

**Colusa Local Agency Formation Commission**

**Regular Meeting Agenda**

**Thursday – June 6, 2024**

**Board of Supervisors Chambers  
546 Jay Street  
Colusa, CA.**

**3:00 PM**

**1. Call to Order/Roll Call  
Commissioners**

Katherin Dunlap, (Vice-Chair  
Williams, City)  
Janice Bell (County)  
Greg Ponciano (Chair, Colusa, City)  
Merced Corona (County)  
Brandon Ash (Public)

**Alternates**

Ryan Codorniz (City Alternate)  
John Loudon, (Public Member Alternate)  
Kent Boes (County)

**Staff**

Paige Hensley, Clerk  
John Benoit, Executive Officer  
P. Scott Browne, Legal Counsel

**2. Approval of the May 2, 2024 meeting minutes**

Action:

- a. *Approve minutes from the May 2, 2024 LAFCo meeting*

**3. Public Comment**

This is the time for the public to 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.

**4. Consent Agenda**

Action:

- a. Payment of claims for the month of May 2024.

**5. Correspondence:**

**Workshop**

**6. Workshop regarding the Municipal Service Review (MSR) and Sphere of Influence (SOI) for the Colusa Basin Drainage District**

- a. *Review and Comment on the Colusa Basin Drainage District MSR and SOI*

b. *Continue the Workshop to the next meeting or set Hearing at the next regular lafco meeting*

7. **Transition Plan to a new Executive Officer**

8. **Calafco Conference Action items:**

- a. **Calafco Annual Conference Teneya Lodge Fish Camp Oct 16-18, 2024**
- b. **Nomination for the Calafco Board of Directors**
- c. **Nomination for the Voting Delegate to represent Colusa LAFCo at the Calafco Conference**
- d. **Nomination for Calafco Achievement Awards**

9. **Letters of Support**

- a. **Support for SB 1209 Indemnification**
- b. **Support for AB 3277 Property Tax**

10. **Executive Officer's Report:**

*Colusa Basin Drainage District MSR - SOI Status  
Projects: Cortina CSD Divestiture, City of Colusa WWTP #2, Out of Agency Agreement (Annexation) City of Williams, Possible CMAD Annex*

11. **Commissioner Reports - Discussion**

*This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters*

12. **Adjourn the next regular LAFCo meeting to be on July 11, 2024 due to July 4<sup>th</sup> being a holiday or alternatlvly skip a meeting in July and hold the next meeting on August 1<sup>st</sup> , 2024**

**Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority Government Code Section 56331.4**

Pursuant to Government Code Section 54954.2, Commission members may make a brief announcement 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.

*Public Comment*

Members of the public may address the Commission on 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 5 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 5 minutes. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

*Agenda Materials*

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda area available for review for public inspection in the Colusa County Clerk's office located at the Colusa County Courthouse 546 Jay Street, Colusa CA. [such documents are also available on the Colusa LAFCO website as noted below to the extent practicable and subject to staff's ability to post the documents prior to the meeting].

*Colusa LAFCO*

*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 & Disqualification Requirements*

Pursuant to Government Code Sections 56100.1, 56300(b), 56700.1, and 81000 et seq., and Colusa LAFCO's Policies and Procedures for the Disclosure of Contributions and Expenditures in Support of and Opposition to Proposals, any person or combination of persons who directly or indirectly contribute \$1000 or more or expend \$1000 or more in support of or opposition to a change of organization or reorganization that has been submitted to Colusa LAFCO must comply with the disclosure requirements approved by Colusa LAFCO. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. Additional information may be obtained at the Colusa County Elections Department 546 Jay Street, Colusa, CA 95932. (530) 458-0500

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, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (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.

