

COLUSA LOCAL AGENCY COMMISSION

EXECUTIVE OFFICER'S REPORT

MEETING DATE: February 2, 2017 3:00 PM.
TO: Colusa Local Agency Formation Commission
FROM: John Benoit, Executive Officer
SUBJECT: LAFCO #2016-0003, Abel Tract Annex to the Westside Water District

Attachments:

1. Westside Water District Initiating Resolution 2016-01
2. Project Description
3. Notice of Exemption
4. LAFCO Resolution #2017-0001

Summary:

The Westside Water District (WWD) is requesting an annexation of 531.70 acres more or less of territory known as the Abel Tract property located approximately 5 miles northwesterly of the City of Williams in Colusa County and includes APN's 016-050-018, 016-050-023, 016-050-021, and 016-050-020. The District is requesting annexation to enable surface water supplies to be distributed on the property. No additional CVP water is requested for the proposed annexation and this annexation will benefit the District by enabling it to distribute water from potential future water sources such as the Sites Reservoir, as it becomes available. The Westside Water District has passed Resolution 2016-0001 on July 14, 2016 initiating these proceedings before LAFCO (see Attachment #1).

Staff recommends that the Colusa Local Agency Commission approve this annexation so irrigation water services may be made available.

Proposal and Justification:

Annexation of 531.70 acres more or less to the Westside Water District is requested to provide surface water to the annexation territory. See Project Description included as part of Attachment #2

Location:

This property is located five miles northwesterly of the City of Williams at 5005 State Highway 20, Williams, CA with access by County and Farm Roads. This territory is surrounded by districted territory.

Purpose:

This proposal is so the district is able to provide non-potable water to the annexation territory. The property will have a surface water supply source rather than relying solely on groundwater.

Accepted for filing: January 2, 2017

Publication and Posting: No hearing required since the territory is uninhabited and in the District Sphere of Influence and there is 100% landowner consent

Compliance with CEQA:

Lead Agency:	Westside Water District
Environmental Finding:	Exempt Class 19 (see Attachment #3)
Date of Finding:	November 22, 2016

Compliance with applicable Plans:

The proposed Annexation conforms to the Colusa County General Plan.

Compliance with the Sphere of Influence:

The proposed annexation conforms to the adopted Sphere of Influence for the Westside Water District adopted by LAFCo on March 2, 2008.

Existing Land Use and Zoning:

LAND USE DESIGNATION:	Exclusive Agriculture (EA)
ZONING:	Agriculture (EA)
DWELLINGS:	0
POPULATION:	0
REGISTERED VOTERS:	0
LANDOWNERS:	one

Existing Land Use for surrounding territory:

North and South: Agriculture

East and West: Agriculture

Proposed development: N/A. The territory is in Row and dry crop agriculture

Fiscal data: Westside Water District is not a Colusa County Taxing Jurisdiction and is not required to file with the State Board of Equalization. No new tax exchange is

required since Colusa County has a master tax sharing agreement (Resolution 00-47) calling for all base and increment property tax revenues to be distributed to the County for detachments. The total assessed value of the annexation territory is \$2,806,701.

Existing service agencies:

School District:	Williams Unified School District.
Fire Protection:	Williams Rural Fire Protection District
Domestic Water Service	N/A
Sewer Service	Individual Septic Tanks
General Government	Colusa County
Road Maintenance	Colusa County
Law Enforcement	Colusa County Sheriff's Dept.
Agricultural Water Service	Wells

Service and improvement plan:

See Attachment #2, Project Description

Governing Law and LAFCO Policy

LAFCO is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Act to its decisions regarding detachments, annexations, incorporations, reorganizations, and other changes of government. LAFCO's policies and procedures have been adopted to be consistent with the policy directives of the Act. Specifically, Policies adopted by Colusa LAFCO are designed to:

a) Provide Information. Give applicants for changes of organization guidance as to the information LAFCO needs to make appropriate determinations concerning their applications and provide information and notice to elected officials, governmental staff, and members of the general public as to the standards and procedures that LAFCO will use in evaluating applications.

b) Set Criteria. Provide applicants for changes of organization with explicit guidance as to the criteria LAFCO will use in approving, disapproving, amending, or conditionally approving applications for changes of organization.

c) Ensure Greater Consistency in LAFCO's decision-making process.

d) Facilitate Communication among local agencies in the region.

e) Minimize Adverse Impacts of the social, economic and environmental results of growth.

f) Provide for Planned, Well-Ordered Efficient Urban Development Patterns with appropriate consideration of preserving open space lands within those patterns.

The following is provided as a guide for the Commission to consider.

This proposal complies with applicable legal and proposed policy requirements, as summarized below:

(a) Population, and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

(b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation; formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns, of urban development, and the policies and priorities set forth in Section 56377.

(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

(g) A Regional Transportation Plan adopted pursuant to Section 65080, and consistency with city or county general and specific plans.

(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

- (i) The comments of any affected local agency.
- (j) The ability of the newly formed or receiving entity to provide the services which area the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.
- (k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5
- (l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with section 65580) of Chapter 3 of Division 1 of Title 7.
- (m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.
- (n) Any information relating to existing land use designations.
- (o) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

The following factors will be reviewed with regard to this annexation to the Westside Water District.

- (a) Population, and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

This proposal will not have any impact upon population growth in the area since the territory is in agriculture.

- (b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation; formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

"Services," as used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

The WWD provides Agricultural Water Irrigation services. These services will be available upon annexation.

