

**PLACER LOCAL AGENCY FORMATION COMMISSION**

Joshua Alpine (District), Chair; Scott Alvord (City), Vice-Chair; Cindy Gustafson (County); William Kahrl, (District); Joe Patterson, (City); Susan Rohan, (Public), Robert Weygandt, (County). Alternate Commissioners: Sean Loman (City); Jeffrey Starsky (Public); Jim Holmes, (County); Mike Lynch (District)

**SPECIAL HEARING AGENDA**

**July 14, 2021, 11:30 a.m.**

**Human Resources Large Conference Room**

**145 Fulweiler Avenue, Suite 200**

**Auburn, CA 95603**

**Public Participation Procedures**

This meeting of Placer LAFCO will be open to in-person attendance. The meeting will be offered through a Zoom meeting webinar. Citizens who wish to participate by Zoom should be prepared to use Zoom by:

Join from a PC, Mac, iPad, iPhone, or Android  
Please click the link below to join the Zoom meeting

**Join Zoom Meeting**

**<https://placer-ca-gov.zoom.us/j/95831929368?pwd=YjliREtPeW94b01BMmJjak8rQkIPZz09>**

**Meeting ID: 958 3192 9368**

**Passcode: 674692**

**Dial by phone:**

**+1 877 853 5247 US Toll-free or 888 788 0099 US Toll-free**

Interested parties are encouraged to check Placer LAFCO's website for any updates, including updates to the above call-in numbers and the meeting procedures [www.placer.ca.gov/2704/Loca-l-Agency-Formation-Commission-LAFCO](http://www.placer.ca.gov/2704/Loca-l-Agency-Formation-Commission-LAFCO)

*In compliance with Governor Newsom's Executive Order N-29-20-EO on telephone meetings, the public's participation will be supported through web or phone participation for attendees. When Public Comment is opened, participants may "raise hand" to be called upon to give their public comment.*

1. *Those joining online through the web meeting should "Raise Hand" in the Zoom meeting window. They will be called by the name they entered in the Zoom session, and they will be prompted to unmute their microphone so they can state their name for the record and give their comment.*

*Those who are calling in via phone may dial \*9 to raise their hand once Public Comment is opened. The Executive Officer will read out the caller's phone number and they will be notified that they are unmuted. The Executive officer will then direct them to state their name for the record and give their comment.*

*Alternatively, citizens may submit their comments in written form to the Commission.*

***If you wish to submit written comments, please submit to Placer LAFCO at [kberry@placer.ca.gov](mailto:kberry@placer.ca.gov) prior to 9:00 a.m. on July 14, 2021.***

***Emails received though the email address after 9:00 a.m. the morning of the meeting will still become part of the official record and will be retained.***

- 1. Flag Salute**
- 2. Call to Order and Roll Call**
- 3. Approval of Agenda** (Action item)
- 4. Announcement of Action Taken in Closed Session:** Announcement of any action taken in closed session at the Commission meeting of June 9, 2021.
- 5. New Commissioners:** The selected Special District and alternate Special District members will be sworn in and seated
- 6. Public Comment:** This is the time when persons may address the Commission on items not on the agenda. Please limit comments to three (3) minutes as the Commission is not permitted to take any action on items presented as public comment.
- 7. Approval of Minutes:** the Commission will be asked to approve minutes from the June 9, 2021 Commission meeting.
- 8. Executive Officer Reports**
- 9. Commissioner Reports**
- 10. Counsel Reports**
- 11. Closed Session:** Closed Session pursuant to Government Code Section 54957(b)(1) to consider the appointment and employment of the Executive Officer.
- 12. Adjournment:** Next Commission meeting is scheduled for August 11, 2021

For further information or to provide written comments on any item on the agenda, please contact the Placer LAFCO. Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Placer LAFCO office at 110 Maple Street, Auburn, CA 95603 during normal business hours. Phone: (530) 889-4097 or [kberry@placer.ca.gov](mailto:kberry@placer.ca.gov). Placer LAFCO is committed to ensuring that persons with disabilities are provided the resources to participate in its meetings. If you require a disability-related accommodation, please contact the Clerk to the Commission at least two business days prior to the meeting date.

