

COLUSA LOCAL AGENCY COMMISSION

EXECUTIVE OFFICER'S REPORT

MEETING DATE: December 1, 2016 3:00 PM.

TO: Colusa Local Agency Formation Commission

FROM: John Benoit, Executive Officer

SUBJECT: LAFCO #2016-0002, City of Colusa State Park
Reorganization: Annex to the City of Colusa and
Detachment from the Sacramento River FPD

Attachments:

1. City of Colusa Resolution 14-44
2. Notice of Exemption (Sept 22, 2014)
3. LAFCO Resolution #2016-0009 - Reorganization

1. Summary:

The City of Colusa adopted Resolution 14-44 on September 16th, 2014 after the conclusion of a Public Hearing requesting an annexation of contiguous city owned property located on Assessor's Parcels 015-070-017,-042,-122; and 015-080-016 & 021 and concurrent detachment from the Sacramento River Fire Protection District. An amendment to the City's Sphere of Influence is not required since this territory was included as part of the City's Sphere, which was adopted on February 12, 2012 (LAFCo Resolution 2012-0003). This property is the site of the Colusa State Recreation Area, which is substantially developed for its intended use and contains natural resource elements located north of the existing city limits and east of State Route 45 containing 300 acres more or less.

Staff recommends that the Colusa Local Agency Commission approve the reorganization consisting of an annexation of the 300 more or less acres of contiguous territory into the City and detach the 300-acre more or less territory from the Sacramento River Fire Protection District.

2. Proposal and Justification:

This proposal consists of the annexation of 300 acres more or less of territory into the City of Colusa and the concurrent detachment of 300 acres more or less from the Sacramento River Fire Protection District. The City will provide a full complement of city services consistent with the City's adopted General Plan. The City of Colusa will have jurisdiction over fire and EMS services within the territory upon completion of this reorganization. This reorganization will more effectively serve the reorganization territory for the following reasons:

- a. Services and infrastructure would become more centralized within the City.

- b. The City of Colusa is currently in the process of developing new boat launching and other infrastructure and increased efficiency in operations and services.
- c. This territory will serve as a catalyst for city revitalization efforts within its "Riverfront District" and bolster the economic activity for the Community and Region.
- d. City wastewater and water services would become available to support improvements with the State Recreation Area.

3. Location:

This property is located north of the existing City Limits and east of State Route 45.

4. Purpose:

To comply with the goals and policies of the general plan, promote general health and safety and welfare of the area.

5. Background Information:

Accepted for filing: Nov 1, 2016

Publication and Posting: Nov 1, 2016

Compliance with CEQA:

Lead Agency:	City of Colusa
Environmental Finding:	Exempt Class 15061 (b) 3 (see Attach #2)
Date of Finding:	January 5, 2012

Compliance with applicable Plans:

The proposed Reorganization conforms to the Colusa City General Plan.

Compliance with the Sphere of Influence:

The proposed reorganization will not require a Sphere of Influence Amendment since the territory is currently within the City's Sphere of Influence.

Existing Land Use and Zoning:

LAND USE DESIGNATION:	Parks/Recreation/Open Space
PREZONING:	Parks/Recreation/Open Space
DWELLINGS:	None.
POPULATION:	None.

REGISTERED VOTERS: None.

LANDOWNERS: State of California/City of Colusa

Existing Land Use for surrounding territory:

North: State Wildlife Area habitat

South: Urban Commercial

East: State Wildlife Area/Sacramento River

West: Agriculture, Estate Residential/Vehicle Storage

Proposed development: N/A

Fiscal data: The City and County of Colusa have both adopted a Joint Resolution for the distribution of Property Taxes for uninhabited territory (City Resolution 00-16 and County Resolution 00-42) in June 2000.

Existing service agencies:

School District:	Colusa Unified School District.
Fire Protection:	Sacramento River Fire Protection
General Government	Colusa County
Road Maintenance	Colusa County
Law Enforcement	Colusa County Sheriff's Dept.

Proposed service agencies:

School District:	Colusa Unified School District.
Fire Protection:	City of Colusa
General Government	City of Colusa
Road Maintenance	City of Colusa
Law Enforcement	City of Colusa

Service and improvement plan:

N/A

6. 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 table is provided as a guide for the Commission to consider.

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

Governing Law

LAFCO is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Act to its decisions regarding annexations, incorporations, reorganizations, and other changes of government. Section 56668 of the Government Code states the following:

Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

- (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 the this reorganization:

(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 existing territory is a public facility (state park).

(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 county is currently servicing this area and the City has the ability to provide services. The City may provide wastewater and water infrastructure in the area and will provide fire, EMS and policing services to enhance economic development in the annexation area.

(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 reorganization will have no effect on social and economic interests since there will be no population growth.

- (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 reorganization is prezoned for "Parks, Recreation and Open Space". This action will not have no impact upon the integrity of surrounding 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 City 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 City's Sphere of Influence and needs to be included.

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

None received

- (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 Colusa City and County General Plan. The city has amended its General Plan to include the territory and has adopted prezoning.

- (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.

