

COLUSA LOCAL AGENCY COMMISSION

EXECUTIVE OFFICER'S REPORT

MEETING DATE: November 2, 2017 3:00 PM.

TO: Colusa Local Agency Formation Commission

FROM: John Benoit, Executive Officer

SUBJECT: LAFCO #2017-0001, Colusa County Water Dist. Cleanup Reorganization

Attachments:

1. Colusa County Water District Initiating Resolution 2017-4
2. General location map showing areas to be detached and annexed.
3. Areas to be annexed
4. Areas to be detached
5. Notice of Exemption
6. LAFCO Resolution #2017-0006

Summary and Background:

The Colusa County Water District (CCWD) is requesting an annexation of 1,607.39 acres more or less of territory currently receiving CCWD water and detachment of 4,998.56 acres more or less of territory that has never have received CCWD water. Located in the Arbuckle & College City area in southern Colusa County northern Yolo County. See Attachment #2 a map provided by the CCWD showing the locations of the areas to be detached and annexed. See Attachment 3 showing the name of the landowner, the assessor's parcel number and the number of acres to be annexed and Attachment #4 showing the name of the landowner, the assessor's parcel number and the number of acres to be detached. The District is requesting annexation to include those landowners who receive and have been receiving district water for years. The District is requesting detachment of those landowners who have never received water since the district's formation.

The Colusa County Water District was formed on May 18, 1954. The District Office is located at 840 First Street, Arbuckle, California. The District serves approximately 40,000 acres located in southeastern Colusa County with a small amount of land located in northern Yolo County.

Water for the Colusa County Water District is stored in the Shasta Reservoir behind Shasta Dam constructed by the Bureau of Reclamation. The water flows down the Sacramento River where it is diverted to the Tehama-Colusa Canal and thence conveyed to the Colusa County Water District.

The system is designed to divert water from the Sacramento River into the settling basin by virtue of a dam across the Sacramento River located in Red Bluff, California. And although the system operated in this manner for some years, environmental concerns

and regulatory requirements have altered the operational practices of the Dam. The Colusa County Water District has underground pipelines with metered outlets for all water deliveries. The District only provides irrigation water for agriculture. No urban water is supplied.

No additional CVP water is requested for the proposed reorganization. Therefore, the overall purpose of this proposal is to Clean up the district boundaries by annexing those lands currently receiving water under the "sphere of influence" and detach those lands that were previously exempt from all district assessments and charges as they requested not to be included in the district. These was an accumulation of outstanding requests from the late 1980's when the district was finalizing infrastructure and beginning contract renewals with the Bureau.

Staff recommends that the Colusa Local Agency Commission approve this reorganization so irrigation water services will correspond with the areas currently receiving the irrigation water service.

Proposal and Justification:

Annexation of 1,607.39 acres more or less and Detachment of 4,998.56 acres or less to ensure the areas will continue to receive irrigation water and those who do not will not be within the district. There will be no effect on the current level of service within property. Annexed areas will be able to continue receiving district water. Detachment areas will continue to be as is.

Location:

This property is located in the Arbuckle-College City area of Southern Colusa County and in the Northern Yolo County in which 522.34-acres are proposed to be detached 51.97 acres are proposed to be annexed.

Purpose:

This proposal is so affirm the district's provision of non-potable water to the annexation territory as in-district territory. The properties will continue to have a surface water supply source.

Accepted for filing: October 10, 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:	LAFCo per request of the Colusa County Water District
Environmental Finding:	Exempt Classes 19 & 20 (see Attach. #5)
Date of Finding:	November 2, 2017

Compliance with applicable Plans:

The proposed Reorganization conforms to the Colusa County General Plan.

Compliance with the Sphere of Influence:

The proposed reorganization conforms to the adopted Sphere of Influence for the Colusa County Water District adopted by LAFCo on August 6, 2009.

Existing Land Use and Zoning:

LAND USE DESIGNATION:	Exclusive Agriculture (EA)
ZONING:	Agriculture (EA)
DWELLINGS:	0
POPULATION:	0
REGISTERED VOTERS:	0
LANDOWNERS:	several (See attachments #3 and #4)

Existing Land Use for surrounding territory:

North and South: Agriculture

East and West: Agriculture

Proposed development: N/A. The territory is in agriculture

Fiscal data: Colusa County 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.