- (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

This annexation will have no effect on social and economic interests since there will be no growth resulting from this action.

- (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns, of urban development, and the policies and priorities set forth in Section 56377.

The adopted Commission policies are examined below.

- (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

The land proposed for annexation is planned and zoned for agriculture. This action will not have any impact upon the integrity of Agricultural lands.

- (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The boundaries are definite and certain.

- (g) A Regional Transportation Plan adopted pursuant to Section 65080, and consistency with city or county general and specific plans.

The proposed action is consistent with the Colusa County General Plan since there will be no growth inducement nor will the integrity of agricultural lands or lands zoned for Agriculture be altered.

- (h) The sphere of influence of any local agency, which may be applicable to the proposal being reviewed.

This area is within the WWD Sphere of Influence.

- (i) The comments of any affected local agency.

WWD provided a resolution of application to annex the 531.70 acres to the district.

- (j) The ability of the newly formed or receiving entity to provide the services, which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

N/A

- (k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5

N/A.

- (l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with section 65580) of Chapter 3 of Division 1 of Title 7.

N/A

(m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

N/A

(n) Any information relating to existing land use designations.

The proposed project is not in conflict with the General Plan. The land use designation remains and the use is permitted.

(o) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

There are no issues associated with environmental justice with this proposal.

Colusa LAFCO General Policies

Policy		Comment
Communication between local agencies is encouraged.	N/A	N/A
Urban development proposals shall include annexation to a city where possible.	N/A	The uses within the territory need agricultural water.
LAFCO will normally deny proposals that result in urban sprawl.	N/A	The area is developed
Environmental consequences (CEQA) shall be considered.	Consistent	
LAFCO will consider the impact of a proposal on the regional supply of housing for all income levels.	N/A	
LAFCO will favor proposals that promote compact urban form and infill development.	N/A	
Government structure should be simple, accessible, and accountable.	Consistent	There is no indication of unnecessary complexity or lack of accessibility or accountability.
Agencies must provide documentation that they can provide service within a reasonable period of time.	N/A	
Efficient services are obtained when proposals: Utilize existing public agencies. Consolidate activities and services. Restructure agency boundaries to provide	N/A	

more logical, effective, and efficient services.		
Adverse impacts on adjacent areas, social and economic interests and the local government structure must be mitigated.	N/A	
Conformance with general & specific plans required.	Consistent	
<p>Boundaries:</p> <p>Definite boundaries are required.</p> <p>Boundaries that are favored:</p> <p>Create logical boundaries & eliminate islands or illogical boundaries.</p> <p>Follow natural or man-made features and include logical service areas.</p> <p>Boundaries that are disfavored:</p> <p>Split neighborhoods or communities.</p> <p>Result in islands, corridors, or peninsulas.</p> <p>Drawn for the primary purpose of encompassing revenue-producing territories.</p> <p>Create areas where it is difficult to provide services.</p>	Consistent	
Revenue neutrality required for all proposals.	Consistent	
<p>Agricultural and Open Space Land Conservation Standards:</p> <p>Must lead to planned, orderly & efficient development.</p> <p>Approved Sphere of Influence Plan required.</p> <p>Findings with respect to alternative sites required.</p> <p>Impact on adjacent agricultural/open space lands assessed.</p> <p>Agricultural Buffers</p>	Consistent	
<p>Need for services exists when:</p> <p>Public health and safety threat exists.</p> <p>The residents have requested extension of non-growth-inducing community services.</p> <p>Subject area is likely to be developed for urban use within 5 years.</p>	N/A	
<p>Exceptions are justified on the following grounds:</p> <p>Unique.</p> <p>Standards Conflicts.</p> <p>Quality/Cost.</p> <p>No Alternative.</p>	Consistent	No policy exceptions are needed

Annexation and Detachment Policies—Colusa LAFCO General

Policy		Comment
Proposals must be consistent with LAFCO general	Consistent	

policies.		
A proposal must be consistent with the agency's Sphere Plan and Master Service Element.	Consistent	
Plan for Services required.	N/A	
Subject territory must be contiguous to the agency's boundaries if required by law, or if necessary for efficient service delivery.	Territory is contiguous	
The detachment is necessary to ensure delivery of services essential to Health and Safety.	N/A	
The Successor provider will be the most efficient service provider	N/A	
The service plans for districts, which lie within a City's Sphere of Influence should provide for orderly detachment of territory from the district or merger of the district as district territory is annexed to the City.	N/A	
Detachment from a City or Special District shall not relieve the landowners within the detaching territory from existing obligations for bonded indebtedness or other indebtedness previously incurred.	N/A	
Adverse impact of detachment on other agencies or service recipients is cause for denial.	N/A	
Action options include: Approval. Conditional approval to require only a portion of the area to be detached. Denial.		

Comments from the public and public agencies

None Received

Recommendation

Staff recommends the Commission take the following actions:

Adopt Resolution 2017-0001 (Attachment #4) approving this annexation to the Westside Water District to include 531.70 acres of territory.

Suggested Sample Motion:

I move to offer Resolution 2017-0001 approving the annexation of 531.70 acres of uninhabited territory to the Westside Water District subject to recommended terms and conditions.

