LAFCo website: <https://www.mynevadacounty.com/907/Local-Agency-Formation-Commission-LAFCo>

Members of the Commission may participate in the meeting by video teleconference from the following remote site: District 5 Supervisors Conference Room, east (left) of the Nevada County Sheriff's Substation, 10879 A Donner Pass Road, Truckee, California. Pursuant to Section 54953 of the Government Code, Commissioners participating at the remote site shall have the same rights to participate as if they were present at the primary meeting site. Members of public may also attend the meeting at the site specified above and participate in the meeting as if they were at the primary meeting site.

1. Call to Order/Flag Salute/Roll Call

Commissioners

Richard Anderson (County)
Patrick Flora (Cities)
Kurt Grundel (Districts), **Vice-Chair**
Evans Phelps (Cities)
Josh Susman (Public)
Hank Weston (County), **Chair**
Nick Wilcox (Districts)

Alternates

Dan Miller (County)
Ed Beckenbach (Districts)
Gloria Glenn (Public)
Ben Aguilar (Cities)

Staff

SR Jones, Executive Officer
P.Scott Browne, Legal Counsel
Deborah Gilcrest, Clerk to the Commission

2. Public Comment

At this time, members of the public may address the Commission on any matter not on the agenda. Testimony related to an item on the agenda should be presented at the time that item is considered.

3. Consent Calendar

These items are expected to be routine and noncontroversial. The Commission will act upon them at one time without discussion. Any Commission member, staff member or interested party may request that an item be removed from the consent calendar for discussion.

3.1. Minutes of March 22, 2018 

3.2. FY 2017-2018 3rd Quarter Budget Report 

4. Public Hearings 9:30 a.m. or as soon thereafter as possible

4.1. LAFCo Fiscal Year 2017-2018 Work Program and Budget 

The Commission will hold a public hearing on the proposed LAFCo Work Program and Budget for 2017-2018. After considering testimony from members of the public and others, the Commission may adopt the final budget and work program as proposed or as amended.

5. Business/Action

5.1. Proposed Amendments to Commission Policies and to Commission Bylaws ☒

The Commission will discuss its Policy Committee’s recommendations on several proposed changes to Sphere of Influence Policies (including a recommendation to table a proposed amendment to create a new sphere category called “Special Concern Zone”) as well as several proposed changes to its Bylaws.

6. CALAFCO Matters

6.1. Request from CALAFCo for Support of Assembly Bill 2258 ☒

The Commission will consider the request for a letter of support for AB 2258, which would create a 5-year grant program for LAFCos to receive funding for studies and actions.

7. Correspondence

7.1. Letter from Truckee Donner Public Utility District of April 16, 2018 regarding LAFCo’s Public Records Act Request ☒

8. Announcements (Informational Items Only)

Pursuant to Government Code Section 54954.2, Commission and staff members may make brief announcements or report on activities. Commission members may also provide a reference to staff or other resources for factual information, request staff to report back to the Commission at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

9. Executive Officer’s Activity Report ☒

10. Closed Session – Evaluation of Public Employee: Executive Officer

Pursuant to Government Code § 54957(b)(1), the Commission will hold a closed session for a public employee performance evaluation: Executive Officer.

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Public Comment

Members of the public may address the Commission regarding 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 of interest to the public and 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.

Public Hearings

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person's input to three minutes. A person may provide a written statement in lieu of or to supplement any oral statement made during a public hearing.

Accessibility

An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting. The location of this meeting is wheelchair accessible.

Disclosure and Disqualification Requirements

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 the Commissioner has received, within the last twelve months, \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes an application, or an agent (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. This can be done in advance (in writing) or at the beginning of the hearing either orally or in writing.

The law also prohibits an applicant or other participant from making a contribution of \$250 or more to a LAFCo Commissioner while a proceeding is pending or for three months afterward.

Any person or group that contributes or expends \$1,000 or more in support of or in opposition to a proposal before Nevada LAFCo, during either the application and hearing stage or the protest hearing stage, must disclose such contributions and expenditures through the County Elections Office, 950 Maidu Avenue, Nevada City, CA 95959.