Existing service agencies:

School District:	Arbuckle Unified School District.
Fire Protection:	Arbuckle Rural Fire Protection District
Domestic Water Service	N/A (areas is the Communities of Arbuckle and College City are not within the CCWD)
Sewer Service	Individual Septic Tanks (Areas in the APUD are not within the CCWD)
General Government	Colusa County

Road Maintenance	Colusa County
Law Enforcement	Colusa County Sheriff's Dept.
Agricultural Water Service	Colusa County Water District

Service and improvement plan:

No changes in the services are contemplated from this reorganization. Areas receiving water will continue to receive water and those who do not, will continue to not receive water.

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 reorganization to and from the Colusa County 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 CCWD provides Agricultural Water Irrigation services. These services are currently available and the purpose of the annexation is to place those properties receiving water into the district.

(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 growth (or change) 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 this reorganization 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 CCWD Sphere of Influence.

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

CCWD provided a resolution of application to annex the 1,607 acres more or less to the district and to detach 4,998.56 acres more or less from 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 consistent with the Colusa County General Plan. The land use designations remain and the uses are 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 will continue to need agricultural water.
LAFCO will normally deny proposals that result in urban sprawl.	N/A	The area is agricultural
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.	Consistent	

<p>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.</p>		
<p>Revenue neutrality required for all proposals.</p>	Consistent	
<p>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.</p> <p>Agricultural Buffers</p>	Consistent	
<p>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.</p>	N/A	
<p>Exceptions are justified on the following grounds: Unique. Standards Conflicts. Quality/Cost. 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 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.	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 2017-0006 (Attachment #4) approving this reorganization to and from the Colusa County Water District to include 1,607 acres more or less of territory currently receiving water and to detach 4,998.56 acres more or less not receiving district water.

Suggested Sample Motion:

I move to offer Resolution 2017-0006 approving this reorganization to and from the Colusa County Water District to include 1,607 acres more or less of territory currently receiving water and to detach 4,998.56 acres more or less not receiving district water.

BOARD OF DIRECTORS
COLUSA COUNTY WATER DISTRICT
RESOLUTION NO. 2017-4

RESOLUTION OF THE BOARD OF DIRECTORS OF THE COLUSA COUNTY WATER DISTRICT REQUESTING THE LOCAL AGENCY FORMATION COMMISSION OF COLUSA COUNTY TO TAKE PROCEEDINGS FOR THE DETACHMENT OF LANDS THAT WERE PREVIOUSLY IDENTIFIED AS APN #022-160-004; 005;040;053;055 AND 056 CONSISTING OF 298.78 ACRES OF UNINHABITED TERRITORY CURRENTLY WITHIN THE COLUSA COUNTY WATER DISTRICT.

RESOLVED by the Board of Directors of the Colusa County Water District ("CCWD"), that,

WHEREAS, CCWD 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 a detachment and Sphere of Influence Amendment; and

WHEREAS, the territory proposed to be detached is uninhabited and a map and boundary description of the boundaries of the property is set forth in Exhibit A attached hereto and by this reference incorporated herein (the "Territory"); and,

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

WHEREAS, the principal reasons for the proposed detachment are as follows: 1) landowner request detachment due to land use changes and inability to meet district assessment requirements and 2) most of said land has been re-designated Wetland Reserve and 3) has water available from 2047 canal; and,

WHEREAS, in the formation of CCWD landowners agreed to pay CCWD's 9d loan obligations under the district's contract with the Bureau of Reclamation through a yearly assessment and as such the Territory is obligated to pay a remaining indebtedness, and therefore, the proposed detachment should be subject to the following terms and conditions:

1. Any and all "pro-rata" share of costs of the proceeding, including mapping incurred to complete the detachment from CCWD including but not limited to costs of Colusa LAFCO, Bureau of Reclamation, and CCWD "buy-out" of the Territory's share of the 9d contract obligation.