RESOLUTION NO. 2016-01
OF THE BOARD OF DIRECTORS OF THE
WESTSIDE WATER DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION
OF COLUSA COUNTY TO TAKE PROCEEDINGS FOR THE ANNEXATION OF THE ABEL
TRACT

WHEREAS, the Westside Water District desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the concurrent annexation of territory comprising certain lands within the County of Colusa, State of California; and

WHEREAS, notice of intent to adopt this resolution of application has not been given to each interested and subject agency; and

WHEREAS, there are no affected cities or districts within the meaning of Subdivision (2) of Section 56700 of Government Code; and

WHEREAS, the territory proposed to be annexed is uninhabited and the parcel owner's county assessor parcel number and acreage applied for are listed and set forth in Exhibit "A", attached hereto, and incorporated herein by this reference; and

WHEREAS, the Plan for Providing Services in Connection with the Annexation to the Westside Water District are set forth in Exhibit "B", attached hereto; and

WHEREAS, this proposal is consistent with the sphere of influence of the Westside Water District; and

WHEREAS, it is desired to provide that the proposed annexation be subject to the following terms and conditions, all of which have been consented to by the owners of the property proposed for annexation:

- a. The provisions of Government Code Section 56482;
- b. The terms and conditions contained in the:
 1. "Policy of the Westside Water District Concerning Annexation of Lands",
 2. "Contract for Agricultural Water Service",
 3. "Policy of the Westside Water District Concerning Water Service", and
 4. "Westside Water District Rules and Regulations for Delivery of Water", copies of which may be obtained from the District; and,
- c. Approval of the U.S. Bureau of Reclamation as required by the terms of the District's Water Service Contract with the United States.
- d. All costs incurred to complete the annexation including but not limited to Colusa LAFCO and the State Board of Equalization will be born by the property owner(s) and (or) District.
- e. All impact mitigation fees will be applied to any construction on this property after the completion of the annexation.

WHEREAS, the reasons for the proposed annexation is the proposed territory to be annexed compromises agriculturally productive lands that are contiguous to Westside Water District lands with no other means of acquiring such services; and

WHEREAS, the Westside Water District will comply with all environmental review requirements and hereby requests that LAFCO act as the Lead Agency to initiate CEQA compliance with Westside Water District acting as Responsible Agency; and

WHEREAS, this Board certifies that, pursuant to Section 56663 of the Government Code:
Due to the fact that the property in question is currently uninhabited and all the property owners have consented in writing, the Board of the Westside Water District wishes to waive the notice and hearing and (or) election.

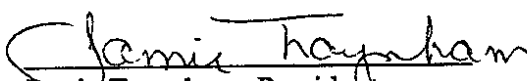
NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND DIRECTED as follows:
This Resolution of Application is hereby adopted and approved by the Westside Water District Board, and the Local Agency Formation Commission of Colusa County is hereby requested to take proceedings for the property owned by the landowners listed in Exhibit "A" according to the terms and conditions stated above and in the manner provided by the Cortese-Knox Local Government Reorganization Act of 2000.

PASSED AND ADOPTED by the Board of Directors of the Westside Water District at a Regular Meeting thereof held within the District on this 14th day of July, 2016, by the following roll call vote:

AYES: 4
NOES: 0
ABSENT: 1
ABSTAIN: 0

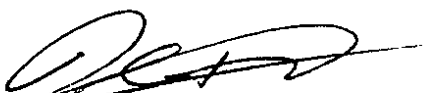
Signed by me after its passage this 14th day of July, 2016.

(Seal)

By: 
Jamie Traynham, President
Board of Directors
Westside Water District

Attest:

By:


Daniel Ruiz, Secretary
Board of Directors
Westside Water District

Certification

I hereby certify that the attached Resolution No. 2016-01 is a full, true and correct copy on file at the Westside Water District office, and that this certification was executed on July 14, 2016 in the County of Colusa, California.

(Seal)

By:

A handwritten signature in cursive script, appearing to read "Denise Galvez", written over a horizontal line.

Denise Galvez, Assistant Secretary
Board of Directors
Westside Water District



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MEMORANDUM

To: Paul Zedonis, NCAO, US Bureau of Reclamation

From: William Vanderwaal & Dawn Marple – Provost & Pritchard

Subject: Westside Water District Abel Tract Annexation – Project Description

Date: October 14, 2016

The proposed Westside Water District Abel Tract Annexation project will enable the Westside Water District (District) to provide service to approximately 532 acres currently not served by surface water districts. No additional water is requested for this annexation by the District and existing turnouts are available for connection. The proposed annexation parcels are currently planted with grape vines and will remain that after annexation into the District.

The annexation parcels can be found in central Colusa County, approximately 5 miles northwesterly of the City of Williams.

Project Location:

The annexation parcels are located approximately 5 miles northwesterly of the City of Williams in Colusa County. The following Assessor Parcel Numbers (APN's) are included in the proposed annexation: 016-050-018, 016-050-023, 016-050-021 and 016-050-020. The legal description for the parcels is attached as is the survey map.

Latitude and Longitude:

The approximate center of mass of the Abel Tract Parcels being annexed is located at Lat: 39° 10' 14.2" N, Long: 122° 15' 12.9" W.

Project Description:

Project Objectives:

The proposed project will enable the District to provide surface water supplies to the Abel Tract which is not currently served by any surface water districts. No additional Central Valley Project (CVP) water is requested for the proposed annexation and this project will

benefit the District by enabling it to distribute Class 2 water from potential future water sources such as Sites Reservoir, as they become available. Any future water would also benefit the groundwater aquifer by reducing the dependency for these parcels. The proposed annexation parcels are currently planted with grape vines and will remain that after annexation into the District.

Project Components:

The project will consist of minor excavation at each of the turnout connections described below under Construction. These areas are shown on the attached Connections Map.