N/A

Colusa LAFCO General Policies

Policy		Comment
Communication between local agencies is encouraged.	N/A	N/A
Urban development proposals shall include	N/A	The Territory is not

annexation to a city where possible.		planned or zoned for urban development.
LAFCO will normally deny proposals that result in urban sprawl.	N/A	This project is not planned or zoned for urban development
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 more logical, effective, and efficient services.	N/A	
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	
Boundaries: Definite boundaries are required. Boundaries that are favored: Create logical boundaries & eliminate islands or illogical boundaries. Follow natural or man-made features and include logical service areas. Boundaries that are disfavored: Split neighborhoods or communities. Result in islands, corridors, or peninsulas. Drawn for the primary purpose of encompassing revenue-producing territories. Create areas where it is difficult to provide services.	Consistent	

Revenue neutrality required for all proposals.	Consistent	
Agricultural and Open Space Land Conservation Standards: Must lead to planned, orderly & efficient development. Approved Sphere of Influence Plan required. Findings with respect to alternative sites required. Impact on adjacent agricultural/open space lands assessed. Agricultural Buffers	Consistent	
Need for services exists when: Public health and safety threat exists. The residents have requested extension of non-growth-inducing community services. Subject area is likely to be developed for urban use within 5 years.	N/A	
Exceptions are justified on the following grounds: Unique. Standards Conflicts. Quality/Cost. No Alternative.	Consistent	No policy exceptions are needed

Annexation and Detachment Policies—Colusa LAFCO General

Policy		Comment
Proposals must be consistent with LAFCO general policies.	Consistent	
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.	N/A	
The detachment is necessary to ensure delivery of services essential to Health and Safety.	yes	The City will provide fire and EMS services
The Successor provider will be the most efficient service provider	yes	
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.	Consistent	
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.	Consistent	

Adverse impact of detachment on other agencies or service recipients is cause for denial.	Consistent	
Action options include: Approval. Conditional approval to require only a portion of the area to be detached. Denial.		

7. Comments from the public and public agencies

None received

8. Recommendation

Staff recommends the Commission take the following actions:

- a. Adopt Resolution 2016-0009 (Attachment #3) approving this reorganization consisting of a detachment from the Sacramento River Fire Protection District and Annexation of the State Recreation Area to the City of Colusa including 300 acres more or less

9. Suggested Sample Motions:

I move to offer Resolution 2016-0009 approving a detachment from the Sacramento River Fire Protection District and Annexation of the state recreation area to the City of Colusa including 300 - acres more or less. subject to recommended terms and conditions.

RESOLUTION NO. 14-44

RESOLUTION OF APPLICATION BY THE COUNCIL OF THE CITY OF COLUSA REQUESTING THE COLUSA COUNTY LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR THE REORGANIZATION OF TERRITORY (INCLUDING ANNEXATION OF UNINCORPORATED TERRITORY TO THE CITY OF COLUSA; AND DETACHMENT FROM THE SACRAMENTO RIVER FIRE PROTECTION DISTRICT) INVOLVING APPROXIMATELY 304.44 ACRES OF PROPERTY, BEING ASSESSOR'S PARCEL NUMBERS 015-070-016, -017, -042, -122 & -136; AND 015-080-016 & -021 PLUS ADJACENT PUBLIC RIGHTS-OF-WAY

WHEREAS, the Council of the City of Colusa desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Section 56000 *et seq.*, for a reorganization which would concurrently annex an approximately 304.44-acre area located in the unincorporated area of Colusa County to the City of Colusa, and detach that same territory from the Sacramento River Fire Protection District; and

WHEREAS, the 304.44-acre territory is located within the City of Colusa Sphere of Influence as is necessary to effectuate the reorganization; and

WHEREAS, a map and description of the boundaries of the approximately 304.44-acre area (the "Subject Property") proposed to be annexed into the City of Colusa, and detached from the Sacramento River Fire Protection District, is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the Colusa County Local Agency Formation Commission ("LAFCO") is the agency with jurisdiction over such reorganizations within Colusa County ("County"); and

WHEREAS, a notice of intent to adopt this Resolution of Application has been given and published pursuant to Government Code Section 56654; and

WHEREAS, the principal reasons for the proposed reorganization are as follows:

1. The City Council has determined that the proposed reorganization will promote the general health, safety and welfare of the community; and
2. The City Council has determined that the reorganization, including the annexations and detachments listed herein, is consistent with and facilitates the fulfillment of the goals, policies and objectives set forth in the *City of Colusa General Plan*, as amended; and
3. The City Council has determined that, with an existing, substantially-developed State Recreation Area, and with substantial recreational and scenic resources, annexation of the 304.44-acre territory will comply with and implement the *City of Colusa General Plan*; and
4. The City Council has determined that there is sufficient infrastructure to serve the Subject Property, based upon the City Staff's review of the proposed reorganization; and

5. The City has, prior to or concurrent with the approval of this resolution, adopted an ordinance pre-zoning the Subject Property; and

6. The Subject Property is currently served by the Sacramento River Fire Protection District for fire and emergency services, and after annexation it will be more appropriately served by the City of Colusa Fire Department. Service by the Colusa Fire Department is also consistent with the *City of Colusa General Plan*; hence, the Subject Property must be detached from the Sacramento River Fire Protection District; and

WHEREAS, the following agency or agencies would be affected by the proposed jurisdictional changes:

<u>Agency</u>	<u>Nature of Change</u>
City of Colusa Annexation of APN's	Annexation of 015-070-016, -017, -042, -122; & -136; and 015-080-016, & -021.
Sacramento River Fire Protection District	Detachment of 015-070-016, -017, -042, -122; & -136; and 015-080-016, & -021.