Attachment 1

2. All fees due and payable to CCWD will be paid by the Owners prior to the issuance of LAFCO's Certificate of Completion; and,

WHEREAS, this proposal is consistent with the Sphere of Influence of CCWD, however it is proposed that sphere of influence be concurrently amended; and,

WHEREAS, this Board desires that the Local Agency Formation Commission assume Lead Agency status responsible for compliance with the California Environmental Quality Act.

NOW, THEREFORE, this Resolution of Application is hereby adopted and approved by the Board of Directors of the Colusa County Water District, and the Local Agency Formation Commission of Colusa County is hereby requested to take proceedings for the detachment of the Territory as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and to amend CCWD's sphere of influence accordingly.

PASSED AND ADOPTED this 14th day of June 2017, by the Board of Directors of the Colusa County Water District, County of Colusa, State of California, by the following vote:

AYES: D. Griffin, L. Rominger, K. Myers, J. Marsh

NOES: None

ABSTAIN: None

ABSENT: H. Charter

/D/

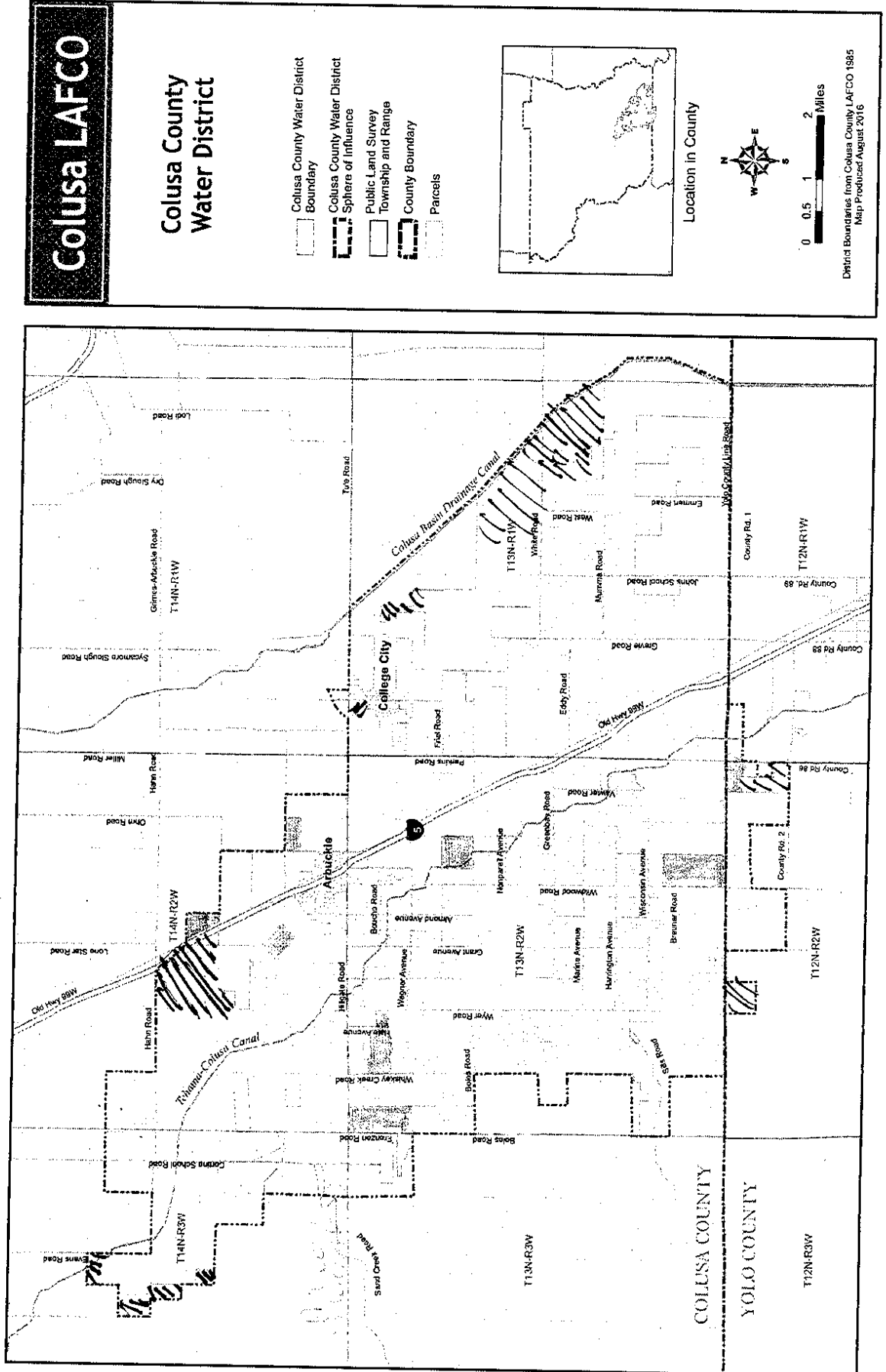
Doug Griffin, President

ATTEST:

/S/

Shelly Murphy, Board Secretary

/// lands to be detached
--- lands to be annexed (attached)



Attachment #3

Annexations to the Colusa County Water District

1.	Frank and Vada Ruggieri Meyers and Charter, Inc.	018-180-041	92.56 acres
2.	Michael and Kirsten Doherty	018-250-002	320.00 acres
3.	Sachreiter Ranch LLC	018-270-006	80.00 acres
4.	Thomas Charter	018-280-022 018-270-019	319.47 acres
5.	Michael and Ellen Vorhees Jeffery Charter Daniel and Irma Grajedo, David Bisek, Michael Charter Jerome and Irene Family Trust	021-060-068, 109 110,111,155 and 156	175.46 acres
6.	Henry Struckmeyer Et Ux	021-290-083	318.95 acres
7.	Bruce Myers and Jeffery Charter	021-320-001,014 & 031	248.98 acres
8.	Don Peart Ranch	051-010-032	51.97 acres
		TOTAL ACRES:	1,607.39

ATTACHMENT #4

