

Colusa Local Agency Formation Commission

Regular Meeting Agenda

Thursday – December 7, 2017

3:00 PM

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

1. Call to Order/Roll Call

Commissioners

Brandon Ash (Chair, Public)
Denise Carter (Vice-Chair County)
John Loudon (County)
Tom Reische (Colusa, City)
Chuck Bergson, (Williams, City)

Alternates

Kent Boes (County Alternate)
David Womble (City Alternate)
Mary Winters, (Public Member Alternate)

Staff

John Benoit, Executive Officer
P. Scott Browne, Legal Counsel
Lora Cecon, Clerk to the Commission

3. Consider Minutes from September 7th, 2017 and November 2, 2017

a. *Consider approval of the September 7th minutes and November 2, 2017.*

4. 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

5. Consent Agenda

a. *Payment of claims for the month of November 2017*

6. Correspondence: Letter from Calafco

7. LAFCo File 2017-0001 CCWD Cleanup Reorganization (Continued): 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.

a. *Receive Executive Officer's Report handed out on November 2, 2017 and December 7th, 2017 Memo.*

- b. Consider Resolution 2017-0006, 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 or provide direction to staff as stated in the December 7 2017 memo or continue to January 4, 2018.*

Other Business:

8. Colusa Mosquito Abatement District Service Review and Sphere of Influence

- a. This report will be handed out at the LAFCo meeting and a workshop will be scheduled at the next available LAFCo meeting*

9. Request that LAFCo File 2017-0001, CCWD Reorganization be designated as a complex project as defined in the Executive Officer's contract provision 2.1.4 having expended more than 10 hours of staff time and otherwise controversial.

- a) Agree LAFCo File 2017-0001, CCWD Reorganization is a Complex project meeting the criteria in Executive Officer's contract provision 2.1.4.*

10. Approve LAFCo regular meeting schedule for 2018

- a) Approve LAFCo's regular meeting schedule for 2018*

11. Executive Officer's Report:

- a. GCID Detachment – Willows ongoing*
 - b. Upcoming MSR's Reclamation Districts*
 - c. Legislative Report*

12. 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

13. Adjourn to the next regular meeting 3:00 pm on January 4, 2018

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 56325.1

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

Colusa LAFCO

December 7, 2017

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) 458-0593 or by mail at Colusa LAFCO P.O. Box 2694, Granite Bay Ca 95746 or by email at lafco@countyofcolusa.org or johnbenoit@surewest.net or by Fax (916) 797-7631

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

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
September 7, 2017

PRESENT:
JOHN LOUDON, County Member
BRANDON ASH, Vice Chair, Public
TOM REISCHE, Chair, City Member
DENISE CARTER, County Member
CHUCK BERGSON, City Member

ALSO PRESENT:
MARY WINTERS, Public Alt.
SCOTT BROWNE, Legal
JOHN BENOIT, Ex. Officer
LORA CECCON, Clerk

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

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

2. **Consider Minutes for August 3, 2017**

J. Loudon moved to approve the August 3, 2017 minutes as presented; second by T. Reische, motion carried by roll call vote.

3. **Public Comment – None**

4. **Consent Agenda**

On motion of J. Loudon, second by T. Reische, the commission approved claims for the months of August, 2017, motion carried by roll call vote.

5. **Correspondence:** John provided information on some legislative bills and informed the board that he may be forwarding a letter for the Chair's signature.

(3:08 p.m. Denise Carter arrived.)

6. **PUBLIC HEARING regarding the Service Review and Sphere of Influence for the Maxwell Public Utility District.**

3:09 p.m. – opened Public Hearing

John stated that he received updated financial information after last month's meeting, and thus, that portion of the report has been revised. He stated that for the life of the MSR and sphere, the district has the needed capacity. A short discussion followed.

D. Carter asked how many more connections the district could handle. The Maxwell PUD representative stated that there are currently 389 wastewater Equivalent Dwelling Units (EDU) with a remaining capacity to accommodate an additional 482 EDUs for total of 871 wastewater EDU's, and when they built the

new sewer plant, capacity was more than doubled. As for domestic water, the MPUD serves 399 EDUs and has the capacity to serve a total of 1456 EDUs.