Operation and Maintenance:

No additional operations and maintenance will be required by the District for the proposed project.

Construction:

Construction is considered to be minimal for this project and will include excavating approximately 3 feet deep to the existing Turnout connections. The excavation area was previously disturbed when the District installed the original piping. The overall, combined excavation area is expected to be less than 110 square feet (3 locations at 36 SF each). The excavations will be done by backhoe and hand tools and the actual connection will be done using hand tools. Upon completion the excavated area would be backfilled with the original material. The overall duration is expected to be 3 days or less.

Notice of Exemption

To: County Clerk
County of Colusa
546 Jay Street, Suite 200
Colusa, CA 95932

From: Westside Water District
5005 State Highway 20
Williams, CA 95987

Project Title: John F. Abel Tract Annexation

Project Applicant: Westside Water District

Project Location – Specific: Freshwater Road; APNs 016-050-018, 016-050-020, 016-050-021, 016-050-023

Project Location – City: Williams (Community) **Project Location – County:** Colusa

Description of Nature, Purpose, and Beneficiaries of Project:

The Westside Water District (District) services approximately 15,783 acres surrounding a portion of the John F. Abel Tract located west of the community of Williams, in Colusa County. Approximately 532 acres of the Abel Tract, located within Section 7, Township 15 North, Range 3 West, and Sections 1, 2, 11 & 12, Township 15 North, Range 4 West, M.D.B. & M is owned by the Zohoury Trust. Although the District services the surrounding land and has infrastructure abutting the properties, the properties are not within the District's sphere of influence or service area (boundary). The proposed annexation parcels are currently planted with forage hay and row crops. The project would result in annexation of the four privately-owned parcels into the District's boundary. The project does not include the construction of new facilities.

Name of Public Agency Approving Project: Westside Water District

Name of Person or Agency Carrying Out Project: Westside Water District

Exempt Status:

- ☐ Ministerial (Sec. 15268);
- ☐ Declared Emergency (Sec. 15269(a));
- ☐ Emergency Project (Sec 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: **15319, Annexation of Existing Facilities and Lots for Exempt Facilities**
- ☐ Statutory Exemption. State code number: _____

Reason(s) why project is exempt:

The area to be annexed contains existing structures developed to the density allowed under current zoning (County of Colusa). The project does not involve the extension of any utilities to the area to be annexed. APN 016-050-018 is developed with a residence and supporting agricultural structures. The remainder of the property is irrigable land. District infrastructure borders the property, and there are no plans for additional construction.

Lead Agency Contact: Daniel Ruiz, General Manager

Phone: 530.473.2876

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature:  **Date:** 11/22/2016 **Title:** General Manager

Date received for filing at OPR: Not applicable

Resolution 2017-01 of the
Colusa Local Agency Formation Commission
Colusa County, California

*A Resolution Making Determinations and Approving the
Annexation of 531.70 acres to the Westside Water District*

WHEREAS, a Resolution of Application for Annexation of 531.70 acres to the Westside Water District has been filed with the Executive Officer of the Colusa Local Agency Formation Commission; and said application complied with all the requirements of law and the Commission; and,

WHEREAS, the proceedings for this annexation are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 *et seq.* of the Government Code; and

WHEREAS, no public hearing by the Commission for this application is required since there is 100% landowner consent, it is consistent with the Sphere of Influence and the territory is uninhabited; and

WHEREAS, the Executive Officer has reviewed the application and has prepared a report including staff recommendations thereon within the time required by law and has furnished copies of said report to the Commission and to all other persons required by law to receive it; and

WHEREAS, at a meeting on February 2nd 2017, the Commission considered the proposal and the report of the Executive Officer; the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56668; and all other relevant evidence and information presented at said meeting;

NOW THEREFORE, the Local Agency Formation Commission of Colusa County does hereby resolve and order the following:

1. The foregoing recitals are true and correct.
2. The territory comprises approximately 531.70 acres to be annexed.
3. The change of organization is assigned the following distinctive short-term designation:

LAFCO 2006-0003 - Abel Tract Annexation to the Westside Water District

4. The proposal is consistent with the sphere of influence of the Westside Water District. The Commission has considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, Sphere of Influence and General Plan consistency, and other factors specified in Government Code Section 56668 and as described in the staff report dated February 2, 2017.

5. The Commission adopts the determinations regarding consistency with LAFCO Policies contained in the staff report for this project and incorporates them by reference herein.
6. The purpose of this reorganization is to put to beneficial use the water available under the CVP water contract for the benefit of all landowners within the district.
7. In reviewing this application, the Commission finds that all property owners and registered voters in said territory have been given notice regarding this change of organization.
8. In reviewing this application, the Commission finds that irrigation water services to be provided by Westside Water District are necessary and that there will not be a duplication of other powers provided by any other special district.
9. In reviewing this application, this Commission has considered each of the factors required by Government Code Section 56668 and LAFCO's adopted policies.
10. The LAFCO Executive Officer's Staff Report including attachments and recommendation for approval of the proposal is hereby incorporated by reference and hereby adopted.
11. The map and boundary description shall comply with the requirements of the County Surveyor. The boundary description and map, if rejected by the County Surveyor or amended by LAFCO, will be revised at the expense of the applicant. The applicant shall be responsible for any associated costs. The boundary description and map, if amended by action of the Commission, will be revised and checked by the Colusa County Surveyor at the expense of the applicant, prior to filing of the Certificate of Completion.
12. The boundaries, as set forth in the proposal and amended by action of the Commission, are hereby approved as submitted and are as described in Exhibits "A" Boundary Description and "B" Map attached hereto and by this reference incorporated herein subject to the terms and conditions included.
13. As stated in the LAFCO Staff Report dated February 2, 2017, the amount of base property tax and tax increment transferred shall be in accordance with Colusa County Resolution 00-47 attached hereto as Exhibit "C".
14. Said annexation territory is found to be uninhabited.
15. All Colusa County, LAFCO and State of California fees must be paid in full prior to filing the Certificate of Completion. LAFCO will forward invoices and (or) a list of required fees prior to filing the Certificate of Completion for direct payment to the agency by project proponent.
16. Further protest proceedings are waived and the Commission orders the 531.70 acre annexation to the Westside Water District, pursuant to Part 4 commencing with Section 57000. Satisfactory proof has been given that the subject territory is