WHEREAS, the Subject Property is "uninhabited" as defined by Govt. Code Section 56046; and

WHEREAS, the proposed reorganization is subject to the following condition(s):

1. None

WHEREAS, the City Council has complied with the requirements of the California Environmental Quality Act (the "CEQA"), Public Resources Code Section 21000 *et seq.*, the CEQA Guidelines, Cal. Code Regs. tit. 14, Section 15000 *et seq.*, and the Project is exempt from further environmental review under CEQA because City of Colusa Planning staff has concluded with certainty that the Project would have no significant effect on the environment, pursuant to Guidelines Section 15061 (b) (3); and

WHEREAS, the City and the County have previously entered into, or will enter into, a tax-sharing agreement pursuant to Revenue and Taxation Code Section 99; and

WHEREAS, on August 27, 2014, the Planning Commission held a duly noticed public hearing, reviewed and considered a Planning Department staff report, a Planning Commission Resolution, considered oral and written public comment, and passed Resolution No. 2014-03 recommending that the City Council amend the General Plan and pre-zone & annex the Subject Property; and

WHEREAS, on September 16, 2014 the City Council held a duly noticed public hearing and took public testimony for Pre-zoning Application # 01-13 (Z), at which time a Planning Department staff report, a Planning Commission Resolution, and oral and/or written testimony were considered; and

WHEREAS, the proposed annexation conforms with the policies and guidelines of the *City of Colusa General Plan* and the *Colusa Municipal Code*; and

Findings of Fact:

1. The Project site is located within the City of Colusa Sphere of Influence, the City of Colusa General Plan Area, and is adjacent to the existing incorporated boundary of the City of Colusa, as required by the Colusa County LAFCO policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act.
2. The proposed annexation boundary represents a logical expansion of the incorporated City limits, and is consistent with the Colusa County LAFCO policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act.
3. The Project site is substantially developed for its intended use. As such, there are no planned developments within the Project site that require any additional environmental review, nor any additional analysis within any of the City of Colusa master infrastructure planning reports prepared subsequent to the 2007 *City of Colusa General Plan*.
4. The Project would not have a detrimental effect on the health, safety, peace, and welfare of persons residing or working in the neighborhood of the project, or be detrimental or injurious to property and improvements in the neighborhood, or the general welfare of the City of Colusa.
5. Notice of a hearing on the proposed annexation and pre-zoning was sent to all persons owning property within 300-feet of the project site as identified on the Colusa County Assessor rolls, and publicly-noticed.
6. Subsequent to City Council review, LAFCo will review the proposed annexation, hold a public hearing, and will vote on the annexation.
7. The project is consistent with land-use goals and the applicable policies of the *City of Colusa General Plan*, for the following reasons:
 - a. The Project site was included within the Colusa Sphere of Influence in 2012 (re: Policy LU-5.3);
 - b. The proposed annexation does not represent a potentially significant demand on public facilities and services. City services are available to the Project site in a manner that is does not conflict with the public's health, safety, and welfare (re: Policy LU-6.3);
 - c. All new City water connections within the Project site will be metered and monitored to assist with water conservation efforts (re: Policy MFS-7.2);
 - d. City wastewater collection and treatment capacity is available to serve the Project properties, following Annexation and once physical improvements to the sewer main are approved and constructed (re Policy MFS-8.2 & -8.5); and
 - e. The Project represents an approximate doubling of the City's frontage along the Sacramento River. Annexation of the site enables the City of Colusa an increased stakeholder position in the management and future resource-related enhancements of the SRA. (re: Policy PRC-12.3)

8. Development of utility infrastructure within the project would comply with the standards, rules, and regulations of City ordinances and regulations, subject to approval of infrastructure improvement plans and/or encroachment permits by City Engineering, Public Works and Planning Department staff.
9. The City Council has complied with the requirements of the California Environmental Quality Act (the "CEQA"), Public Resources Code Section 21000 *et seq.*, the CEQA Guidelines, Cal. Code Regs. tit. 14, Section 15000 *et seq.*, and the Project is exempt from further environmental review under CEQA because City of Colusa Planning staff has concluded with certainty that the Project would have no significant effect on the environment, pursuant to Guidelines Section 15061 (b) (3).

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COLUSA DOES HEREBY RESOLVE:

1. Recitals. That the foregoing recitals and findings are true.
2. Adoption and Approval. That this Resolution of Application is hereby adopted and approved and the Local Agency Formation Commission of Colusa County is hereby requested to take proceedings for the reorganization of the Subject Property as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
3. Authorization to City Manager. That City staff is hereby directed to prepare all such documents as may be required to facilitate these annexations and detachments, including but not limited to the plan for providing services, and the City Manager is hereby authorized to execute such documents, if required.
4. Notification. That the names of the officers who are to be furnished with copies of the report by the LAFCo Executive Officer, and to be given mailed notice of the hearing are Randall L. Dunn, Interim City Manager and Bryan Stice, Senior Planner.
5. Effective Date. This Resolution shall be effective immediately.


PASSED AND ADOPTED at a regular meeting of the City Council of the City of Colusa on the 16th day of September 2014, by the following vote:

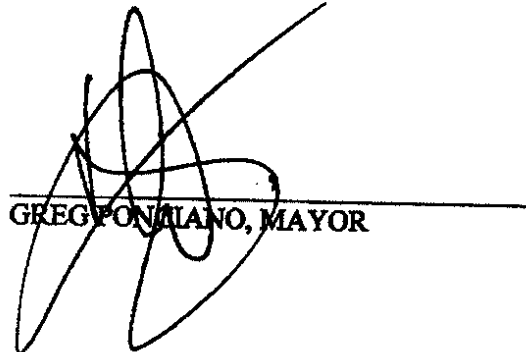
AYES: Critchfield, Kelleher, Acree and Ponciano.