3:17 p.m. – closed Public Hearing

T. Reische moved to adopt Resolution 2017-0004 approving a Municipal Service Review of Water and Wastewater Services Provided by the Maxwell Public Utility District and Adopting Written Determinations Thereon, second by D. Carter, motion carried by roll call vote.

D. Carter moved to adopt Resolution 2017-0005 Making Determinations and Approving A Sphere of Influence Update for the Maxwell Public Utility District, second by T. Reische, motion carried by roll call vote.

7. Executive Officer's Report

- a. GCID Detachment – Willows ongoing – John has heard nothing.
- b. Upcoming MSR's CMAD (Colusa Mosquito Abatement District) and Reclamation Districts
- c. Legislative Report – John stated that he will be writing a few letter in support or against certain legislation; Colusa Lafco has a policy that the Chair can approve or not.
- d. CCWD regional reorganization – proposed reorganization – must comply with the County Surveyor

(3:22 p.m. Chuck Bergson arrived.)

- e. John stated that the State Parks reorganization has been completed, except for the filing.
- f. The Little Hoover Commission has adopted a final report, and it has been posted on the website.

8. Commissioner Reports – Discussion

None

9. Adjourn to the next regular meeting on November 2, 2017

The meeting was adjourned at 3:48 p.m.

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
November 2, 2017

PRESENT:

BRANDON ASH, Chair, Public
DENISE CARTER, Vice Chair, County
TOM REISCHE, City Member
JOHN LOUDON, County Member
CHUCK BERGSON, City Member

ALSO PRESENT:

MARY WINTERS, Public Alt.
KENT BOES, County Alt.
JOHN BENOIT, Ex. Officer
P. SCOTT BROWNE, Legal

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

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

2. **Consider Minutes for September 7, 2017**

D. Carter asked for clarification on the capacity of the Maxwell Fire Department (last paragraph, page 1, under item #6).

Approval of minutes postponed to December meeting.

3. **Public Comment – None**

4. **Consent Agenda**

On motion of D. Carter, second by C. Bergson, the commission approved claims for the months of September and October, 2017, motion carried by roll call vote.

5. **Correspondence: None**

6. **LAFCo File 2017-0001 CCWD Cleanup Reorganization: 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 received CCWD water.**

a. Receive Executive Officer's Report

b. Consider Resolution 2017-0006, 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.

John presented the Executive Officer's Report regarding the Colusa County Water District's request for annexation/detachment. He stated that this proposal is a cleanup, going back to when the district was created. There are certain properties included in the district that never received water and certain properties

outside the district that do receive water and have for years. There is no change in the amount of water being allocated. John has reviewed the maps and provided a summary of the areas to be detached and those to be annexed.

Shelly, with the Colusa County Water District, provided a brief history of the project and stated that they are trying to clean up the boundaries.

D. Carter asked if the people are aware of what is happening and, if not, a letter should be sent. A short discussion followed regarding the need to advise property owners of the changes to be made.

John stated that a letter can easily be created, and the letter will be sent from Lafco. Action on this item will be postponed to the December meeting; John will present the letter.

7. Discussion regarding the Calafco Annual Conference; Oct. 25-27, 2017

John prepared a conference summary of all the presentations he attended. He stated that we had good attendance on behalf of Colusa Lafco at the conference. John thoroughly reviewed his summary for the commission.

8. Executive Officer's Report:

a. GCID Detachment – Willows Ongoing

b. Upcoming MSR's CMAD and Reclamation Districts – will update per Lafco laws; don't anticipate a lot of changes

c. Legislative Report – provided during the conference summary

9. Commissioner Reports – Discussion

J. Loudon provided an update on the Colusa Medical Center

10. Adjourn to the next regular meeting on December 7, 2017

The meeting was adjourned at 3:48 p.m.