uninhabited, that all landowners within the affected territory have given their written consent to the proposal and all affected agencies have not objected in writing to the waiver of conducting authority proceedings (Section 56663 of Government Code). Therefore, The Commission does hereby approve and authorize the conducting authority to annex the territory described in Exhibits "A" and "B" to the Westside Water District without notice and election.

17. The Commission has reviewed and considered the Notice of Exemption provided by the Westside Water District and makes a specific determination that the issues as adopted by LAFCo adequately address this change of organization. The Commission hereby affirms the Notice of Exemption and no unusual circumstances exist with respect to this change of organization.
18. All Westside Water District previously authorized assessments; taxes, fees and charges shall apply to any annexed territory upon recordation of the Certificate of Completion. All annexed property shall comply with the terms and conditions contained in the written policies of the Westside Water District.
19. This reorganization shall be subject to all terms and conditions as set forth in Westside Water District Resolution 2016-01 adopted on July 14, 2016 and attached to the Executive Officer's report dated February 2, 2017.
20. An electronic copy of Exhibits A and B in PDF format, two large copies (18 x 24) and two 8 1/2 x 11 reductions of all maps along with two copies of the final LAFCO approved boundary description shall be submitted to LAFCO prior to recordation of the Certificate of Completion.
21. Approval of this change of organization is conditioned upon the applicant's obligation to defend, indemnify, and hold harmless the Colusa Local Agency Formation Commission and its agents, officers and employees from any claim, action or proceeding against the Commission or its agents, officers, and employees; including all costs, attorney's fees, expenses and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, or void the approval or determinations of this Commission concerning this annexation. The Colusa Local Agency Formation Commission shall promptly notify the applicant of any such claim, action, or proceeding and be entitled to representation by counsel of its choosing.
22. The Executive Officer of this Commission is instructed to mail a certified copy of this resolution to those persons so indicated on the application and as required by Government Code Section 56882.
23. The Executive Officer is directed to record a Certificate of Completion for this proposal upon completion of all proceedings.
24. Completion of proceedings shall be concluded within one year after adoption of this resolution. If the proceedings are not concluded within one year after passage of this resolution, all proceedings shall be terminated unless an extension is granted by the LAFCO Commission.

PASSED AND ADOPTED by this Local Agency Formation Commission of the County of Colusa, on the 2nd day of February 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Signed and approved by me after its passage this 2nd day of February, 2017

Tom Reische, Chair or Brandon Ash, Vice Chair –
Colusa Local Agency Formation Commission

Attest:

John Benoit, Executive Officer
Colusa Local Agency Formation Commission

Resolution 2017-01 of the
Colusa Local Agency Formation Commission
Colusa County, California

A Resolution Making Determinations and Approving the
Annexation of 531.70 acres to the Westside Water District

WHEREAS, a Resolution of Application for Annexation of 531.70 acres to the Westside Water District has been filed with the Executive Officer of the Colusa Local Agency Formation Commission; and said application complied with all the requirements of law and the Commission; and,

WHEREAS, the proceedings for this annexation are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 *et seq.* of the Government Code; and

WHEREAS, no public hearing by the Commission for this application is required since there is 100% landowner consent, it is consistent with the Sphere of Influence and the territory is uninhabited; and

WHEREAS, the Executive Officer has reviewed the application and has prepared a report including staff recommendations thereon within the time required by law and has furnished copies of said report to the Commission and to all other persons required by law to receive it; and

WHEREAS, at a meeting on February 2nd 2017, the Commission considered the proposal and the report of the Executive Officer; the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56668; and all other relevant evidence and information presented at said meeting.

NOW THEREFORE, the Local Agency Formation Commission of Colusa County does hereby resolve and order the following:

1. The foregoing recitals are true and correct.
2. The territory comprises approximately 531.70 acres to be annexed.
3. The change of organization is assigned the following distinctive short-term designation:

LAFCO 2006-0003 - Abel Tract Annexation to the Westside Water District

4. The proposal is consistent with the sphere of influence of the Westside Water District. The Commission has considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, Sphere of Influence and General Plan consistency, and other factors specified in Government Code Section 56668 and as described in the staff report dated February 2, 2017.

