

PLACER COUNTY LOCAL AGENCY FORMATION COMMISSION

COMMISSIONERS:

Trinity Burruss
Chair (City)

Cindy Gustafson
Vice-Chair (County)

Joshua Alpine
(Special District)

Tracy Mendonsa
(City)

Susan Rohan
(Public)

Rick Stephens
(Special District)

Vacant
(County)

**JANUARY 18, 2023, 4:00 PM
SPECIAL MEETING**

Placer County Administrative Building - Board of Supervisors' Chambers
175 Fulweiler Avenue
Auburn, CA 95603

This meeting will be open to in-person and virtual attendance.

Commission members may attend the meeting in person or virtually.
Commissioner Stephens, 46 Hui Drive, Lahaina, HI 96761 Rm 110

To join from a PC, Mac, iPad, iPhone, or Android, please click the link below to join the Zoom meeting:

<https://placer-ca-gov.zoom.us/j/95962036350>

Or telephone:

US: +1 888 788 0099 (Toll-Free) or 877 853 5247 (Toll-Free)

Webinar ID: 959 6203 6350

ALTERNATE COMMISSIONERS:

Jim Holmes
(County)

William Kahrl
(Special District)

Jenny Knisley
(City)

Jeffrey Starsky
(Public)

AGENDA

1. CALL TO ORDER AND SALUTE TO THE FLAG
2. ROLL CALL
3. CHANGES AND APPROVAL OF THE AGENDA
4. PUBLIC COMMENTS

COUNSEL:

Michael Walker
General Counsel

STAFF:

Michelle McIntyre
Executive Officer

Amy Engle
Commission Clerk

Opportunity for the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not appearing on today's agenda. Please submit a speaker card before the first speaker is called and limit your comments to 3 minutes. Items from the public will be taken under consideration without discussion by the Commission and may be referred to staff.

110 Maple Street Auburn, CA 95603
(530) 889-4097

<https://www.placer.ca.gov/lafco>

5. CONSENT

Minutes – Commission Meeting of December 14, 2022

6. PUBLIC HEARING

- A. **LAFCO Project No. 2021-03: Focused Municipal Service Review (MSR) Study – City of Lincoln:** The Commission will consider and may adopt the MSR study. The Commission will continue to receive comments on the study until the close of the public comment period at the meeting. CEQA Lead Agency: LAFCO, Class 6 Categorical Exemption, Cal. Pub. Resources Code, § 21083; Cal. Code Regs., tit. 14, § 15306.
- B. **LAFCO Project No. 2020-03: Special Use District B Quadrant Specific Plan Project (SUD-B NEQ) Annexation to the City of Lincoln:** The Commission will consider annexation to the City of Lincoln of approximately 200 acres located north of Highway 65, east of Nelson Lane, south of Nicolaus Road, and west of the existing city limits in unincorporated Placer County. The proposed development includes 430 residential units, 69 acres of commercial use, and roadway improvements. APNs: 021-262-034, -035, -040, and portions of 021-380-034, -068, -071, and -078. CEQA Lead Agency: City of Lincoln, Environmental Impact Report, State Clearinghouse No. 2015032102.

This item is continued from the LAFCO meeting of December 14, 2022.

7. COMMISSIONER COMMENTS

8. ADJOURNMENT

The next Commission meeting is scheduled for February 8, 2023, at 4 PM.

PUBLIC ACCESS AND PUBLIC COMMENTS INSTRUCTIONS

Materials related to an item on this agenda are available for public inspection at the LAFCO office, 110 Maple Street, Auburn, CA, during regular business hours and on LAFCO's website at <https://www.placer.ca.gov/lafco>

LAFCO meetings are held in person and virtually. Meeting recordings are posted online within a week following the LAFCO meeting.

The public may submit their comments in written form to the Commission via U.S. mail to Placer LAFCO's office or via email to lafco@placer.ca.gov. Please indicate the agenda item number, if any. If you want your comments read into the record, please indicate so in the subject line and limit the comments to no more than 500 words. For public hearings, the Chair will announce the opening and closing of the public hearing. The Chair will call for oral public comments. Please limit your comments to 3 minutes.

AMERICAN DISABILITY ACT COMPLIANCE

In compliance with the Americans with Disabilities Act, if you are a disabled person and need a disability-related modification or accommodation to participate in this meeting fully, please contact Amy Engle, Commission Clerk, at (530) 889-4602 or aengle@placer.ca.gov. Requests must be made as early as possible and at least two business days before the start of the meeting.