List of Detachments from the Colusa County Water District

1.	County of Colusa	018-160-046	72.80 acres
2.	U S A	018-160-048	2.50 acres
3.	Bracket Ranches LP	018-160-078-081 & 082	537.60 acres
4.	Strain and Charter	018-170-009,015,073 074,075 & 018-260-024 & 025	947.61 acres
5.	Strain	018-170-053	14.26 acres
6.	Dorherty Bros and Colusa County	018-250-010 & 011	75.10 acres
7.	Crimsonco, LLC	018-280-019	19.00 acres
8.	Schmit	022-100-006	5.00 acres
9.	Doherty	022-100-014	6.00 acres
10.	White Road Farms, Mafrici And Tule Wildlife Habitat	022-160-04,05,06,010, 040,053,055,056,063, 064 and 065	1,471.48 acres
11.	Smith Company	022-090-028 & 029	105.00 acres
12.	Northern Crane, Inc.	022-150-053,054 and 056	32.04 acres
13.	Northern Crane, Inc.	022-150-055	0.45 acres
14.	Sun Valley Milling, LLC	022-150-121	1.23 acres
15.	Meier, Powell and Basuino	021-200-062,066, 087, 117 and 118	1161.9 acres
16.	Vann Bros	062-020-005 & 017	385.81 acres
17.	Scolfield & Dhillon	062-010-04,06 & 07	160.78 acres
TOTAL ACRES TO BE DETACHED			4,998.56 acres

NOTICE OF EXEMPTION

TO: County Clerk
County of Colusa
Colusa, CA 95453

FROM: Colusa LAFCO
P.O. Box 2694
Granite Bay, CA 95746

PROJECT TITLE: Colusa County Water District Regional Cleanup
Reorganization

PROJECT LOCATION: Arbuckle College City area in Colusa County.

DESCRIPTION OF PROJECT:

A regional reorganization consisting of an annexation of 1,607.39 acres more or less of territory currently receiving CCWD water and detachment of 4,998.56 acres more or less of territory that has never have received CCWD water.

NAME OF PUBLIC AGENCY APPROVING PROJECT:

Colusa Local Agency Formation Commission

NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT:

John Benoit, Executive Officer for
Colusa Local Agency Formation Commission

EXEMPT STATUS:

Class 20 Categorical Exemption, "Changes in Organization of Local Agencies" CEQA Guideline Section 15320 and "Annexations of Existing Facilities and Lots for Existing Facilities" Class 19 (Guideline Section 15319).