5. The Commission adopts the determinations regarding consistency with LAFCO Policies contained in the staff report for this project and incorporates them by reference herein.
6. The purpose of this reorganization is to put to beneficial use the water available under the CVP water contract for the benefit of all landowners within the district.
7. In reviewing this application, the Commission finds that all property owners and registered voters in said territory have been given notice regarding this change of organization.
8. In reviewing this application, the Commission finds that irrigation water services to be provided by Westside Water District are necessary and that there will not be a duplication of other powers provided by any other special district.
9. In reviewing this application, this Commission has considered each of the factors required by Government Code Section 56668 and LAFCO's adopted policies.
10. The LAFCO Executive Officer's Staff Report including attachments and recommendation for approval of the proposal is hereby incorporated by reference and hereby adopted.
11. The map and boundary description shall comply with the requirements of the County Surveyor. The boundary description and map, if rejected by the County Surveyor or amended by LAFCO, will be revised at the expense of the applicant. The applicant shall be responsible for any associated costs. The boundary description and map, if amended by action of the Commission, will be revised and checked by the Colusa County Surveyor at the expense of the applicant, prior to filing of the Certificate of Completion.
12. The boundaries, as set forth in the proposal and amended by action of the Commission, are hereby approved as submitted and are as described in Exhibits "A" Boundary Description and "B" Map attached hereto and by this reference incorporated herein subject to the terms and conditions included.
13. As stated in the LAFCO Staff Report dated February 2, 2017, the amount of base property tax and tax increment transferred shall be in accordance with Colusa County Resolution 00-47 attached hereto as Exhibit "C".
14. Said annexation territory is found to be uninhabited.
15. All Colusa County, LAFCO and State of California fees must be paid in full prior to filing the Certificate of Completion. LAFCO will forward invoices and (or) a list of required fees prior to filing the Certificate of Completion for direct payment to the agency by project proponent.
16. Further protest proceedings are waived and the Commission orders the 531.70 acre annexation to the Westside Water District, pursuant to Part 4 commencing with Section 57000. Satisfactory proof has been given that the subject territory is

uninhabited, that all landowners within the affected territory have given their written consent to the proposal and all affected agencies have not objected in writing to the waiver of conducting authority proceedings (Section 56663 of Government Code). Therefore, The Commission does hereby approve and authorize the conducting authority to annex the territory described in Exhibits "A" and "B" to the Westside Water District without notice and election.

17. The Commission has reviewed and considered the Notice of Exemption provided by the Westside Water District and makes a specific determination that the issues as adopted by LAFCo adequately address this change of organization. The Commission hereby affirms the Notice of Exemption and no unusual circumstances exist with respect to this change of organization.
18. All Westside Water District previously authorized assessments; taxes, fees and charges shall apply to any annexed territory upon recordation of the Certificate of Completion. All annexed property shall comply with the terms and conditions contained in the written policies of the Westside Water District.
19. This reorganization shall be subject to all terms and conditions as set forth in Westside Water District Resolution 2016-01 adopted on July 14, 2016 and attached to the Executive Officer's report dated February 2, 2017.
20. An electronic copy of Exhibits A and B in PDF format, two large copies (18 x 24) and two 8 1/2 x 11 reductions of all maps along with two copies of the final LAFCO approved boundary description shall be submitted to LAFCO prior to recordation of the Certificate of Completion.
21. Approval of this change of organization is conditioned upon the applicant's obligation to defend, indemnify, and hold harmless the Colusa Local Agency Formation Commission and its agents, officers and employees from any claim, action or proceeding against the Commission or its agents, officers, and employees; including all costs, attorney's fees, expenses and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, or void the approval or determinations of this Commission concerning this annexation. The Colusa Local Agency Formation Commission shall promptly notify the applicant of any such claim, action, or proceeding and be entitled to representation by counsel of its choosing.
22. The Executive Officer of this Commission is instructed to mail a certified copy of this resolution to those persons so indicated on the application and as required by Government Code Section 56882.
23. The Executive Officer is directed to record a Certificate of Completion for this proposal upon completion of all proceedings.
24. Completion of proceedings shall be concluded within one year after adoption of this resolution. If the proceedings are not concluded within one year after passage of this resolution, all proceedings shall be terminated unless an extension is granted by the LAFCo Commission.

PASSED AND ADOPTED by this Local Agency Formation Commission of the County of Colusa, on the 2nd day of February 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Signed and approved by me after its passage this 2nd day of February, 2017

Tom Reische, Chair or Brandon Ash, Vice Chair –
Colusa Local Agency Formation Commission

Attest:

John Benoit, Executive Officer
Colusa Local Agency Formation Commission

EXHIBIT A
LAFCO FILE 2016-003

Annexation
to the
Westside Water District

All that certain real property situate in the County of Colusa, State of California, described as follows:

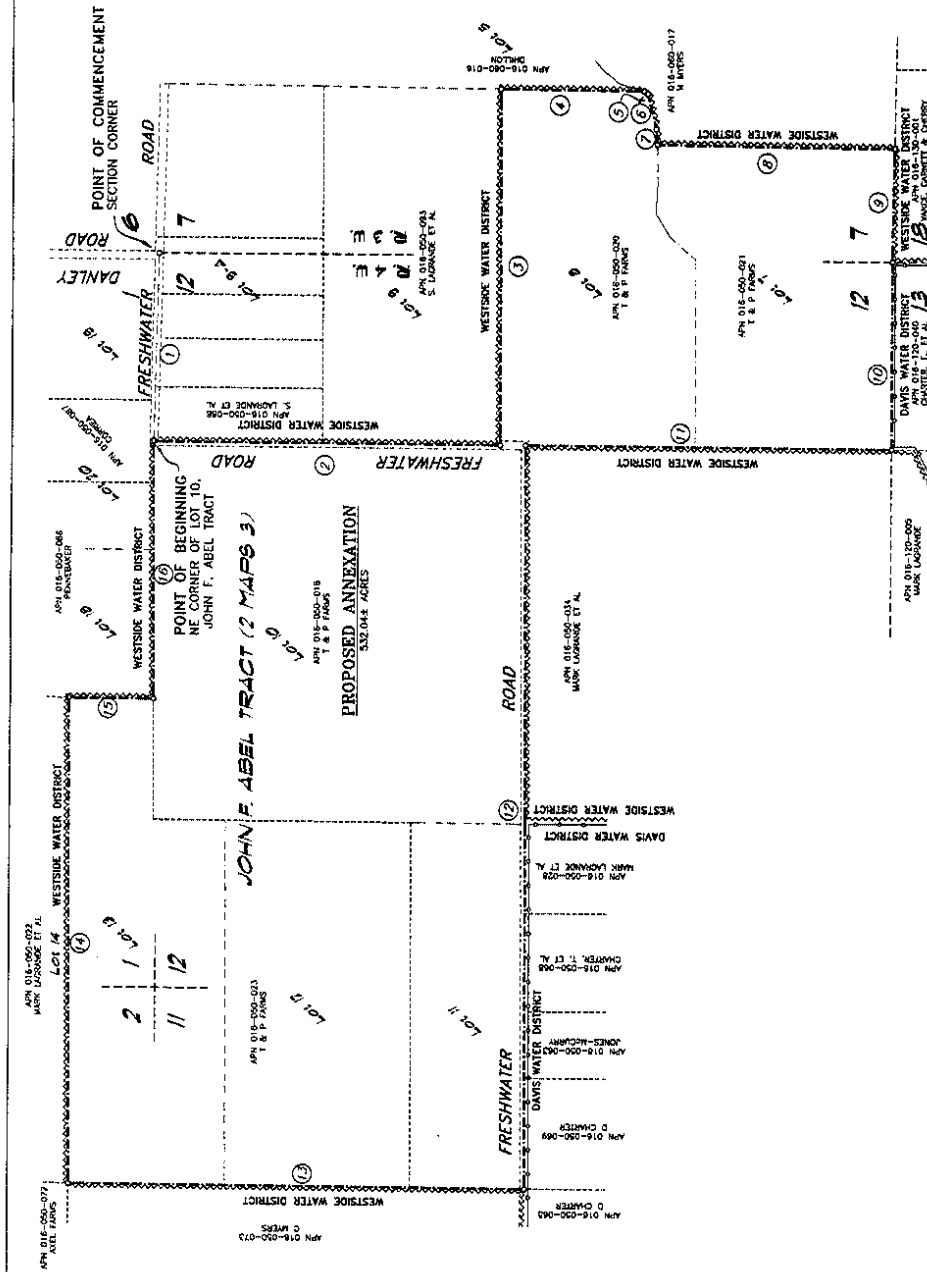
A portion of Section 7, Township 15 North, Range 3 West, Mount Diablo Meridian and a portion of Sections 1, 2, 11 & 12, Township 15 North, Range 4 West, Mount Diablo Meridian; also being a portion of the John F. Abel Tract as shown on that certain map on file in Book 2 of Maps at Page 3, Colusa County Records, and being more particularly described as follows:

Commencing at the corner common to Sections 6 and 7, Township 15 North, Range 3 West, Mount Diablo Meridian and Sections 1 and 2, Township 15 North, Range 4 West, Mount Diablo Meridian; thence **Course 1**, North 88°32'00" West a distance of 1354.20 feet to the northeast corner of Lot 10 of said John F. Abel Tract and the true point of beginning for this described land; thence **Course 2**; South 00°13'00" West, along the east line of said Lot 10, a distance of 2513.80 feet to the northwest corner of Lot 8 of said subdivision; thence **Course 3**, North 89°58'00" East, along the north line of said Lot 8, a distance of 2547.70 feet to the northeast corner of said Lot 8; thence **Course 4**, South 00°32'00" West, along the easterly line of said lot, a distance of 1034.70 feet; thence **Course 5**, South 34°33'00" West, along said easterly line, a distance of 32.80 feet; thence **Course 6**, South 76°30'00" West, along said easterly line, a distance of 260.80 feet; thence **Course 7**, South 85°28'00" West, along said easterly line, a distance of 114.30 feet to the northeast corner of Lot 7 of said subdivision; thence **Course 8**, South 00°35'00" West, along the east line of said Lot 7, a distance of 1720.10 feet to the southeast corner of said lot; thence **Course 9**, North 89°00'00" West, along the south line of said lot, a distance of 804.90 feet to the section corner common to Sections 7 and 18, Township 15 North, Range 3 West, Mount Diablo Meridian and Sections 12 and 13, Township 15 North, Range 4 West, Mount Diablo Meridian; thence **Course 10**, South 89°58'00" West, along the south line of, a distance of 1344.60 feet to the southwest corner of said lot; thence **Course 11**, North 00°13'00" East, along the west line of said lot and along the west line of said Lot 8, a distance of 2651.60 feet to the southeast corner of said Lot 10; thence **Course 12**, South 89°43'00" West, along the south line of Lot 10 and along the south line of Lot 11 of said subdivision, a distance of 5357.40 feet to the southwest corner of said Lot 11; thence **Course 13**, North 00°18'00" East, along the west line of said Lot 11 and along the west lines of Lots 12 and 13 of said subdivision, a distance of 3315.10 feet to the northwest corner of said Lot 13; thence **Course 14**, North 89°43'00" East, along the north line of said Lot 13, a distance of 3504.30 feet to the northeast corner of said lot; thence **Course 15**, South 00°19'00" West, along the east line of said lot, a distance of 616.70 feet to the southeast corner of said lot, said point also being on the north line of said Lot 10; thence **Course 16**, North 89°43'00" East, along said north line, a distance of 1849.50 feet to the point of beginning and containing an area of 531.70 acres, more or less.