Colusa Local Agency Formation Commission

CLAIMS

For November 2017

Authorize payment of the following claims:

FY 2017-2018 EXPENSES:

Dec 1, 2017	Staff Svcs and Expenses – Nov 17	\$ 7,398.97
Nov 7, 2016	Frontier Phone Nov 7, 2017	\$ 35.28
10.16.17- 11.15.2017	Legal Services P. Scott Browne	\$ 2,000.00
Dec 7, 2017	Conf Reimbursement Carter	\$ 950.32
Dec 7, 2017	Bergson Calafco Conf. Reimbursement	\$ 372.79
Dec 7, 2017	Loudon Calafco Conf. Reimbursement	\$ 763.13

TOTAL: \$ 11,520.49

DATED: Dec 7, 2017

APPROVED: Dec 7, 2017

**Brandon Ash, Chair or Denise Carter, Vice Chair
Colusa Local Agency Formation Commission**

Attest:

**John Benoit
Executive Officer**

Shadow Accounting
2017-2018

EXPENSE	Executive	Off. Cont	Clerical Support	Workers Comp	Atty Contract	Insurance	Office Supplies	Postage	Copies	Membership
	53180	53180	51035	53180	53100	53170	53171	53170	53150	
CALAFCO Dues 17-18	48000.00	3657.00	50.00	24000.00	1741.00		375.00	500.00	1500.00	899.00
SDRMA Insurance 17-18						-1715.00				-899.00
Staff Servicess June 2017	-4000.00	-175.00					-57.61	-9.87	-46.40	
Frontier Phone June 7, 2017										
Browne Legal Svcs 5.16.2017-6.15.2018					-1750.00					
Browne Legal Svcs 6.16.2017-7.15.2017					-2000.00					
Staff Svcs July 2017	-4000.00						-43.35		-10.00	
Frontier Ph July 7, 2017										
Calafco Conf reg Carter, Bergson & Loudon										
Staff Svcs August 2017	-4000.00	-175.00								
Browne Ending 8.15.17							-11.48		-135.86	
Front Ph Aug 7, 2017					-2000.00					
Appeal De. Final 17-18 Budget notice										
Revenue 2017-0001 CCWD Reorganization										
Staff Svcs September 2017	-4000.00	-175.00								
Browne Ending 9.15.17							-8.96		-89.60	
Bergson Airline Reimb Conference					-2000.00					
Frontier Phone Sept 7, 2017										
Front Phone Long Distance										
Staff Svcs October 2017	-4000.00									
Browne ending 10.15.17							-9.80		-37.10	
Front Phone Oct 7, 2017					-2000.00					
Staff Svcs. November 2017	-4000.00	-175.00								
Browne Legal ending 11.15.17							-17.15		-34.50	
Frontier Phone Nov 7, 2017					-2000.00					
Carter Conf. Reimbursement Calafco										
Loudon Conf. Reimbursement Calafco										
Bergson Conf. Reimburse Calafco										

Total Expended in FY 16-17	-24000.00	-700.00	0.00	-11750.00	-1715.00		-100.96	-57.26	-353.46	-899.00
Total Remaining in FY 16-17	24000.00	2957.00	50.00	12250.00	26.00		274.04	442.74	1146.54	0.00

November 8, 2017

Colusa LAFCo
547 Market Street, Suite 102
Colusa, CA 95932

Dear Chair and Commission:

On behalf of the California Association of Local Agency Formation Commissions (CALAFCO), I would like to thank your commission for allowing some of your members and/or staff the opportunity to attend the CALAFCO 2017 annual conference in San Diego.

We know that resources remain tight and understand that prioritizing expenditures can be difficult. Ensuring you and your staff have access to ongoing professional development and specialized educational opportunities, allows all of you the opportunity to better serve your commission and fulfill the mission of LAFCo. The sharing of information and resources among the LAFCo commissioners and staff statewide serves to strengthen the LAFCo network and creates opportunities for rich and value-added learning that is applied within each LAFCo.

Thank you again for your participation in the CALAFCO 2017 annual conference, I hope you found it a valuable experience. We truly appreciate your membership and value your involvement in CALAFCO.

Yours sincerely,



Pamela Miller
Executive Director

#7

Colusa Local Agency Formation Commission

MEMORANDUM
December 7, 2017

TO: LAFCo Commissioners
FROM: John Benoit, Executive Officer
RE: CCWD Reorganization

- A. Letter from Paul Minasian representing four Peterson Children's Trusts
- B. Email November 30, 2017 from Shelly Murphy, CCWD District Manager
- C. CCWD Loan Repayment Schedule
- D. Letter sent to those landowners being annexed
- E. Letter sent to those landowners being detached

As requested, a letter was sent out to landowners who would have their property formally annexed or formally detached to the Colusa County Water District. As of November 30th, I received one inquiry and the CCWD received inquiries regarding the detachments even though all landowners were notified and had previously consented to the process. According to the district, the landowners did not realize in order to receive water, they will have to pay assessments and base rate costs that would have to be paid as well as install pipelines at their own expense in order to access water of which none is available.