## **Placer Local Agency Formation Commission**

Commissioners: Robert Weygandt, Chair (County); Joshua Alpine, Vice Chair (District); Scott Alvord (City); Cindy Gustafson (County); William Kahrl (District); Joe Patterson (City); Susan Rohan (Public)

Alternate Commissioners: Sean Loman (City); Jeffrey Starsky (Public); Jim Holmes (County); Mike Lynch (District)

### **Special Hearing Minutes June 9, 2021**

- 13. Pledge of Allegiance & Call to Order:** Meeting was started at 4:05 p.m. and details of joining/participating in the meeting were announced. Flag salute was led by Chair Alpine.
- 14. Roll Call:** Commissioners present: Alvord, Alpine, Karhl, Rohan, Gustafson, Weygandt. Alternates present: Starsky, Lomen. Staff present were Executive Officer Kris Berry and LAFCO Counsel Bill Wright.
- 15. Approval of Agenda:** Agenda approved. Vote: Alvord-Y; Loman-Y; Kahrl-Y; Rohan-Y; Gustafson-Y; Weygandt-Y; Alpine-Y.
- 16. Announcement of Action Taken from 5-12-21 Closed Session Meeting:** No action was taken.
- 17. Public Comments:** None.
- 18. Approval of Minutes:** Minutes from 3-11-2020 to 5-12-21 presented; no questions. Moved to approve by Commissioner Rohan; seconded by Commissioner Weygandt. Vote: Alvord-Y; Lomen-Y; Kahrl-Y; Rohan-Y; Gustafson-Y; Weygandt-Y; Alpine-Y.
- 19. Approval of FY 2021-2022 Final Budget:** Changes recommended by Kris Berry for a) increased reserves for legal and other contingencies re: upcoming proposal work, b) increased monies for office furniture/ supplies for new staff. Previous question by Commission re: payout of accrued leave & benefits for Exec. Officer. This is handled by County Human Resources & Payroll Departments. Noted a slight increase from previous year and some reduction in funding from County, Cities & Special Districts. Commissioner Rohan asked if Kris had any responses from these funding agencies and Kris said she had not. No further questions. Commissioner Weygandt moved to approve the Budget and Commissioner Kahrl seconded. Vote: Alvord-Y; Lomen-Y; Kahrl-Y; Rohan-Y; Gustafson-Y; Weygandt-Y; Alpine-Y.
- 20. Executive Officer Report:**  
Legislative Committee: Meeting next week; nothing new since last meeting.  
Proposals: Sud-B Annex to NID application (Lincoln) – waiting for tax sharing agreement.  
CALAFCO: Meeting in October, Newport Beach. Kris indicated that we budgeted for four Commissioners to attend and encouraged anyone interested to attend. Kris distributed Cal Achievement nominations and mentioned the CALAFCO Board City & Public members are up for re-election. No questions/comments.
- 21. Commissioner Reports:**  
None.

**22. Counsel Report:**

Mr. Wright noted the recent case of San Louis Obispo LAFCO v. City of Pismo Beach re: limiting a LAFCO's ability to require indemnification agreements from annexation applicants. Now on appeal to Supreme Court and will most likely become law. This potentially impacts our future budget in the case of a contested annexation and lawsuit as attorney costs & fees would be incurred. Commissioner Rohan asked if there were steps that could be taken to reduce litigation potential, i.e. having Mr. Wright review applications. Bill said applications are pretty straightforward, that our review processes are done to our best ability but there's always a risk for litigation no matter how cautious we are. Commissioner Kahrl suggested CALAFCO was the best place for procedural recommendations. Mr. Wright reiterated CALAFCO is pursuing via the appeal, that a legislative solution has been discussed but the issue is complicated, and they want to give the appeal process time. We should continue to require indemnification agreements, be thorough during review and now assume that LAFCO does not have authority to enforce indemnification in case of a lawsuit. Commissioner Rohan asked if Mr. Wright should look at our proposal procedures for recommendations. Kris mentioned we should review our liability insurance as well. Bill said he would discuss with Kris and develop a Commission recommendation for our proposal review process. Commissioner Alvord asked how many suits LAFCO has experienced, and Kris said two. Kris will also confirm that our insurance covers staff and commissioners. Commissioner Kahrl asked how this would affect projects that LAFCO initiates, and Mr. Wright confirmed there wouldn't be an outside applicant that may pursue a lawsuit in those instances.

**23. Closed Session.**

**24. Adjournment:** The meeting was adjourned at 5:40 p.m. Next meeting is Wednesday, July 14, 2021 at 11:30 a.m.

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Kris Berry, Executive Officer