Contact LAFCO Staff LAFCO staff may be contacted at (530) 619-5128 or by mail at Colusa LAFCO P.O. Box 2694, Granite Bay Ca 95746 or by email at [j.benoit4@icloud.com](mailto:j.benoit4@icloud.com)

Webpage Reports, agendas, minutes and general information about LAFCO are available on the LAFCO Webpage at [www.colusalafco.org](http://www.colusalafco.org)

**ACTION MINUTES  
LOCAL AGENCY FORMATION COMMISSION  
COLUSA COUNTY MEETING  
May 2, 2024**

**1. Call to Order/Roll Call:**

Vice-Chair, Ponciano called the meeting to order at 3:03 p.m. There was a quorum present.

**Commissioners Present:**

Katherine Dunlap – City  
Janice Bell – County Member  
Greg Ponciano – City Member  
Merced Corona – County Member  
Brandon Ash – Public Member

**Alternates Present:**

John Louden- Public Alternate

**Also present:**

John Benoit, Executive Officer  
Scott Browne, Legal Counsel  
Paige Hensley, Clerk

**2. Consider Meeting Minutes from February 1, 2024 and March 21, 2024.**

**Action:** Upon motion from Commissioner Corona, and a second from Commissioner Dunlap, the motion was carried, and the Commission unanimously approved the minutes for February 1, 2024 and March 21, 2024 minutes with a 5 to 0 vote.

**3. Public Comment:**

There was no public comment.

**4. Consent Agenda:**

a. Payment of Claims for the month of April 2024.

**Action:** Upon motion from Commissioner Bell, and a second from Commissioner Corona, the motion was carried, and the Commission unanimously approved the consent agenda with a 5 to 0 vote.

**5. Correspondence:**

There was no correspondence.

**Public Hearing:**

**6. LAFCo's 2024-2025 Final Budget:**

John Benoit, Executive Officer, summarized the FY 2024-2025 final budget report.

**Public hearing was open.**

There were no public comments.

**Public hearing was closed**

**Action:** Upon motion from Commissioner Dunlap, and a second from Commissioner Bell, the motion was carried; and with a 5 to 0 vote, the Commission unanimously adopted Resolution 2024-0004 approving the FY 2024-2025 final budget.

**7. Agreement for Executive Officer and Staff Services:**

- a. Consider agreement with Larkyn Feiler for Executive Officer and Staff Services.
- b. Appoint Larkyn Feiler as the Colusa LAFCo Executive Officer effective July 2, 2024.
- c. Authorize Larkyn Feiler to handle LAFCo's financial and sign warrants effective July 1, 2024
- d. Consider sixth amended contract with John Benoit regarding transition services to a new Executive Officer.

**Action:** Upon motion from Commissioner Dunlap, and a second from Commissioner Corona, the motion was carried; and with a 5 to 0 vote, the Commission unanimously approved items 7.a, 7.c, and 7.d.

**Action:** Upon motion from Commissioner Corona, and a second from Commissioner Dunlap, the motion was carried; and with a 5 to 0 vote, the Commission unanimously voted to item 7.b.

**8. Executive Officer's Report:**

- a. John Benoit reminded the Commission about the Calafco Annual Conference being held October 16 thru 18, 2024 at the Tenaya Lodge in Fish Camp (Yosemite).

Commissioners Corona, Dunlap and Bell expressed an interest in attending the Conference.

- b. John Benoit updated the Commission the Colusa Basin Drainage District MSR-SOI status.
- c. John Benoit updated the Commission on several projects including a new project from the City of Colusa, the Cortina CSD and their interest in divesting some of their powers such as their mello-roos, and an out of agency agreement with the City of Williams.

**9. Commissioners Reports:**

Commissioner Dunlap thank John Benoit for the work he has been doing.

- 10. Next Colusa LAFCO meeting: The next Colusa LAFCO meeting is scheduled for June 6, 2024.**

The meeting was adjourned at 3:40 p.m.