A letter was received by LAFCo on November 30, 2017 from Minasian, Meith, Soares, Sexton and Cooper, LLP regarding concerns with this reorganization (see Attachment A. Please see the attached letter. Also see an email from Shelly Murphy, District Manager

A list of concerns brought forth are:

The district does not have any additional allotments of water. The district has no additional water entitlement so remaining in the district would not result in being supplied with water.

An environmental concern related to ground water recharge on the parcels to be using district allocated water has been raised. At this late date, I do not have a response to that question and have asked the district for a response if indeed this is the case.

In some cases, the areas to be detached would exceed the maximum elevation where the Bureau would be able to provide water.

The Landowners of the parcels would be required to construct and pay for infrastructure so water could be conveyed.

I understand Landowners would be required to pay any and all district assessments back to the 1990's on each acre of land to remain in the district even though no water is provided. (See attached repayment schedule)

Colusa Local Agency Formation Commission

According to CCWD Resolution 2017-05 the Landowners had previously consented to this process. This may not be the case in light of the letter received by Paul Menasian with a landowner seemingly opposed to this reorganization.

It appears since the areas to be detached have not been paying assessments and the areas currently receiving district water have; then there should be no increased debt costs upon other rate payers district wide.

Since there is the potential for a significant financial burden imposed upon the landowners of parcels or portions of parcels to be detached I recommend four additional conditions to be considered to be included Resolution 2017-0006 as follows:

“The Colusa County Water District (CCWD) shall pass a resolution stating that any landowner subject to being detached included in this resolution be exempted from any CCWD assessments, detachment fees and (or) other fees prior to LAFCo filing the certificate of completion”.

“The District (CCWD) shall provide LAFCo with documentation the Bureau will not charge any assessments, fees and (or) detachment fees resulting from the territory being removed from the CCWD Boundary prior to LAFCo filing the certificate of completion”

“The District shall provide to LAFCo a statement that no groundwater recharge using district water has been applied within the areas to be detached prior to LAFCo filing the certificate of completion”

“The District shall provide a statement to LAFCo assuring that those parcels remaining in the district boundary will not incur increasing Debt as a result of this reorganization prior to LAFCo filing the certificate of completion”

Recommendation:

Please review this memo including attachments A, B and C and consider the discussion at the meeting and provide direction to staff regarding the following alternative actions: a) requiring a public hearing to take since apparently at this time there is not 100% landowner consent, b) continuing the meeting*, c) approving the application, as amended, or denying this application without prejudice and noticing a new hearing on this reorganization.

*(note there is a 70-day period before which LAFCo must make a decision by January 12th, 2018. LAFCo's next regular meeting is scheduled for January 4th 2018)

**MINASIAN, MEITH,
SOARES, SEXTON &
COOPER, LLP**

ATTORNEYS AT LAW
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WILLIAM H. SPRUANCE,
Retired

MICHAEL V. SEXTON,
Retired

November 29, 2017

Via facsimile & email: (916) 797-7631

John Benoit, Executive Officer
Colusa County Local Agency Formation Commission

johnbenoit@surewest.net
lafoo@countyofcolusa.org

Board of Directors
Colusa County Water District
840 1st Street
Arbuckle, California 95912

facsimile (530) 476-3047

Re: Agenda Item, November 30, 2017
Proposed detachment of lands from Colusa County Water District

Ladies and Gentlemen:

We would ask that the proposed annexation and detachment approval sought by Colusa County Water District which is on your Agenda for November 30 be tabled until proper document is presented to your Executive Officer:

1. The proposal seeks to rely upon a Notice of Exemption under California Environmental Quality Act. Colusa County Water District has not submitted any financial plan or declaration to the LAFCO Executive Officer or explained the impacts or effects of detaching 4,908 acres, and the report includes no explanation of the amounts of debt which will be placed upon the remaining landowners within Colusa County Water District as a result of the action. No explanation is provided, even though the remaining outstanding debt of the District is in excess of \$5,750,000, which amounts to a debt of approximately \$146.32 per acre.
2. No study or estimation is included of the amount that the approximately 4,900 acres currently contributes to the operation and maintenance overhead of operating the District. Which of the remaining landowners in the District will be required to pick up this overhead, manager's salary, insurance and other costs, and what is that amount?

