

Colusa Local Agency Formation Commission

Regular Meeting Agenda

Thursday – April 6, 2023

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

3:00 PM

(A Zoom option is available for the public)

(All meeting materials are available on LAFCo's Website: www.colusalafco.org)

In person meeting: Required for all Commissioners. The Public may choose to use zoom link below to attend the meeting.

Topic: Colusa LAFCo

Time: Apr 6, 2023 03:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89067421156?pwd=a0ppUW9lU0dRQWF3aDlZRStQV3F1QT09>

Meeting ID: 890 6742 1156

Passcode: 864011

One tap mobile

+16694449171,,89067421156#,,, *864011# US

+16699006833,,89067421156#,,, *864011# US (San Jose)

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

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

Alternates

Ryan Cordoniz (City Alternate)
Janice Bell (County Alternate)
John Loudon, (Public Member Alternate)

Staff

John Benoit, Executive Officer
P. Scott Browne, Legal Counsel
Lora Ceccon Clerk

2. Approval of minutes from the January 5, 2023 and March 2, 2023 meetings.

- a. *Approve minutes from the January 5, 2023 meeting*
- b. *Approve minutes from the March 2, 2023 meeting.*

3. Public Comment

This is the time for the public to address the Commission on any matter not on the agenda. Testimony related to an item on the agenda should be presented at the time that item is considered

4. Consent Agenda s

- a. *Payment of claims for the month of March 2023.*

5. Correspondence:

6. PUBLIC HEARING Municipal Service Review (MSR) and Sphere of Influence (SOI) for the Glenn Colusa Irrigation District.

- a) *Conduct Public Hearing regarding the MSR and SOI for the Glenn-Colusa Irrigation District*
- b) *Consider Resolution 2023-0001 adopting a MSR for the Glenn-Colusa Irrigation District*
- c) *Consider Resolution 2023-0002 adopting a SOI for the Glenn-Colusa Irrigation District.*

7. PUBLIC HEARING for the Proposed FY 2023-2024 Budget

- a) *Review and discuss the proposed FY 2023-2024 Budget*
- b) *Consider Resolution 2023-0003 adopting a proposed budget for fiscal year 2023-2024*

8. Consider letter of Support for AB 1753 the Calafco Omnibus Bill

- a) *Discuss AB 1753 and authorize the Chair to sign a letter of support.*

9. Executive Officer's Report:

10. Commissioner Reports - Discussion

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

11. Next Colusa LAFCo meeting: Request the May 4th LAFCo meeting be cancelled and conduct the next LAFCo meeting on June 1st, 2023

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

Pursuant to Government Code Section 54954.2, Commission members may make a brief announcement or report on activities. Commission members may also provide a reference to staff or other resources for factual information,

request staff to report back to the Commission at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

Public Comment

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be of interest to the public and within the Commission's subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).
- The total amount of time allotted for receiving public comment may be limited to 15 minutes.
- Any individual's testimony may be limited to 5 minutes. Time to address the Commission will be allocated on the basis of the number of requests received.

Public Hearings

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person's input to 5 minutes. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

Agenda Materials

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

Accessibility

An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting. The location of this meeting is wheelchair-accessible.

Disclosure & Disqualification Requirements

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

A LAFCO Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

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

Webpage Reports, agendas, minutes and general information about LAFCO are available on the LAFCO Webpage at www.colusalafco.org

#2

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
January 5, 2023

PRESENT:

MERCED CORONA, County Member
RYAN CORDINEZ, City Alternate
GREG PONCIANO, City Member
BRANDON ASH, Public Member

ALSO PRESENT:

JOHN BENOIT, Ex. Officer
JOHN LOUDON, Public Member, Alt.

1. Call to Order/Roll Call

The meeting was called to order at 3:00 p.m. There was a quorum present.

2. Approval of minutes from the November 3, 2022, meeting.

On motion of B. Ash, second by G. Ponciano, the commission approved the minutes of the November 3, 2022, meeting as presented; motion carried.

- 3. Public Comment** – John stated that because there will be three new commissioners, it may be time for a LAFCo 101 presentation to provide an update to everyone and include a little on SB938. He will schedule a presentation for March along with the designation of a budget committee.

4. Consent Agenda

- a. **Payment of claims for the months of November and December 2022**
- b. **Regular Meeting Schedule for 2023**

On motion of G. Ponciano, second by B. Ash, the commission approved the consent agenda as presented; motion carried.

5. Correspondence – None

6. Revision to LAFCo fee deposit schedule and application of cost escalator for hourly charge out rates.

Public Hearing was closed on November 3, 2022.