# Colusa Local Agency Formation Commission

Item # 4

## CLAIMS

May 2024

Authorize payment of the following claims:

### FY 2023-2024 EXPENSES:

#### Claims for May 2024:

June 1, 2024	Staff Svcs and Exp. – May 2024	\$ 4,564.56
June 1, 2024	CBDD MSR	\$ 3,124.77
June 1, 2024	Mapping and Clerk Services	\$ 1,715.56
4.16-24-5-15.24	Legal Svcs. P. Scott Browne	\$ 2,229.00
<b>TOTAL:</b>		<b>\$ 11,749.21</b>

DATED: June 6, 2024

APPROVED: June 6, 2024

\_\_\_\_\_  
Greg Ponciano, Chair or Katherin Dunlap, Vice-Chair  
Colusa Local Agency Formation Commission

Attest:

\_\_\_\_\_  
John Benoit  
Executive Officer

2023-2024

Acct 520-500

City Expenditure titles Expenditure Category City Coding	Ex Officer Cont Executive Off. Co 7338	Clerical Support Clerical Suppt 7320	Workers Co Workers Com 7016	Contactural Contactural 7321	Liability Insurance 7315	Office Exp Office Suppl 7339	Postage and Postage 7322	Copies Copies 7322	Dues-Subs Memberships 7319
	\$53,523.46	\$3,657.00	\$50.00	\$26,761.73	\$2,919.00	\$375.00	\$500.00	\$750.00	\$2,027.00
Calafco Dues 2022-2023 (2022-06)									-1,486.00
SDRMA Insurance 22-23 #72123					-2,807.81				
Calafco Reg JB,Jb,KD, GP &RC									
Browne Ending 7.15.23									
Staff Svcs July 2023	-4,458.00	-175.00		-2,229.00		-32.20	-1.39	-30.70	
Browne Endingn 8.15.2023				-2,229.00					
Staff Svcs August 2023	-4,458.00					-15.00			
Staff Svcs Sept 2023 2024-07	-4,458.00					-20.00			
Browne Ending 9.15.23				-2,229.00					
Browne Ending 10.15.23				-2,229.00					
Browne Ending 11.15.23				-2,229.00					
r4rr	-4,458.00							-60.00	
Staff SVCS NOVEMBER 2023	-4,458.00						-2.00	-3.50	
CSDA 2024 Member invoice									-500.00
Conf Reimb Ponciano for Colusa									
Conf Reimb Janice Bell Colusa									
Staff Svcs December 2023	-4,458.00	-637.50						-1.00	
Browne ending 12.15.23				-2,229.00					
Staff Svcs January 2024	-4,458.00					-19.95		-35.00	
Browne Ending 1.16.24				-2,229.00					
Staff Svcs Feb 2024	-4,458.00							-10.00	
Browne ending 2.15, 2024				-2,229.00					
Staff Svcs March 2024	-4,458.00							-56.30	
Browne ending 3.15.2024				-2,229.00					
Staff Svcs April 2024	-4,458.00					-20.00		-10.00	
Browne ending 4.15.24 1336				-2,229.00					
Staff Svcs May 2014	-4,458.00	-1,164.13				-20.00		-20.00	
Browne ending 5.15-24				-2,229.00					
<b>Total Expended in FY 22-23</b>	<b>-49,038.00</b>	<b>-1,976.63</b>	<b>\$0.00</b>	<b>-24,519.00</b>	<b>-2,807.81</b>	<b>-127.15</b>	<b>-3.39</b>	<b>-226.50</b>	<b>-1,986.00</b>
<b>Total Remaining in FY 22-23</b>	<b>\$4,485.46</b>	<b>\$1,680.37</b>	<b>\$50.00</b>	<b>\$2,242.73</b>	<b>\$111.19</b>	<b>\$247.85</b>	<b>\$496.61</b>	<b>\$523.50</b>	<b>\$41.00</b>





**From:** Rene LaRoche rlaroche@calafco.org  
**Subject:** Board Nominations Now Open  
**Date:** May 21, 2024 at 12:31 PM  
**To:** Info info@calafco.org

Good afternoon, everyone.

