

LOCAL AGENCY FORMATION COMMISSION  
COLUSA COUNTY  
MINUTES OF MEETING  
August 5, 2021

PRESENT:

MERCED CORONA, County Member Alt.  
DENISE CARTER, County Member  
SAJIT SINGH, Chair, City Member  
BRANDON ASH, Public Member  
GREG PONCIANO, City Member

ALSO PRESENT:

JOHN BENOIT, Ex. Officer  
SCOTT BROWNE, Legal Counsel  
LORA CECCON, Clerk  
JOHN LOUDON, Public Alt.

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

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

**2. Election of Chair and Vice-Chair for FY 2021-2022**

**a) Election of Chair**

**B. Ash nominated D. Carter as Chair for FY 2021-2022, second by S. Singh, motion carried by roll call vote.**

**a) Election of Vice-Chair**

**B. Ash nominated M. Corona as Vice-Chair for FY 2021-2022, second by G. Ponciano, motion carried by roll call vote.**

**3. Public Comment - None**

**4. Minutes for June 3, 2021**

**On motion of D. Carter, second by B. Ash, the commission approved minutes of the June 3, 2021, meeting, with G. Ponciano abstaining; motion carried by roll call vote.**

**5. Consent Agenda**

**On motion of D. Carter, second by M. Corona, the commission approved claims for the month of June 2021 and payment of claims for the month of July 2021; motion carried by roll call vote.**

**6. Correspondence: None**

**7. Policy Amendment regarding indemnity agreements and expiration of projects.**

S. Browne presented the two proposed policy amendments. The first is the adoption of a voluntary indemnification. This is a totally voluntary

indemnification. They don't have to sign it, but if they don't, LAFCo does not have to defend a lawsuit if they get sued. There is a high probability that either at the beginning or if they get sued, LAFCo will get indemnified. That's the key to all of this; so Lafco doesn't have to pay for litigation. Staff recommends that the commission adopt this policy. It won't solve everything, but it will help.

The second policy refers to the termination of applications. Staff is recommending that a policy is adopted stating that if a project doesn't move forward and get to a hearing within two years, it's dead, unless they ask for an extension. We want it to be the presumption that it is dead, and they have to make an effort to keep it alive. This isn't harsh, it is necessary.

**M. Corona moved to waive the first reading of the policy amendments, second by D. Carter, motion carried by roll call vote.**

**8. Calafco Annual Conference October 6-8 in Newport Beach**

a) John stated that the conference will be held at the Orange County airport. There is no mobile workshop this year, but there will be a Lafco 101. The conference will focus on water. There is funding for those interested in attending. D. Carter has a conflict. G. Ponciano and S. Singh are both interested in attending. The commissioners will need to get their flight and hotel reservations, John will send in their conference reservations.

b) D. Carter moved to set the voting members as S. Singh primary and G. Ponciano alternate, B. Ash seconded, motion carried.

**9. Discussion and possible action regarding phone service for Colusa LAFCo**

John advised the commission that he is tired of paying \$50/month for two calls. He stated that he can add a line to his cell phone for Colusa and a couple other counties. The cost would be less because it will be \$45 split between three counties. The commission is supportive of John's plan to eliminate the land line and add a line to his cell phone. John will move forward with the plan.

**10. Executive Officer's Report**

**City of Williams MSR and SOI** – on hold this week

**Upcoming Projects** – John will look at the MSRs to determine which ones are due for an update. The annexation for CIP has been recorded. It now needs to be sent to the state.

**11. Commissioner Reports - Discussion**

G. Ponciano provided an update on the Cheney project. At the July 20<sup>th</sup> ad hoc meeting, the city and county agreed on a tax share and road improvements. The

County CAO is drafting the agreement to take to the Board of Supervisors. It will also need to go before the Colusa City Council.

**12. Next Colusa LAFCo meeting: September 2, 2021, (virtual) 3:00 PM**

**There will not be an October LAFCo meeting.**

**Meeting adjourned 3:39 p.m.**