ACTION: Consider Resolution to LAFCo's fee deposit schedule and application of a cost escalator to the Colusa LAFCo hourly charge rates for all billable projects based upon the Employment Cost Index for State and Local Governments as published by the United States Department of Labor, Bureau of Labor Statistics or Consumer Price Index (CPI).

- a. Adopt Resolution No. 2023-0001 approving a cost escalator and amendment to the Colusa LAFCo hourly rates for all billable projects and updated fee deposit schedule for various LAFCo projects.

John reminded the commission that they discussed this during the November meeting. It has been ten years since the fee schedule has been updated. The existing charge-out rates are not full-cost recovery, so if approved, these will increase. A charge-out rate for the clerk has been added to the resolution. Because rates become out-of-date so quickly, we will follow the Employment Cost Index which comes out quarterly. Rates will increase in July or at the beginning of the fiscal year. Since LAFCo last adopted a fee schedule, the cost index has gone up substantially. The Executive Officer is at \$290/hour, Counsel is \$436/hour and the clerk is at \$137/hour. LAFCo will be changing its charge-out rates to keep up with standards and annual cost adjustments. LAFCo charges fee deposits for applications. The fee deposits will not change, they are sufficient.

G. Ponciano moved to approve Resolution 2023-0001 approving a cost escalator and amendment to the Colusa LAFCo hourly rates for all billable projects and updated fee deposit schedule for various LAFCo projects, second by B. Ash, motion carried. 3-0-2

7. Comprehensive Bylaw Update

a. Review Proposed Updated Bylaws and consider LAFCo Resolution No. 2023-0002 adopting updated policies for Colusa LAFCo

John stated the commission discussed some changes to the bylaws at the last meeting. One change concerned keeping recordings for 2 years rather than 30/45 days. Commissioners have a copy of the bylaws that include the changes; they are updated. A short discussion followed. John made a correction to a typo that was mentioned (Susanville).

B. Ash moved to approve Resolution No. 2023-0002 adopting updated policies for Colusa LAFCo, second by M. Corona, motion carried. 3-0-2

8. Executive Officer's Report

- **700 forms due April 3, 2023** – some discussion was held.
- **Colusa Glenn GCID**
- **Williams MSR**

9. Commissioner Reports – Discussion – Some discussion was held regarding regular and alternate members and meeting attendance. Also, conference attendance and budget. John mentioned items that will be included on future agendas for discussion including agricultural ground and LAFCo's role in conserving agriculture, flooding, and new legislation.

10. Next Colusa LAFCo meeting: March 2, 2023

Meeting adjourned 3:42 p.m.

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
March 2, 2023

PRESENT:

MERCED CORONA, County Member
KATHERINE DUNLAP, City Member
GREG PONCIANO, City Member
BRANDON ASH, Public Member

ALSO PRESENT:

JOHN BENOIT, Ex. Officer
SCOTT BROWNE, Legal (phone)
JOHN LOUDON, Public Member Alt.
JANICE BELL, County Alt.

1. Call to Order/Roll Call

The meeting was called to order at 3:02 p.m. There was a quorum present.

2. Approval of minutes from the January 5, 2023, meeting.

This item will be added to a future meeting agenda.

3. Public Comment - None

4. Consent Agenda

a. Payment of claims for the months of January and February 2023

On motion of G. Ponciano, second by B. Ash, the commission approved the consent agenda as presented; motion carried.

5. Correspondence – John informed the commission that he is working with a group on a staff workshop. Calaveras County will be hosting the workshop.

6. Workshop All About LAFCo – LAFCo 101 presentation for new and experienced LAFCo Commissioners

John presented a portion of LAFCo 101. The second half will be presented at the next LAFCo meeting.

7. Workshop regarding the MSR and Sphere of Influence for the Glenn Colusa Irrigation District.

John stated that copies were sent; however, no response was received. He explained that MSRs are a snapshot in time and there is a process to follow regarding MSRs and SOIs. He advised the commission that the district is doing a good job. They comply with all the rules, have a good government structure, and have audits. The Glenn Colusa Irrigation District is not a growth-inducing district. John reviewed the determinations for the commission.

Some discussion was held regarding groundwater, fire districts and tax sharing agreements.

John asked commissioners to retain their copies as this item will be on the next agenda.

8. Select Budget Committee for FY 2023-2024 Annual Budget

John explained that two commissioners are needed to sit on the committee. There is a process in place, and it is a simple process. The budget needs to be adopted soon, so a meeting should be held this month.

Katherine Dunlap and Janice Bell volunteered to sit on the budget committee.

B. Ash moved to approve the designation of Katherine Dunlap and Janice Bell to the Budget Committee for FY 2023-2024, second by G. Ponciano; motioned carried.