CAMPAIGN CONTRIBUTION DISCLOSURE

If you wish to participate in any proceeding involving a change of organization, reorganization or other entitlement, you are prohibited from making a campaign contribution of more than \$250 to any Commissioner or Alternate Commissioner as described in Government Code section 84308. This prohibition begins on the date you begin to actively support or oppose an application pending before LAFCO and continues for 12 months after LAFCO renders a final decision. No Commissioner or Alternate Commissioner may solicit or accept a campaign contribution of more than \$250 from you or your agent during this period if the Commission or Alternate Commissioner knows or has reason to know that you will participate in the proceeding. If you or your agent have contributed more than \$250 to any Commissioner or Alternate Commissioner during the 12 months preceding the decision, that Commissioner or Alternate Commissioner must disqualify himself or herself from the proceeding. However, disqualification is not required if the Commissioner or Alternate Commissioner returns the campaign contribution within 30 days from the time the Commissioner or Alternate Commissioner knows, or should have known, about the contribution and that you are a participant in the proceeding.

PLACER COUNTY
LOCAL AGENCY FORMATION COMMISSION

MINUTES OF THE
LOCAL AGENCY FORMATION COMMISSION OF PLACER COUNTY

COMMISSIONERS:

December 14, 2022, 4:00 PM

Trinity Burruss
Chair (City)

BOARD OF SUPERVISORS' CHAMBERS AND VIA REMOTE CALL-IN

Cindy Gustafson
Vice Chair (County)

175 FULWEILER AVENUE
AUBURN, CALIFORNIA 95603

Joshua Alpine
(Special District)

Tracy Mendonsa
(City)

1. CALL TO ORDER AND SALUTE TO THE FLAG

Susan Rohan
(Public)

The meeting was called to order at 4:00 p.m. by Chair Burruss followed by a salute to the flag.

Rick Stephens
(Special District)

Vacant
(County)

2. ROLL CALL

Present Commissioners: Trinity Burruss, Susan Rohan, Rick Stephens, and Robert Weygandt

ALTERNATE
COMMISSIONERS:

Jim Holmes
(County)

Present Alternate Commissioners: Jim Holmes (voting as a county member), Jenny Knisley (voting as a city member) and William Kahrl (voting as special district member)

William Kahrl
(Special District)

Jenny Knisley
(City)

Not Present: Commissioners Josh Alpine, Cindy Gustafson, Tracy Mendonsa, and Alternate Commissioner Jeffrey Starsky

Jeffrey Starsky
(Public)

Staff Present: Amy Engle, Commission Clerk and Michelle McIntyre, Executive Officer, Michael Walker, Legal Counsel (virtual)

STAFF:

Michelle McIntyre
Executive Officer

3. APPROVAL OF THE AGENDA

Amy Engle
Commission Clerk

Commissioner Holmes motioned to approve the December 14, 2022, agenda, second by Commissioner Weygandt. The motion was unanimously approved (7-0-3-0).

Yes: Burruss, Holmes, Kahrl, Knisley, Rohan, Stephens, and Weygandt

No: none

Absent: Alpine, Gustafson, Mendonsa

Abstain: none

4. PUBLIC COMMENTS

Chair Burruss opened the item for public comments. There were no public comments.

5. CONSENT

- A. Minutes from October 12, 2022
- B. Financial Reports: July – October 2022
- C. 2023 LAFCO Meeting Schedule

Commissioner Holmes motioned to approve the Consent Calendar, second by Commissioner Weygandt. The motion was unanimously approved (7-0-3-0).

Yes: Burruss, Holmes, Kahrl, Knisley, Rohan, Stephens, and Weygandt
No: none
Absent: Alpine, Gustafson, Mendonsa
Abstain: none

6. PUBLIC HEARING

- A. **LAFCO Project No. 2021-03: Draft Focused Municipal Service Review (MSR) Study- City of Lincoln.** The Commission will receive the draft and a presentation of the MSR study for the City of Lincoln and open the item for the public comment period. CEQA Lead Agency: LAFCO, Class 6 Categorical Exemption, Cal. Pub. Resources Code, § 21083; Cal. Code Regs., tit. 14, § 15306

Ms. McIntyre presented an overview of the LAFCO process as it pertains to MSR studies, sphere of influence updates, and boundary changes.

Kateri Harrison of SWALE and Amanda Ross of Southfork Consulting presented an overview of the MSR to the Commission. Ms. Harrison highlighted areas of the MSR including Chapters 5,7, and 10. Ms. Harrison also underscored recommendations made for services within proposed annexation areas.

Ms. Ross gave a brief presentation on police and fire services in Lincoln. Ms. Ross focused on the increase of 911 calls, the condition of the police and fire stations, and needs projections for the proposed annexations of SUD-B and Village 5.

Staff recommended the Commission receive the draft Focused Municipal Service Review study for the City of Lincoln and open a 30-day public comment period.

Chair Burruss opened the item to public comment.