For assessment purposes only. This description is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

T&P Farms
L13-156
January 3, 2017
Sheet 1 of 1





ANNEXATION

TO THE WESTSIDE WATER DISTRICT

OF A PORTION OF THE
JOHN F. ABEL TRACT (BOOK 2, MAPS, PAGE 3)

IN
SECTION 7, T. 15 N., R. 3 W., M.D.M. AND
SECTIONS 1, 2, 11 & 12, T. 15 N., R. 4 W., M.D.M.
IN THE STATE OF CALIFORNIA
COUNTY OF COLUSA

CALIFORNIA ENGINEERING COMPANY, INC. - LONDON DIVISION
ENGINEERING - PLANNING - SURVEYING - COMMUNITY DEVELOPMENT

1110 ONE CENTER BLVD. STE. 404
WILSON, CA 94094
(415) 731-0953 (FAX)
(415) 731-0953 (FAX)
JOB NO. 113-156
DECEMBER, 2018

C E C

WESTSIDE WATER DISTRICT BOUNDARY
DANLEY ROAD BOUNDARY
ASSESSOR'S PARCEL BOUNDARY
JOHN F. ABEL TRACT LOT LINE
SECTION LINE
POINT
COURSE NUMBER

LINE TABLE	COURSE NO.	BEARING	DISTANCE
1	1	N 88°32'00" W	1354.20'
2	2	S 88°32'00" W	1354.20'
3	3	N 88°32'00" W	1354.20'
4	4	S 88°32'00" W	1354.20'
5	5	N 88°32'00" W	1354.20'
6	6	S 88°32'00" W	1354.20'
7	7	N 88°32'00" W	1354.20'
8	8	S 88°32'00" W	1354.20'
9	9	N 88°32'00" W	1354.20'
10	10	S 88°32'00" W	1354.20'
11	11	N 88°32'00" W	1354.20'
12	12	S 88°32'00" W	1354.20'
13	13	N 88°32'00" W	1354.20'
14	14	S 88°32'00" W	1354.20'
15	15	N 88°32'00" W	1354.20'
16	16	S 88°32'00" W	1354.20'

T. 15 N.

RESOLUTION NO. 00-47

**MASTER PROPERTY TAX REVENUE EXCHANGE RESOLUTION OF THE
BOARD OF SUPERVISORS OF THE COUNTY OF COLUSA
TO ESTABLISH A DISTRIBUTION OF PROPERTY TAX REVENUE ON
ANNEXATIONS AND DETACHMENTS OF SPECIAL DISTRICTS WITHIN
COLUSA COUNTY**

WHEREAS, under the provisions of Proposition 13 adopted in 1978, the distribution of property taxes within each county became the responsibility of the County Board of Supervisors; and

WHEREAS, Proposition 13 failed to make any provision for the redistribution of these taxes, as a result of reorganization of cities and districts within the county; and

WHEREAS, Revenue and Taxation Code Section 99(b) designates the Colusa County Board of Supervisors as the agency responsible for deciding what sort of property tax revenue exchanges should occur in the case of special district annexations and detachments within the County; and

WHEREAS, a resolution must be adopted establishing the extent and nature of property tax exchanges before any annexation or detachment is complete.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Colusa as follows:

1. All exchanges of property tax revenue for special district annexations and detachments shall be governed by this resolution;

2. The exchange of property taxes shall be effective beginning any roll year only if the special district annexation or detachment has been completed and approved by the State Board of Equalization prior to December 1st of the preceding year;

3. Regarding the property tax revenue exchange for special district annexations, no share of property tax revenue (including base tax revenue and annual tax increment) belonging to the County or any taxing agency within the subject territory shall be exchanged with the annexed special district as a result of the annexation;

4. Regarding the property tax revenue exchange for special district detachments, any share of property tax revenue (including base tax revenue and annual tax increment) belonging to the detached property shall be distributed to the County and to all of the other taxing agencies within the subject territory based on their share of property tax revenue within the subject tax rate area.

5. The Colusa County Auditor-Controller is hereby directed to distribute the property tax revenues for the taxing agencies within the subject annexation or detachment area in accordance with this resolution.

BE IT FURTHER RESOLVED per the direction of the California State Controller, this master property tax revenue exchange resolution is retroactive to July 1, 1978 and is effective on that date and thereafter.

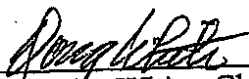
The foregoing master property tax revenue exchange resolution was passed and adopted at a Regular meeting of the Board of Supervisors of the County of Colusa held on the 11th day of July, 2000, by the following vote:

AYES: Supervisors Womble, Scofield, Maltby, Waite and White.

NOES: None.

ABSENT: None.

ABSTAIN: None.



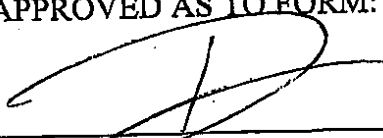
E. Douglas White, Chairman
Colusa County Board of Supervisors

Attest: KATHLEEN MORAN
Clerk and Ex-Officio Clerk to the
Board of Supervisors

By: 

Maria Perez-Mendiola, Deputy Clerk

APPROVED AS TO FORM:



Donald F. Stanton, County Counsel