9. Executive Officer's Report

- **700 forms due April 3rd**
- **Discussion re: AB 2449- Remote Meetings** – John advised members that there is information included in today's agenda packet regarding AB 2449. There is a process for remote meetings. AB 2449 sunsets in 2026.

10. Commissioner Reports – Discussion – The Chair welcomed new members to the LAFCo Commission.

11. Next Colusa LAFCo meeting: April 6, 2023

Meeting adjourned 4:15 p.m.

Colusa Local Agency Formation Commission

#4

CLAIMS

March 2023 Claims

Authorize payment of the following claims:

FY 2022-2023 EXPENSES:

FY 22-23 Claims for March 2023:

2.16.23-3.15.23	Legal Svcs. P. Scott Browne	\$ 2,128.00
April 1, 2023	Staff Svcs and Exp Mar 22	\$ 5,802.25
March 8, 2023	Public Notice prop budget and GCID MSR-SOI	\$ 48.00

TOTAL: \$ 15,030.82

DATED: April 6, 2023

APPROVED: April 6, 2023

**Merced Corona, Chair or Greg Ponciano, Vice-Chair
Colusa Local Agency Formation Commission**

Attest:

**John Benoit
Executive Officer**

Colusa Local Agency Formation Commission

CLAIMS

March 2023 Claims

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FY 2022-2023 EXPENSES:

FY 22-23 Claims for March 2023:

2.16.23-3.15.23	Legal Svcs. P. Scott Browne	\$ 2,128.00
April 1, 2023	Staff Svcs and Exp Mar 22	\$ 5,802.25
March 8, 2023	Public Notice prop budget and GCID MSR-SOI	\$ 48.00

TOTAL: \$ 7,978.25

DATED: April 6, 2023

APPROVED: April 6, 2023

**Merced Corona, Chair or Greg Ponciano, Vice-Chair
Colusa Local Agency Formation Commission**

Attest:

**John Benoit
Executive Officer**

Acct 520-500

City Expenditure titles Expenditure Category City Coding	Ex Officer Cont Executive Off. Co	Clerical Support Clerical Suppt	Workers Co Workers Com	Contactural Lgl Services	Liability Insurance	Office Exp Office Suppli	Postage and Coples Postage Coples	Dues-Subs Memberships
	7338	7320	7016	7321	7315	7339	7322	7319
	\$51,072.00	\$3,657.00	\$50.00	\$25,536.00	\$2,847.00	\$375.00	\$500.00	\$1,872.00

Calafco Dues 2022-2023 (2022-06) - \$1,372.00
 SDRMA Insurance 22-23 #72123 - \$2,824.92

REVENUE OASA Williams Saurino Center								
Browne ending 7.15.22				-\$2,000.00				
Staff Svcs July 2022	-\$4,000.00	-\$175.00				-\$58.30		-\$10.00
Staff Svcs Aug 2022	-\$4,000.00							-\$15.00
Browne ending 8.15.22	-\$2,000.00							
Calafco Conf. GPonclanoS Singh Pioneer Review Fee Update notice				-\$2,256.00				
Browne ending 9.15.22								
Staff Svcs Sept, 2022	-\$4,768.00	-\$175.00				-\$13.99		-\$15.00
Staff Svcs Oct 2022	-\$4,256.00							-\$10.00
Browne ending 10.15.22				-\$2,128.00				
CSDA Dues 10-1.22-23								-\$500.00
John Loudon Conf relmb JB conf share relmb				-\$2,128.00				
Browne ending 11.15.22								
Staff Svcs Nov 2022	-\$4,256.00	-\$175.00						-\$40.00
Conf relmb singh 2022								
John Loudon MILEAGE Relmb				-\$2,128.00				
Browne ending 12.15.22								
Staff Svcs December	-\$4,256.00						-\$0.60	-\$10.00
Browne ending 1.15.23				-\$2,128.00				
Staff Svcs January 2023	-\$4,256.00	-\$175.00						-\$10.00
Staff Svcs Feb 2023	-\$4,256.00							-\$10.00
Browne ending 2.15.23				-\$2,128.00				
Staff svcs Mar 2023	-\$4,256.00	-\$175.00						-\$144.80
Browne ending 3.15.23				-\$2,128.00				
Pioneer Review 23-24 prop Budget Update notice								

Total Expended in FY 21-22	-\$40,304.00	-\$875.00	\$0.00	-\$17,024.00	-\$2,824.92	-\$72.29	-\$0.60	-\$264.80	-\$1,872.00
Total Remaining in FY 21-22	\$10,768.00	\$2,782.00	\$50.00	\$8,512.00	\$22.08	\$302.71	\$499.40	\$485.20	\$0.00