To: John Benoit, Executive Officer, Colusa County Local Agency Formation Commission
Colusa County Water District
Re: Agenda Item, November 30, 2017
Proposed detachment of lands from Colusa County Water District
Date: November 29, 2017

Page 2

3. Finally, no explanation is given regarding groundwater recharge and the benefits received from the Colusa County Water District by these 4,800 acres. If the land is allowed to detach without paying for groundwater recharge benefits arising from the District's supply of surface water to surrounding lands, will the detaching lands simply install wells and pump more than their share of the sustainable yield had Colusa County Water District not provided substituted groundwater recharge within the area? This is a potential significant environmental impact. Clearly, there are significant environmental impacts from the proposed detachment which arise directly and indirectly from both the financial debt of the District and the continuing operation of the District which need to be considered, and a determination if the conditions for detachment which are fair and reasonable to both the detaching and remaining landowners within the District needs to be presented.

4. Annexation: As to the annexation of lands which are described as "Always being served by Colusa County Water District," no annexation fees or provision is included for repayment of District formation and other costs which these lands may have benefitted from. It may be that these lands since the 1960s have paid these costs through in lieu charges and have borne their share of the District's debt at all times since, but there is no report to indicate that fact.

5. Further, if the lands are not within the boundaries of the District, are the lands permitted to be served under the current Colusa County Water District/Bureau of Reclamation contract? Water Code Section 31023 applies to County Water Districts and prohibits service of water to lands located outside the boundaries of a district except in circumstances where there is surplus water. There is no surplus water under the Bureau's Contract with Colusa County Water District, as 2014-2015 and many other years have proven.

Water Code Section 31023 states:

"A district may sell water or the use thereof for any useful purposes and, whenever there is a surplus, dispose of the surplus to . . . consumers located without the district."

If this is simply a paper mistake and these landowners have paid all amounts that they would otherwise have paid had the clerical error not occurred, that history can be documented and proven by District records and equity may well require that consideration be given to their annexation.

To: John Benoit, Executive Officer, Colusa County Local Agency Formation Commission
Colusa County Water District
Re: Agenda Item, November 30, 2017
Proposed detachment of lands from Colusa County Water District
Date: November 29, 2017

Page 3

6. However, there is a clear potential environmental impact in that these lands are not currently within the boundaries of the District, and the addition of approximately 2,000 acres without increasing the Bureau allocation of water potentially dilutes the amounts of water available under the Bureau Contract to all other landowners.

7. As a Trustee for the four Peterson Children's Trusts, landowners within the District, I have a fiduciary duty and LAFCO has a duty to protect those children's interests in lands already located within the Colusa County Water District. I cannot do that in this circumstance without a full outline of all terms and potential environmental impacts, nor can the Local Agency Formation Commission do its duties, without such a full disclosure of all of the implications of this proposal in a written report sent to LAFCO. Without the Colusa County Water District providing a full explanation as to the effects, alternatives, and impacts both upon sustainable groundwater and the financial resources of the District, as well as to other landowners within the District, and the availability of water at public meetings in which landowners within Colusa County Water District are invited to review the information before LAFCO seeks to act, this proposal should be tabled or rejected until accompanied by the requisite materials.

Please take this matter off of your Agenda until those reports, processes and information have been conducted or produced.

Very truly yours,

MINASIAN, MEITH,
SOARES, SEXTON & COOPER, LLP

*- dictated but not read;
signed in writer's absence to avoid delay -*

By: Paul R. Minasian / dd
PAUL R. MINASIAN

PRM:dd
Peterson\Benoit-Colusa Lafco&Colusa Co W.D.11.29.17.wpd

November 29, 2017

John –

Per our conversation yesterday attached is the loan repayment schedule for the lands within Colusa County Water District. As we have discussed lands on the annexation list have been paying these costs since they were approved for annexation and have been included in the District water allocation under its Bureau contract. The lands on the list for detachment were Exempt from paying fees associated with this loan as the landowners requested exclusion which the board approved in 1988. The Exempt lands did not receive an allocation of water as they were not included and had no provisions for service installed.