NOES: None.

ABSTAIN: None.

ABSENT: Reische.


Shelly Kittle, City Clerk


GREG PONCIANO, MAYOR

EXHIBITS

A: Annexation Boundary, Colusa – Sacramento River SRA

ENDORSED

NOTICE OF EXEMPTION

FILED

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, California 95814

From: City of Colusa
Planning Department
425 Webster Street
Colusa, California 95932
(530) 458-4740

SEP 22 2014

KATHLEEN MORAN
COLUSA COUNTY CLERK-RECORDER

County Clerk
County of Colusa
546 Jay Street
Colusa, California 95932

REC # 449371
DOC 14-46

Project Title: Colusa - Sacramento River State Recreation Area (SRA) Annexation

Project Location - Specific: North of Levee St. west of 10th St., including all of the above SRA

Project Location - City: Unincorporated Colusa County: Colusa

Description of project: Annexation of 304.84 +/- acres of property, including pre-zoning to Open Space (O-S) District; and General Plan amendment to include the SRA properties in the City of Colusa General Plan as Parks/Recreation/Open Space.

Name of Public Agency approving project: City of Colusa

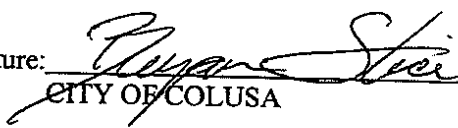
Name of person or agency carrying out project: City of Colusa

Exempt status: (Check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☐ Categorical Exemption, State type and section number: _____
☐ Statutory Exemption. State code number: _____
☒ General Rule Exemption Guidelines Section 15061 (b) (3)

Reasons why project is exempt: The project is exempt as indicated above because pursuant to CEQA Guidelines Section 15061 (b)(3), the activity (project) is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and where it can be seen for certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It can be seen with certainty that there is no possibility that the subject annexation, pre-zoning, and general plan amendment may have a significant effect on the environment. Therefore, the project is considered to be exempt pursuant to Section 15061 (b)(3) of the CEQA Guidelines.

Lead Agency contact person: Bryan Stice Phone: (530) 458-4740

Signature:  Date: September 22, 2014 Title: Senior Planner
CITY OF COLUSA

Date received for filing at OPR: _____

Resolution 2016-0009 of the

Colusa Local Agency Formation Commission
Colusa County, California

A Resolution Making Determinations and Approving the Detachment of 300 acres more or less from the Sacramento River Fire Protection District and concurrent Annexation of 300 acres more or less to the City of Colusa

WHEREAS, a Resolution of Application for Annexation of 300 acres more or less to the City of Colusa and Detachment of 300 acres more or less from the Sacramento River Fire Protection District has been filed with the Executive Officer of the Colusa Local Agency Formation Commission: Colusa County, California; and said application complied with all the requirements of law and the Commission; and,

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

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission upon said application; 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 hearing on December 1, 2016, 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 hearing, including the comments of all interested parties desiring to be heard;

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

1. The foregoing recitals are true and correct.
2. The territory comprises approximately 300 acres more or less to be detached from the Sacramento River Fire Protection district and 300 acres more or less to be annexed to the City of Colusa on property knowned as the State Recreation Area (State Park).
3. The change of organization is assigned the following distinctive short-term designation:
LAFCO 2016-0002 – City of Colusa: State Recreation Area Reorganization
4. The proposal is consistent with the sphere of influence of the City of Colusa and the Sacramento River Fire Protection 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 December 1, 2016.

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 bring the State Recreational Area territory into the City of Colusa.
7. In reviewing this application, the Commission finds that all property owners and agencies in said territory have been given notice regarding this change of organization.
8. In reviewing this application, the Commission finds that there will not be a duplication of other powers provided by any other special district since this territory will be detached from the Sacramento River Fire Protection 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 are hereby incorporated by reference and hereby adopted.
11. The map and boundary description shall comply with the State Board of Equalization and Colusa County Surveyor requirements. Written verification by the County Surveyor of compliance with County Standards must be provided to LAFCo prior to recordation. The boundary description and map, if rejected by the State Board of Equalization or amended by LAFCO, will be revised at the expense of the applicant. The applicant shall be responsible for all 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. The Boundary Description and Map must contain the following corrected information: LAFCO File 2016-0002 Detachment from the Sacramento River Fire Protection District and State Recreation Area Annexation to the City of Colusa.
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 and corrections included.
13. As stated in the LAFCO Staff Report dated December 1, 2016, the amount of base property tax and tax increment transferred shall be in accordance with Joint Resolution of the City Council of the City of Colusa (Resolution 00-16) and the Board of Supervisors of the County of Colusa Colusa County (Resolution 00-42) for the territory to be annexed and detached hereto which is attached as Exhibit "C".
14. Said reorganization territory is found to be uninhabited (less than 12 registered voters).