Albert Scheiber of Lincoln asked for clarification regarding the Williamson Act properties. Ms. McIntyre replied that there are 15 properties under the Williamson Act Contract with 5 in non-renewal and 10 being current. Staff has requested copies of the contracts or the contract numbers from the City of Lincoln, so notification can be made to the California State Department of Conservation as required by law.

Sean Scully, City Manager of Lincoln, spoke to the Commission regarding rebuttal to some of the recommendations in the MSR. Mr. Scully also requested the public comment period be set at 21 days which is the Cortese Knox Hertzberg (CKH) Act requirement.

Rob Aragon, representative the SUD-B Gill family and Peery Investment, commented that the proposed annexation of the SUD-B project has an approved tentative map, approved specific plan, development agreement, finance plan, and CEQA document. Mr. Aragon requested the Commission consider a 21-day public comment period.

Brian Cooley with Richland Communities requested the Commission consider a 21-day public comment period for the MSR. Mr. Cooley felt that within the next 21 days, any shortfalls in Chapter 10 can be shored up with the consultant.

Tony Frayji with Frayji Design Group who is working with the landowners of SUD-B, highlighted the differences between SUD-B Northeast Quadrant (NEQ) project and SUD-B 5 (Village 5) project. Mr. Frayji stated that the services are already in place for SUD-B NEQ.

Rommel Pabalinas, planning manager for the City of Lincoln, commented that he will compile the comments from the City of Lincoln and Developers for the draft MSR and submit to the LAFCO staff.

Mike Garabedian of Lincoln questioned how the storm water system in Lincoln is considered adequate. Mr. Garabedian suggested a longer public comment period for the MSR as the holiday season falls within the proposed comment period.

The commission discussed the timeframe for the draft MSR public comment period. Commissioner Weygandt suggested holding a special meeting so there could be a 30-day public comment period for the MSR, while not waiting until the next regular meeting on February 8th to bring the study back to the commission.

Commissioner Kahrl asked why a 21-day comment period is preferred from a 30-day period? Brian Cooley addressed the commission stating that if there is a 30-day comment period, the item wouldn't be on the agenda until February. Mr. Cooley then stated that they would support a special meeting to accommodate the 30-day comment period.

Alternate Commissioner Rohan motioned to cancel the January 11, 2022, meeting and

hold a special meeting on January 18, 2022, at 4pm, while opening a 30-day public comment period for the draft Focused Municipal Service Review Study for the City of Lincoln. The motion was unanimously approved (7-0-3-0)

Yes: Burruss, Holmes, Kahrl, Knisley, Rohan, Stephens, and Weygandt
No: none
Absent: Alpine, Gustafson, Mendonsa
Abstain: none

- B. LAFCO Project No. 2020-03: Special Use District B Quadrant Specific Plan Project (SUD-B NEQ) Annexation to the City of Lincoln:** The Commission will consider annexation to the City of Lincoln of approximately 200 acres located north of Highway 65, east of Nelson Lane, south of Nicholas Road, and west of the existing city limits in unincorporated Placer County. The proposed development includes 430 residential units, 69 acres of commercial use, and roadway improvements. APNs: 021-262-034, -035, -040, and portions of 021-380-034, -068, -071, and -078. CEQA Lead Agency: City of Lincoln, Environmental Impact Report, State Clearinghouse No. 2015032102.

Ms. McIntyre shared that this item was noticed for Public Hearing and originally recommended to continue the item to March 8, 2022, to allow the City of Lincoln the MSR. That March date was just a projection, but the recommendation is to now continue the item until after the Commission adopts the MSR, in order to have the MSR, the Sphere Update, and then can proceed with the annexation.

Chair Burruss requested this item be continued but kept on the agenda for updates until it is ready to proceed with the annexation.

Chair Burruss opened the item to public comment.

Tony Frayji reiterated that his comments made during item 6A pertain to this item as well. He appreciates it if SUD-B is on the agenda for January 2023 in an effort to get the project finished.

Mel Pabalinas supported a continuation of the item. Mr. Pabalinas stated he did provide the comments and documentation that LAFCO staff needed and is willing to provide again. He is happy to coordinate with staff to get this done.

Rob Aragon spoke to the commission regarding timing of this item. He stated that every day they don't get this project finished, they are losing potential investors or commercial retail buyers.

Chair Burruss agreed to continue to January 18, 2023 and keep the item on the agenda until the MSR is adopted.

7. BUSINESS ITEM

FY 2022-23 Adopted Workplan Progress Report: The Commission may form a policy ad hoc committee.

Ms. McIntyre shared that one of the high priorities on the adopted workplan that needs to be addressed is updating the Commission's policies since they have not been updated since 2001.

Staff recommended the Commission accept and file the Workplan Progress Report, form a policy ad hoc committee, provide direction to staff on the Workplan, and identify amendments for consideration at a future meeting.