REASONS WHY PROJECT IS EXEMPT:

This project is exempt from the California Environmental Quality Act because there is no possibility it will have a significant effect on the environment. These Annexations and Detachments will not change that nature of any land use or intensity of land use or cropping patterns of these areas, which are already in agricultural production and use, since the detachment areas have never received CCWD water and the annexation areas do receive CCWD Water. There are no unusual circumstances regarding this reorganization

CONTACT PERSON:
John Benoit
LAFCO Executive Officer

TELEPHONE NUMBER:
(530) 458-0593

By: _____

Date: November 2, 2017

**Resolution 2017-0006 of the
Colusa Local Agency Formation Commission
Colusa County, California**

A Resolution Making Determinations and Approving the Annexation of 1,607.39-acres more or less to the Colusa County Water District and Detachment of 4,998.56-acres more or less from the Colusa County Water District

WHEREAS, a Resolution of Application for Annexation of 1,607.39-acres more or less and Detachment of 4,998.56-acres more or less to and from the Colusa County 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 reorganization 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 November 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 Colusa Local Agency Formation Commission does hereby resolve and order the following:

1. The foregoing recitals are true and correct.
2. The territory comprises an annexation of 1,607.39-acres more or less and a Detachment of 4,998.56-acres more or less
3. The change of organization is assigned the following distinctive short-term designation:
LAFCO 2017-0001 - Colusa County Water District Cleanup Reorganization
4. The proposal is consistent with the sphere of influence of the Colusa County 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 November 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 place territory receiving district water into the district and remove territory not receiving water outside the district.
7. In reviewing this application, the Commission finds that irrigation water services to be provided by Colusa County Water District are necessary and that there will not be a duplication of other powers provided by any other special district.
8. In reviewing this application, this Commission has considered each of the factors required by Government Code Section 56668 and LAFCO's adopted policies.
9. The LAFCO Executive Officer's Staff Report including attachments and recommendation for approval of the proposal is hereby incorporated by reference and hereby adopted.
10. The map and boundary descriptions 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.
11. The boundaries, as set forth in the proposal and amended by action of the Commission, are hereby approved as submitted and subject to approval of the County Surveyor and must include the following language "Colusa LAFCo File 2017-0001 Colusa County Water District Cleanup Reorganization" and are as described in Exhibits "A1- A-8" Annexation Boundary Descriptions and "B1 - B-8" Annexation Maps attached and "C1 - C17" Detachment Boundary Descriptions and "D1 - D17" Detachment Maps hereto and by this reference incorporated herein subject to the terms and conditions included.
12. As stated in the LAFCO Staff Report dated November 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 "E".
13. Said reorganization territory is found to be uninhabited.
14. 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 Annexation of 1,607.39 acres more or less and Detachment of 4,998.56 acres more or less to the Colusa County 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 "A1- A-8" Annexation Boundary Descriptions and "B1 - B-8" Annexation Maps attached and "C1 - C17" Detachment Boundary Descriptions and "D1 - D17" Detachment Maps to the Colusa County Water District without notice and election.
17. The Commission hereby adopts the Notice of Exemption and makes a specific determination that the issues as adopted by LAFCo adequately address this change of organization and no unusual circumstances exist with respect to the reorganization.
18. All Colusa County 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 Colusa County Water District.
19. This reorganization shall be subject to all terms and conditions as set forth in Colusa County Water District Resolution 2017-4 adopted on June 14, 2017 and attached to the Executive Officer's report dated November 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 reorganization. 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 the LAFCo Commission grants an extension.

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

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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

Brandon Ash, Chair – Colusa Local Agency
Formation Commission

Attest:

John Benoit, Executive Officer
Colusa Local Agency Formation Commission

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.



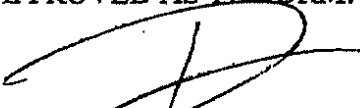
E. Douglas White, Chairman
Colusa County Board of Supervisors

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