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 the project proponent.
16. Further protest proceedings are waived and the Commission orders the 300 acre more or less detachment from the Sacramento River Fire Protection District as well as the annexation of 300 acres more or less to the City of Colusa, pursuant to Part 4 commencing with Section 57000. Satisfactory proof has been given that the subject territory is uninhabited, that all landowners (the City of Colusa) 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 and (or) detach the territory described in Exhibits "A" and "B" without notice and election.
17. The Commission hereby adopts a Notice of Exemption – General Rule prepared by the City for this reorganization.
18. One reproducible electronic copy of the Metes and Bounds Description and Map in PDF format, five large copies (18" by 24") and two 8 ½" x 11" reductions of all maps along with five copies of the final LAFCO approved boundary description shall be submitted to LAFCO prior to recordation of the Certificate of Completion.
19. 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.
20. 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.

21. The Executive Officer is directed to record a Certificate of Completion for this proposal upon completion of all proceedings.
22. Annexation of territory to the City of Colusa and detached from the Sacramento River Fire Protection District referenced in the Executive Officer's report dated December 1, 2016 must be recorded concurrently.
23. 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.

PASSED AND ADOPTED by this Local Agency Formation Commission of the County of Colusa, **on the 1st day of December 2016**, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINS:

Signed and approved by me after its passage this first day of December 2016.

Tom Reische, Chair – Colusa Local Agency
Formation Commission

Attest:

John Benoit, Executive Officer
Colusa Local Agency Formation Commission

EXHIBIT "A"

LAFCO FILE 2016-002

**Proposed Annexation
to the**

CITY OF COLUSA

of a portion of the

Colus Rancho, Township 16 North, Range 1 West, Mount Diablo Meridian;

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

Commencing at point in the center line intersection of 12th Street and Main Street in the Town of Colusa, thence **Course 1**, North 17°47'24" East a distance of 400.20 feet to the north line of Levee Street, said point bears South 74°00'00" East a distance of 372.50 feet from the northwest corner of said Town of Colusa, said point also being on the northerly line of the Town of Colusa and the true point of beginning of this description; thence **Course 2**, thence North 22°00'00" East a distance of 118.05 feet; thence **Course 3**, North 23°55'00" West a distance of 903.01 feet; thence **Course 4**, North 61°38'00" East a distance of 589.55 feet to said landward levee right of way line; thence **Course 5**, South 03°56'00" West, along said right of way line, a distance of 148.48 feet; thence **Course 6**, South 86°04'00" East a distance of 129.31 feet to the southerly line of that certain parcel owned by the Roberts Ditch Company; thence **Course 7**, South 81°30'00" East, along the boundary of said parcel, a distance of 60.17 feet; thence **Course 8**, North 00°05'00" East, along said boundary, a distance of 218.00 feet; thence **Course 9**, North 12°15'00" East, along said boundary, a distance of 192.00 feet; thence **Course 10**, North 81°30'00" West, along said boundary, a distance of 117.24 feet; thence **Course 11**, leaving said boundary, North 08°32'00" West a distance of 71.77 feet; thence **Course 12**, North 10°53'00" West a distance of 401.16 feet; thence **Course 13**, North 04°56'00" West a distance of 476.99 feet, more or less, to a point on the southerly line of Parcel One as shown on that certain map on file in Book 6 of Parcel Maps at Page 11; thence **Course 14**, South 43°21'00" East, along the boundary of said Parcel One, a distance of 30.42 feet to the beginning of a 140.00 foot radius non-tangent curve, concave to the Southeast, a radial to said beginning bears North 78°34'57" West; thence **Course 15**, Northeasterly, along said curve and along said boundary, through a central angle of 34°49'57" an arc distance of 85.10 feet; thence **Course 16**, tangent to said curve, North 46°15'00" East, along the boundary of said Parcel One and along the boundary of Parcel Two as shown on said map, a distance of 500.01 feet to the beginning of a 175.00 foot radius tangent curve, concave to the West; thence **Course 17**, Northerly, along said curve and along the boundary of said Parcel Two, through a central angle of 56°15'00" an arc distance of 171.81 feet; thence **Course 18**, tangent to said curve, North 10°00'00" West, along the boundary of said Parcel Two, a distance of 80.00 feet; thence **Course 19**, South 49°02'00" West, along the boundary of said Parcel Two, a distance of 16.38 feet to a point on the westerly side of the crown of the Sacramento River Levee; thence **Course 20**, leaving said boundary, North 10°00'00" West a distance of 1408.20 feet to a point on the westerly side of the crown of the Sacramento River Levee; thence **Course 21**, North 19°31'00" West a distance of 320.00 feet to a point on the westerly side of the crown of the Sacramento River Levee; thence **Course 22**, North 13°37'00" East a distance of 132.00 feet; to a 1" gaspipe marked "J.N.B." on the westerly side of the Sacramento River Levee;

CITY OF COLUSA

15-106

November 14, 2016

Sheet 1 of 2

EXHIBIT "A" (continued)

LAFCO FILE 2016-002

**Proposed Annexation
to the**

CITY OF COLUSA

of a portion of the

Colus Rancho, Township 16 North, Range 1 West, Mount Diablo Meridian;

thence **Course 23**, North 52°19'00" East a distance of 2515.20 feet to a 1" gaspipe marked "J.N.B." on the line between U.W. Brown and the land of Arnold White; thence **Course 24**, South 04°03'00" East a distance of 209.40 feet; thence **Course 25**, South 01°48'00" West a distance of 208.50 feet; thence **Course 26** South 18°26'00" East a distance of 372.00 feet to a 1" gaspipe marked "J.N.B." in a fence corner; thence **Course 27**, North 62°33'00" East, along a fence line, a distance of 660.10 feet; thence **Course 28**, North 66°08'00" East a distance of 158.60 feet; thence **Course 29**, North 77°21'00" East a distance of 274.40 feet to a 1" gaspipe marked "J.N.B." in a fence corner; thence **Course 30**, North 08°37'00" West a distance of 110.20 feet a 1" gaspipe marked "J.N.B." on the southerly toe of an irrigation canal; thence **Course 31**, North 52°12'00" East, along said southerly toe, a distance of 130.53 feet, more or less, to the westerly bank of the Sacramento River; thence **Course 32**, Southerly, along said westerly bank, a distance of 9665 feet, more or less, to the northerly line of the Town of Colusa, thence **Course 33**, North 74°00'00" West, along said northerly line a distance of 1172.00 feet, more or less, to the point of beginning and containing an area of 300 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.

