

**Local Agency Formation Commission (LAFCo)  
AGENDA**

**Regular Meeting**

**Thursday, November 16, 2023 ... 9:30 a.m.**

Board of Supervisors Chamber – Nevada County Administrative Center  
950 Maidu Avenue, Nevada City, CA ... 530.265.7180

<https://us06web.zoom.us/j/85101692405?pwd=QDTTCI1D2p2nGp1esBXbU3awHDdBGR.1>

*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 at [Local Agency Formation Commission \(LAFCo\) | Nevada County, CA \(nevadacountyca.gov\)](https://www.nevadacountyca.gov)*

*Members of the Commission may participate in the meeting by video from Conference Room A of the Oakland Marriott City Center, 1001 Broadway, Oakland, CA 94607 (CSAC Annual Meeting). Members of the public may also attend the meeting at this site and participate in the meeting as if they were attending at the primary meeting site.*

*Pursuant to Section 54953 of the Government Code, Commissioners and public participating remotely shall have the same rights to participate as if they were present at the primary meeting site.*

**1. Call to Order/Flag Salute/Roll Call**

Commissioners

Bob Branstrom (Cities)

Hardy Bullock (County)

Ricki Heck (Districts)

Gordon Mangel (Districts), **Vice Chair**

Sue Hoek (County)

Josh Susman (Public), **Chair**

Jan Zabriskie (Cities)

Alternates

Vacant (Public)

Gary Peterson (Cities)

Lisa Swarthout (County)

Rich Johansen (Districts)

Staff

SR Jones, Executive Officer

Scott Browne, Legal Counsel

Deborah Gilcrest, Clerk to the Commission

**1.1.** Potential request by one or more commissioners to participate remotely and utilize AB 2449's just cause or emergency circumstances, potential vote on latter.

**1.2.** Recognition and Fairwell to Commissioner Cheryl Dell

**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. [Draft Minutes of August 17, 2023](#)
- 3.2. [1st Quarter FYE 2024 Budget Status Report](#)

4. **Business/Action**

4.1. [Public Alternate Member – Interview and Selection](#)

The Commission will interview applicants and fill the remainder of the term of Alternate Public Member for a term ending the first Monday in May 2024.

4.2. [County Sanitation District Penn Valley Zone: Request to Extend Sewer Services](#)

The Commission will consider a request to extend the public sewer system of the County Sanitation District to serve a residential parcel in Penn Valley in anticipation of annexation. The Commission may approve, conditionally approve, or deny the request.

4.3. [Update on the West County Fire and Emergency Response Services](#)

Commission will hear an update on the ongoing effort to reorganize three Fire and Emergency Service agencies: Rough and Ready, Penn Valley and Nevada County Consolidated Fire Districts.

4.4. [Salary Range Adjustment for LAFCo Staff](#)

Commission to consider the recommendation of the Budget Committee regarding a proposed adjustment to the salary range of the Executive Officer.

5. **CALAFCO Matters**

5.1. **Update on CALAFCo Items of Interest**

6. **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.

7. [Executive Officer’s Activity Report](#)



*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

Accommodations for the hearing-impaired will 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.