This is to announce, on behalf of the CALAFCO Elections Committee, that the Nomination period is now open for the fall CALAFCO Board of Directors elections for the following seats:

CENTRAL REGION	COASTAL REGION	NORTHERN REGION	SOUTHERN REGION
County Member District Member	County Member District Member	City Member Public Member	City Member Public Member

The elections will be held during the regional caucuses that occur prior to the Annual Membership Meeting, which is scheduled for Thursday, October 17, 2024 at the Tenaya Lodge in Fish Camp, California, outside of Yosemite National Park.

Complete details of the nomination process, including all deadlines, are contained in the attached memo from Kenneth Leary, the Elections Committee Chair. Please share this document with your Commissioners.

Also, please make note that **Monday, September 16, 2024** is the deadline when the following election materials must be returned:

- Completed Nomination Packets
- Requests for an Absentee/Electronic Ballot, and
- LAFCO designations of voting delegate (using attached form)

If you have any questions about the attached instructions and forms, or the election process, please contact me at [rlaroche@calafco.org](mailto:rlaroche@calafco.org).

Thank you and have a wonderful day!

**René LaRoche** (She/Her/Hers)  
CALAFCO Executive Director



SUPPORTING SUSTAINABLE  
COMMUNITY GROWTH  
1451 River Park Drive, Suite 185, Sacramento, CA 95815-4520  
916-442-6536  
[www.calafco.org](http://www.calafco.org)

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Date Received  
\_\_\_\_\_

# CALAFCO

Board of Directors

## 2024/2025 Nomination Form (Must accompany the Candidate Résumé Form)

### *Nomination to the CALAFCO Board of Directors*

In accordance with the Nominations and Election Procedures of CALAFCO,

\_\_\_\_\_ LAFCO of the \_\_\_\_\_ Region

Nominates \_\_\_\_\_

for the (check one)     City     County     Special District     Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual Membership Meeting of the Association.

\_\_\_\_\_ LAFCO Chair

\_\_\_\_\_ Date

**NOTICE OF DEADLINE**

Nomination Packets must be received by **September 16, 2024** to be considered by the Election Committee.

**Send completed nominations to  
info@calafco.org**

Or, mail to:

CALAFCO Election Committee  
CALAFCO  
1451 River Park Drive, Ste. 185  
Sacramento, CA 95815

Date Received  
\_\_\_\_\_



**Board of Directors  
2024/2025 Candidate Résumé Form**  
(Complete both pages)

Nominated By: \_\_\_\_\_ LAFCO Date: \_\_\_\_\_

Region (please check one):  Northern  Coastal  Central  Southern

Category (please check one):  City  County  Special District  Public

Candidate Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Office \_\_\_\_\_ Mobile \_\_\_\_\_

e-mail \_\_\_\_\_

Personal and Professional Background:

LAFCO Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

**NOTICE OF DEADLINE**

Complete Nomination Packets must be received by **September 16, 2024** to be considered by the Election Committee.

**Send completed nominations to  
info@calafco.org**

Or, mail to:

CALAFCO Election Committee  
CALAFCO  
1451 River Park Drive, Ste. 185  
Sacramento, CA 95815

80



1451 River Park Drive, Ste 185  
Sacramento, CA 95815  
(916) 442-6536

### **NOMINATION OF 2024 CALAFCO VOTING DELEGATE**

*The Local Agency Formation Commission of the below named county, hereby nominates and names the following Commissioners as its duly authorized voting delegate and alternate for purposes of the 2024 CALAFCO Board of Directors election to be held on Thursday, October 17, 2024, during the CALAFCO Regional Caucus and Annual Meeting in Fish Camp, California.*

County Name:

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Delegate:

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Alternate:

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Appointment Authorized by:

---

Name of individual completing form on behalf of the LAFCo:

---

Will your delegate or alternate be attending the CALAFCO Annual Conference?