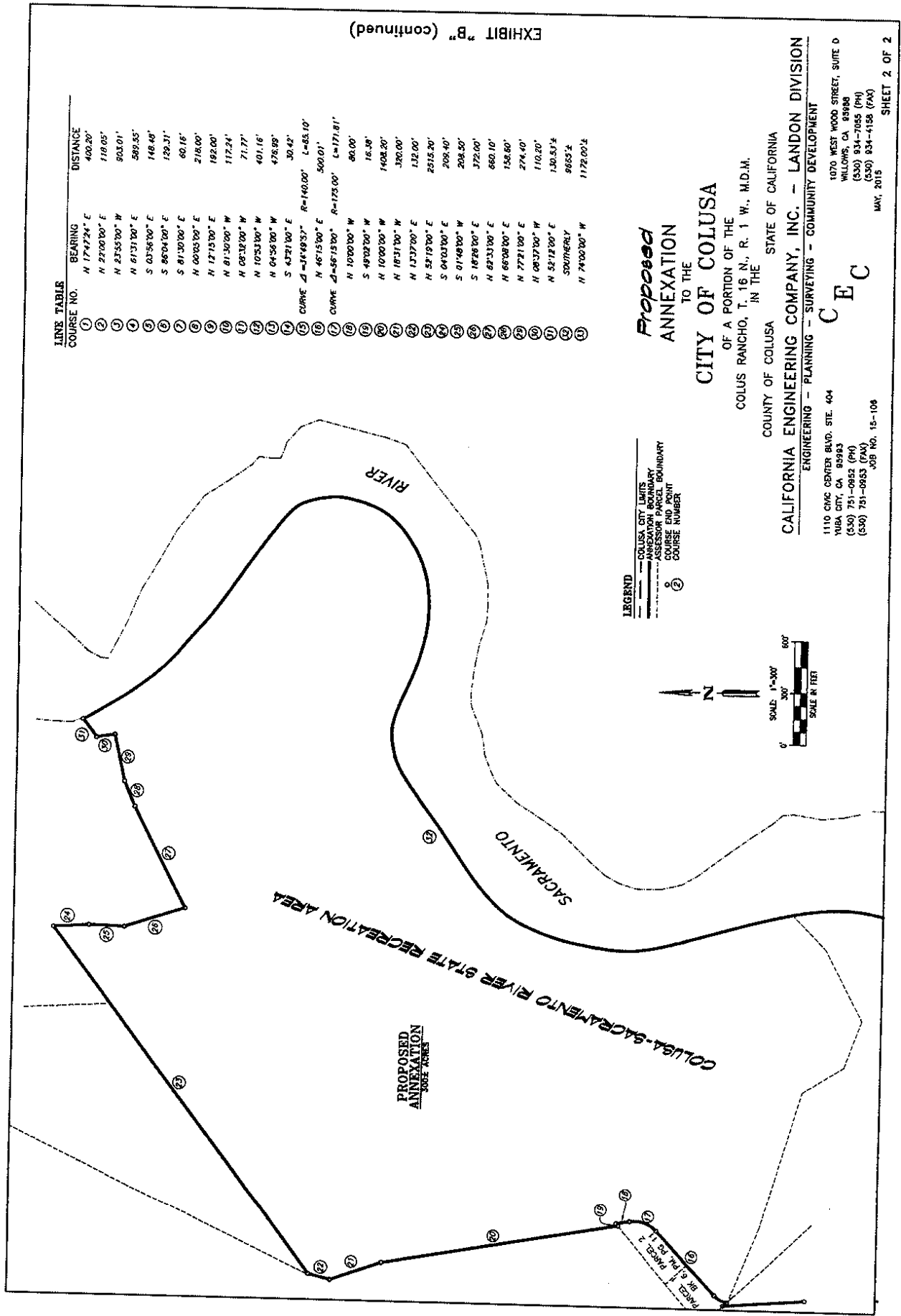


CITY OF COLUSA

15-106

November 14, 2016

Sheet 2 of 2

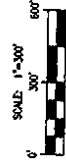
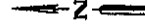