Commissioners Alpine and Rohan and Alternate Commissioner Knisley volunteered to be on the policy ad hoc committee.

Commissioner Weygandt motioned to approve staff's recommendations of creating a policy ad hoc committee, second by Alternate Commissioner Holmes. The motion was unanimously approved (7-0-3-0)

Yes: Burruss, Holmes, Kahrl, Knisley, Rohan, Stephens, and Weygandt
No: none
Absent: Alpine, Gustafson, Mendonsa
Abstain: none

8. COMMISSIONER COMMENTS

Chair Burruss thanked everyone for their patience and especially county staff for helping during the meeting.

Commissioner Weygandt shared that this meeting is his last LAFCO meeting after being on the commission for 28 years. He wanted to express publicly that he has complete confidence in Ms. McIntyre and her efforts going forward.

9. ADJOURNMENT

Commissioner Weygandt made a motion to adjourn the meeting, second by Commissioner Stephens. The motion was unanimously approved (7-0-3-0)

Yes: Burruss, Holmes, Kahrl, Knisley, Rohan, Stephens, and Weygandt
No: none
Absent: Alpine, Gustafson, Mendonsa
Abstain: none

The meeting was adjourned at 5:39 pm.

Submitted by:

Amy Engle, Commission Clerk

PLACER COUNTY

LOCAL AGENCY FORMATION COMMISSION

Staff Report

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Vice Chair (County)

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(Special District)

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(Public)

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(Special District)

Jenny Knisley
(City)

Jeffrey Starsky
(Public)

COUNSEL:

Michael Walker
General Counsel

STAFF:

Michelle McIntyre
Executive Officer

Amy Engle
Commission Clerk

DATE: January 18, 2023

TO: Chair Burruss and members of the Commission

FROM: Michelle McIntyre

SUBJECT: **LAFCO Project No. 2021-03: Draft Focused
Municipal Service Review Study – City of Lincoln**

The Placer County Local Agency Formation Commission (LAFCO) will receive a brief update from staff on the draft-focused Municipal Service Review (MSR) for the City of Lincoln (City).

The draft study was presented for discussion at its December 14, 2022, meeting. At the meeting, the Commission also opened a 30-day public comment period which ended on January 13, 2023. At the City's and their proponents' request, the Commission also canceled its regularly scheduled January 10, 2023 meeting and voted to hold a Special Meeting on January 18, 2023.

The contract between LAFCO and SWALE, Inc. (SWALE), its consultant for the subject study, allowed the consultant to respond to comments received and prepare a final MSR study document for 30 days. Thus, SWALE's deadline to prepare a final study for the Commission is February 12, 2023.

Staff will return at a later meeting with the final study for the Commission to receive and file the written report and attest the document provides sufficient information for the Commission to make informed decisions under Statute. Concurrently, the Commission will also consider adopting a resolution making determinative statements drawn from the final MSR on factors prescribed under Statute (California Government Code (GC) section 56430). A sphere of influence (SOI) update for the City of Lincoln will follow the adoption of the study (GC section 56425). Post MSR adoption and an SOI

update, the Commission can consider jurisdictional boundary changes (GC section 56650 *et seq.*).

Staff Recommendation

Currently, LAFCO staff has no recommended action. The Commission may discuss the item and provide direction to staff as needed.

The draft MSR study is available online at www.placer.ca.gov/lafco

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COUNSEL:

Michael Walker
General Counsel

STAFF:

Michelle McIntyre
Executive Officer

Amy Engle
Commission Clerk

STAFF REPORT

DATE: January 18, 2023

TO: Chair Burruss and members of the Commission

FROM: Michelle McIntyre

SUBJECT: LAFCO Project No. 2020-03: Special Use District B Quadrant Specific Plan Project (SUD-B NEQ) Annexation to the City of Lincoln. Proposed annexation to the City of Lincoln of approximately 200 acres located north of Highway 65, east of Nelson Lane, south of Nicolaus Road, and west of the existing city limits in unincorporated Placer County. APNs: 021-262-034, -035, -040, and portions of 021-380-034, -068, -071, and -078.

Continued from the Commission's December 14, 2022, meeting

The Placer County Local Agency Formation Commission (LAFCO) will receive an information item for a change of organization proposal filed by the City of Lincoln to extend municipal services to approximately 200 acres adjacent to the city limits and within the City's Sphere of Influence.

The Commission first received this item at its December 14, 2022, meeting. The staff recommendation was to continue the proposal after the Commission has adopted a final municipal service review (MSR) study for the City of Lincoln.

MSR studies help inform the Commission regarding the availability and sufficiency of governmental services relative to current and future community needs. The Commission utilizes MSRs to pursue sphere, boundary, and governance changes if needed. Thus, the staff recommendation is to further continue this item until after adoption of a final MSR study for the City of Lincoln.