I have included a copy of the District Policy from 1988. In 1992, the Board stopped accepting new annexations requests due to contract limitations with the Bureau. As I mentioned, the lands due to be detached not only have no provisions for service but no water supply available for allocation. Furthermore, if they were to want to stay in the District the same would apply as to the annexations they would have to pay the back assessment fees of the roughly \$350/acre (see attached).

Also attached is a letter from the Minasian Law Firm that I assume you will receive shortly. Although, it references a hearing on this matter on November 30th (just got it at 5:02, November 29th) I believe the hearing is actually on December 7th. Either way, I'm not sure what proper documentation they would like provided to you however, as we've discussed numerous time the annexation of these lands has no impact on the current water users as they were already allocated the pro-rata share of the water contracted through the Bureau. They have been paying assessments, District O&M costs as well as purchasing and using water on land. Again, those being Detached have no impact as they were never allocated any water nor has there land been attributed with any District costs.

I appreciate, Paul Minasian's concern in looking out for his clients, I do not believe the item needs to be tabled. Unfortunately, I will not be able to attend the December 7th meeting however, the Board President, Doug Griffin plans to attend and answer any question.

Sincerely,

Shelly Murphy
General Manager
Colusa County Water District
PO Box 337
Arbuckle, CA 95912
530-476-2669

C

Colusa County Water District
Loan Repayment
Schedule

Year	9D Payment	USL Payment	9-D Reserve	Total Annual Cost	District Acreage	Estimated Per Acre Assessment	Actual Assessment
1988		103,426					5.80
1989	370,000.00	262,763	5,000	637,763	40,000	15.94	15.05
1990	370,000.00	306,899	5,000	681,899	40,000	17.05	16.30
1991	370,000.00	306,899	5,000	681,899	40,000	17.05	16.00
1992	370,000.00	306,899	5,000	681,899	40,000	17.05	16.40
1993	370,000.00	306,899	5,000	681,899	40,000	17.05	16.55
1994	370,000.00	288,436	5,000	663,436	40,000	16.59	16.45
1995	370,000.00	288,436	5,000	663,436	40,000	16.59	16.45
1996	362,405.02	288,436	5,000	655,841	40,000	16.40	16.50
1997	369,050.64	288,436	5,000	662,486	40,000	16.56	16.00
1998	369,050.64	288,436	5,000	662,486	40,000	16.56	16.10
1999	369,050.64	288,436		657,486	40,000	16.44	16.30
2000	369,050.64	288,436		657,486	40,000	16.44	15.30
2001	369,050.64			369,051	40,000	9.23	8.60
2002	369,050.64			369,051	40,000	9.23	8.60
2003	369,050.64			369,051	40,000	9.23	8.40
2004	369,050.64			369,051	40,000	9.23	8.40
2005	369,050.64			369,051	40,000	9.23	8.40
2006	369,050.64			369,051	40,000	9.23	8.40
2007	369,050.64			369,051	40,000	9.23	8.40
2008	369,050.64			369,051	40,000	9.23	8.40
2009	369,050.64			369,051	40,000	9.23	8.75
2010	369,050.64			369,051	40,000	9.23	8.75
2011	369,050.64			369,051	40,000	9.23	9.25
2012	369,050.64			369,051	40,000	9.23	9.25
2013	369,050.64			369,051	40,000	9.23	9.25
2014	369,050.64			369,051	40,000	9.23	9.25
2015	369,050.64			369,051	40,000	9.23	9.25
2016	369,050.64			369,051	40,000	9.23	9.25
2017	369,050.64			369,051	40,000	9.23	9.25
2018	369,050.64			369,051	40,000	9.23	9.25
2019	369,050.64			369,051	40,000	9.23	
2020	369,050.64			369,051	40,000	9.23	
2021	369,050.64			369,051	40,000	9.23	
2022	369,050.64			369,051	40,000	9.23	
2023	369,050.64			369,051	40,000	9.23	
2024	369,050.64			369,051	40,000	9.23	
2025	369,050.64			369,051	40,000	9.23	
2026	369,050.64			369,051	40,000	9.23	
2027	369,050.64			369,051	40,000	9.23	
2028	369,050.64			369,051	40,000	9.23	
Totals	\$14,762,025.50	\$3,612,834.48	\$50,000.00	\$18,321,432.50		\$458.04	\$349.05

As of last paid installment the debt per acre is... \$108.99

D

COLUSA LAFCO

NOTICE TO LANDOWNERS

COLUSA COUNTY WATER DISTRICT ANNEXATION

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. The District is therefore requesting annexation to include those areas that currently receive and have been receiving district water for years so in district water service may continue. The District is also requesting detachment of those lands who have never received water since the district's formation and therefore do not have a need to be within the district boundary.