LINE TABLE

COURSE NO.	BEARING	DISTANCE
1	N 174°24' E	400.20'
2	N 22°00'00" E	110.05'
3	N 23°50'00" W	903.01'
4	N 61°31'00" E	589.55'
5	S 03°56'00" E	148.46'
6	S 86°04'00" E	125.31'
7	S 81°30'00" E	60.16'
8	N 00°03'00" E	216.00'
9	N 12°15'00" E	192.00'
10	N 81°30'00" W	117.24'
11	N 08°38'00" W	71.77'
12	N 10°53'00" W	401.16'
13	N 04°56'00" W	476.99'
14	S 43°21'00" E	30.42'
15	CURVE Δ=34°49'53" R=140.00' L=85.10'	
16	N 46°15'00" E	500.01'
17	CURVE Δ=56°15'00" R=175.00' L=171.81'	
18	N 10°00'00" W	86.00'
19	S 49°02'00" W	16.38'
20	N 10°00'00" W	1408.20'
21	N 18°31'00" W	320.00'
22	N 12°37'00" E	132.00'
23	N 52°19'00" E	2315.20'
24	S 04°03'00" E	208.40'
25	S 01°48'00" W	208.50'
26	S 16°26'00" E	372.00'
27	N 82°33'00" E	660.10'
28	N 66°09'00" E	158.80'
29	N 77°21'00" E	274.40'
30	N 08°37'00" W	110.20'
31	N 52°12'00" E	130.51'±
32	SOUTHERLY	9653'±
33	N 74°00'00" W	1172.00'±

LEGEND

- COLUSA CITY LIMITS
- ANNEXATION BOUNDARY
- ASSESSOR PARCEL BOUNDARY
- COURSE COUNT
- COURSE NUMBER



Proposed
ANNEXATION

TO THE
CITY OF COLUSA
OF A PORTION OF THE
COLUS RANCHO, T. 16 N., R. 1 W., M.D.M.
IN THE
COUNTY OF COLUSA STATE OF CALIFORNIA

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

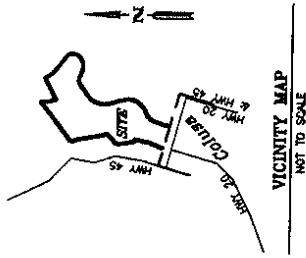
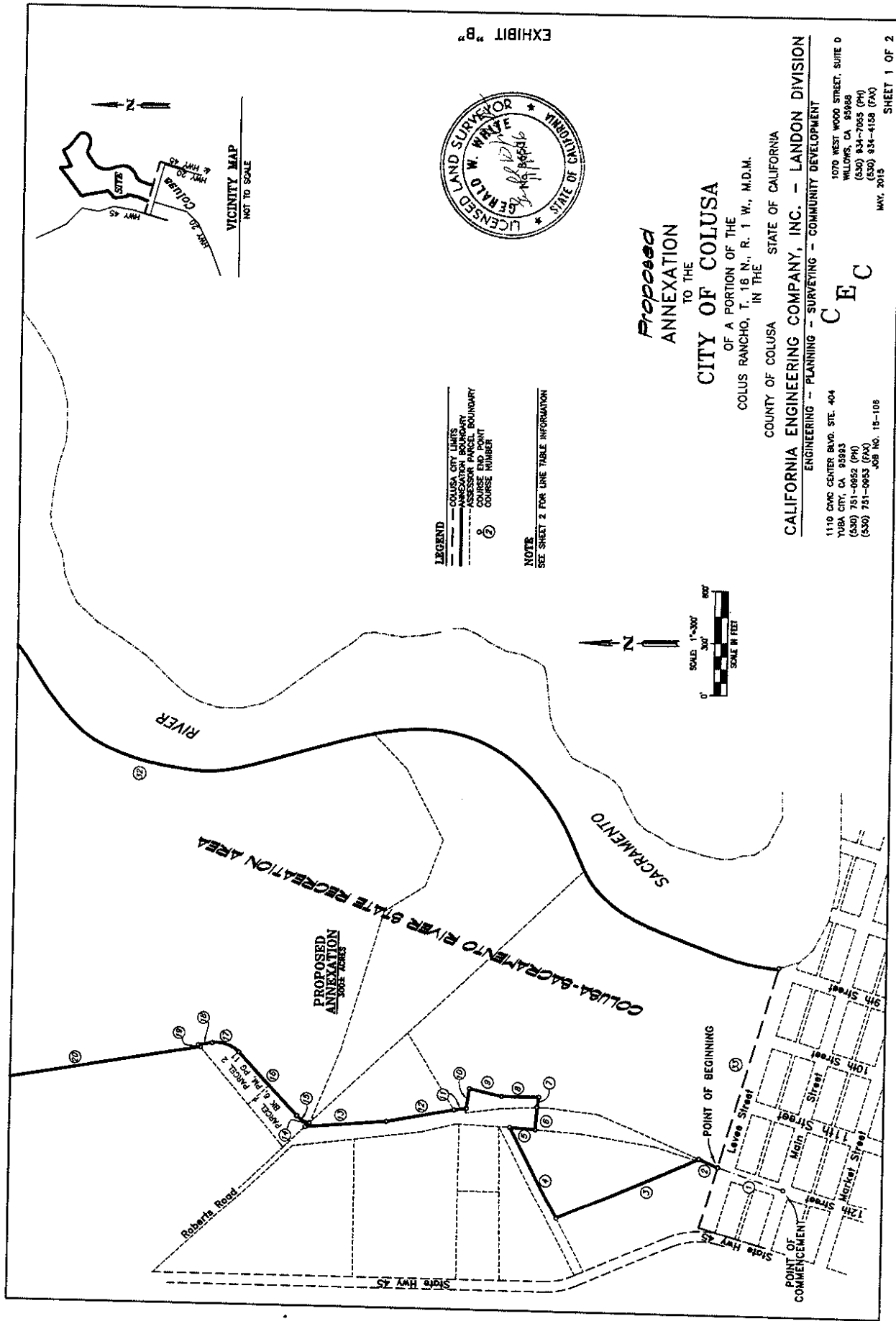
1110 CMC CENTER BLVD. STE. 404
YUBA CITY, CA 95993
(530) 751-0953 (PH)
(530) 751-0953 (FAX)
JOB NO. 15-106