Yes:

No:

**PLEASE RETURN COMPLETED FORM BY SEPTEMBER 16, 2024 TO:**

René LaRoche via email to: [rlaroch@calafco.org](mailto:rlaroch@calafco.org)

**Late submissions will NOT be accepted.**



# 2024 ACHIEVEMENT AWARD NOMINATION

Due Date: Saturday, August 31, 2024

8 d

## Achievement Award Nomination Form

### NOMINEE - Person or Agency Being Nominated

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

### NOMINATION CATEGORY (check one – see category criteria on attached sheet)

- Outstanding CALAFCO Volunteer
- Outstanding CALAFCO Associate Member
- Outstanding Commissioner
- Outstanding LAFCo Professional

### Mike Gotch Excellence in Public Service (choose one category below)

- Protection of agricultural and open space lands and prevention of sprawl*
- Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*
- Legislator of the Year (must be approved by the full CALAFCO Board)
- Lifetime Achievement Award

### NOMINATION SUBMITTED BY:

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

# COLUSA LAFCO

June 6, 2024

Honorable Maria Elena Durazo, Chair  
Senate Local Government Committee  
State Capitol, Room 407  
Sacramento, CA 95814

**RE: SUPPORT of AB 3277, Local agency formation commission: districts: property tax**

Dear Chair Durazo and Committee members,

The Colusa Local Agency Formation Commission (LAFCo) is pleased to **Support Assembly Bill 3277**, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), which makes a clarifying change to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

Under existing statute, a commission must perform a financial analysis of ad valorem property taxes when a proposal is received that includes the incorporation of a city and the formation of a district. The only purpose of the analysis is to determine how best to apportion the property taxes between the agencies. However, occasionally, an application is received in which the district waives any portion of the ad valorem taxes. In those situations, no analysis is needed for the process, yet it remains required by statute.

This bill will add language that clarifies that the performance of the financial analysis in that situation only needs to be performed in those instances where a portion of the ad valorem property taxes is being sought.

By making this minor change, **AB 3277** will apply this time-consuming process only to those applications that require it.

For the reasons noted above, Colusa LAFCO **Supports AB 3277**.

Please do not hesitate to reach out with questions or concerns about our position.

Yours sincerely,

Greg Ponciano  
Chair, Colusa LAFCo

# COLUSA LAFCO

June 6, 2024

Honorable Juan Carrillo, Chair  
Assembly Local Government Committee  
1020 N St., Rm. 157  
Sacramento, CA 95814

RE: **SUPPORT - SB 1209 (Cortese): Local agency formation commission: Indemnification**

Dear Chair Carrillo and Committee Members:

The Colusa Local Agency Formation Commission (LAFCO) is pleased to **Support Senate Bill 1209**, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO). **SB 1209** would add a new section into Government Code authorizing LAFCOs to enter into an indemnification agreement with an applicant. Counties and cities are already empowered to require indemnification, and routinely do so with respect to discretionary land-use approvals. SB 1209 would merely provide LAFCOs with the same authority.

This bill addresses a 2022 decision of the Second District Court of Appeals, which found that existing State law does not provide explicit authority to LAFCOs to require indemnification. Absent indemnification authority - and because LAFCO funding is statutorily required in a specified ratio from the county, cities, and special districts within a county - the costs to defend litigation must be absorbed by all of LAFCO's funding agencies.

Consequently, **SB 1209** will provide LAFCOs with the ability to use a tool already in use by counties and cities, and prevent costs to defend litigation from being shifted to a county, its cities, and its special districts.

Thus, for the above reasons, Colusa LAFCO is in strong **Support of SB 1209** and respectfully requests your AYE vote.

Sincerely,

Greg Ponciano  
Chair, Colusa LAFCO

cc: Members and All Consultants, Assembly Local Government Committee  
The Honorable Dave Cortese, California State Senate  
René LaRoche, Executive Director, CALAFCO