1070 WEST WOOD STREET, SUITE D
WILLOWS, CA 95986
(530) 934-7055 (PH)
(530) 934-4158 (FAX)

MAY 2015

SHEET 2 OF 2

EXHIBIT "B" (continued)



LEGEND

- COLUSA CITY LIMITS
- ANNEXATION BOUNDARY
- ASSESSOR PARCEL BOUNDARY
- COURSE END POINT
- COURSE NUMBER

NOTE
SEE SHEET 2 FOR LINE TABLE INFORMATION



Proposed
ANNEXATION
TO THE
CITY OF COLUSA
OF A PORTION OF THE
COLUSA RANCHO, T. 16 N., R. 1 W., M.D.M.
IN THE
COUNTY OF COLUSA STATE OF CALIFORNIA

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

1110 CMC CENTER BLVD. STE. 404
YUBA CITY, CA 95993
(530) 751-0652 (PH)
(530) 751-0653 (FAX)
JCB No. 15-108

1070 WEST WOOD STREET, SUITE D
WILLOWS, CA 95966
(530) 834-7055 (PH)
(530) 834-4158 (FAX)
MAY, 2015

SHEET 1 OF 2

EXHIBIT "B"

JUL 11 11:11 AM 1980
COLUSA

CITY RESOLUTION NO. 00-16

COUNTY RESOLUTION NO. 00-42 Exhibit C

**JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUSA
AND THE BOARD OF SUPERVISORS OF THE COUNTY OF COLUSA
REVOKING JOINT RESOLUTION NUMBER 80-19A AND ESTABLISHING A DISTRIBUTION
OF PROPERTY TAXES ON ANNEXATIONS OF UNINHABITED TERRITORY
TO THE CITY OF COLUSA**

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, the California Legislature through the adoption of AB 8 (Long Term Financing of Local Government) did prescribe that before any reorganization of boundaries can be completed, that the governing boards of local entities shall negotiate and reach an agreement with the County Board of Supervisors, for the distribution of property taxes from within the areas affected; and

WHEREAS, THE City of Colusa City Council and the Colusa County Board of Supervisors have negotiated on the tax distribution within areas defined as "Uninhabited Territory Annexations" pursuant to Section 99 of the Revenue and Taxation Code.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Colusa and the Board of Supervisors of the County of Colusa do agree that the formula to be used for the distribution of property taxes on all future annexations of "Uninhabited Territory" to the City of Colusa shall be based upon:


1. Property tax revenues attributable to the Annexation Territory in accordance with the provisions set forth in this joint resolution;
2. The exchange of property taxes shall be effective beginning any roll year only if the jurisdictional change has been completed and approved by the State Board of Equalization prior to December 1st of the preceding year.
3. For the annexation of any subject territory, the City will assume responsibility for fire and police protection services and road maintenance. Subsequently, the entire share of the property tax revenue, including both the base year revenues and the annual tax increment attributable to the Sacramento River Fire District of Colusa County, the Colusa County Sheriff, and the Colusa County Road District shall be distributed to the City of Colusa;
4. For the County and any special districts within the annexation area, after the effective date of the annexation, they shall continue to receive their share of the property tax revenue, as established by AB 8 in 1978 and adjusted for growth, including both the base year revenue and the annual tax increment.
5. The Colusa County Auditor-Controller is hereby directed to distribute the property tax revenues for the territory within the subject annexation areas in accordance with this resolution.

BE IT FURTHER RESOLVED that this resolution supersedes, and voids any provision of the City of Colusa-County of Colusa Joint Resolution No. 80-19A, retroactive to 7/8/1980.

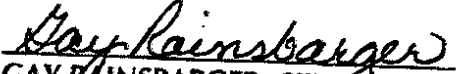
The foregoing resolution was adopted by the City Council of the City of Colusa at a regular meeting duly held on the 6th day of June, 2000.


FRANK JACONETTI, SR., MAYOR

APPROVED AS TO FORM:


TEDD A. MEHR, CITY ATTORNEY

ATTEST:


GAY RAINSBARGER, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF COLUSA) §
CITY OF COLUSA)

I, Gay Rainsbarger, City Clerk of the City of Colusa, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 00- 16 adopted by the City Council of the City of Colusa, California, at a regular meeting thereof, held on the 6th day of June, 2000 by the following vote:

AYES:	Winters, Hicks, Evans, Crippen, Jacometti
NOES:	None
ABSENT:	None
ABSTAIN:	None


GAY RAINSBARGER, CITY CLERK

The foregoing resolution was passed and adopted at a Regular meeting of the Board of Supervisors of the County of Colusa held on the 27th day of June, 2000, by the following vote:

AYES: Supervisors Womble, Waite and White.

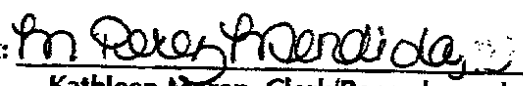
NOES: Supervisors Scofield and Maltby.

ABSENT: None.

ABSTAIN: None.



E. Douglas White, Chairman
Colusa County Board of Supervisors

Attest: 
for Kathleen Moran, Clerk/Recorder and
Ex Officio Clerk to the Board of
Supervisors

APPROVED AS TO FORM:



Donald F. Stanton, County Counsel