You are being sent this notice because your property receives CCWD water service yet have never been within the district boundary. This action will bring your property into the district. Please see the attached sheet showing the parcel numbers and acreages of those properties being formally annexed to the district. You are welcome to visit the Colusa LAFCo Website under the page "CCWD Cleanup Reorganization" to view the maps showing areas to be annexed (Annexation Exhibits A and B). www.colusalafco.org .

The purpose of this action by the CCWD and LAFCo is to **clean up the district boundary** and no one who presently receives water will loose any right to that water. Likewise those landowners who have never received water will remain in the district.

LAFCo will be holding a public meeting at 3:00 PM on Thursday December 7, 2017 at the County of Colusa Board of Supervisor's room located at 546 Jay Street in Colusa.

If you have any questions, please do not hesitate to call Shelly Murphy, Colusa County Water District Manager at (530) 476-2669 or by email at ccwd2@frontiernet.net or call John Benoit, LAFCo Executive Officer at (530) 458-0593 or by email at lafco@countyofcolusa.org .

Exhibits A-1 - A-8 Descriptions and B-1 - B-8 Maps

List of Annexations to the Colusa County Water District

1.	Frank and Vada Ruggieri Vann Bros, Inc. Myers and Charter	018-180-040 018-180-041	62.56 acres 30.00 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	018-260-022 018-270-019	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

E

COLUSA LAFCO

NOTICE TO LANDOWNERS

COLUSA COUNTY WATER DISTRICT DETACHMENT

The Colusa County Water District (CCWD) is requesting both 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. The District is therefore requesting annexation to include lands currently receiving water and have been receiving district water for years so in district water service may continue. The District is also requesting detachment of those lands that do not and have never received water since the district's formation and therefore have never had a need to be within the district boundary.

You are being sent this notice because your property does not receive water service and never has received water from the CCWD and your property is proposed to be removed from the district boundary. Please see the attached sheet showing the parcel numbers of those properties being formally detached from the district. You are welcome to visit the Colusa LAFCo Website under the page "CCWD Cleanup Reorganization" to view the maps showing areas to be detached (Detachment Exhibits C and D). www.colusalafco.org .

The purpose of this action by the CCWD and LAFCo is to **clean up the district boundary** and no one who presently receives CCWD water will loose any right to that water.

LAFCo will be holding a public meeting at 3:00 PM on Thursday December 7, 2017 at the County of Colusa Board of Supervisor's room located at 546 Jay Street in Colusa.

If you have any questions, please do not hesitate to call Shelly Murphy, Colusa County Water District Manager at (530) 476-2669 or by email at ccwd2@frontiernet.net or call John Benoit, LAFCo Executive Officer at (530) 458-0593 or by email at lafco@countyofcolusa.org .

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, Mafri 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

LAFCO OF COLUSA COUNTY
SECOND AMENDMENT TO AGREEMENT FOR
EXECUTIVE OFFICER SERVICES

This is the Second Amendment to the Agreement for Executive Officer Services between the Colusa Local Agency Formation Commission, a public agency, and John Benoit, Contractor, dated March 6th, 2003, first amended July 5, 2007.

- Add a new Section under Article 2, Section 2.1.4, to read in its entirety as follows:

2.1.4 Complex Projects. The parties agree that Consultant may charge on an hourly basis for time spent on projects that the parties deem "complex". A "complex project" is a proposal or other LAFCo action that is expected to be extraordinarily time-consuming and/or controversial. Consultant shall agendize the request for complex project classification and, if the Commission agrees, Consultant shall be entitled to bill at his usual contract hourly rate for all time spent on the project beyond the initial 10 hours.

- Article 2, Section 2.2.1 (a), **Clerk Costs and Other Expenses** is amended to read in its entirety as follows:

2.2.1 (a) Cost of providing a Clerk to the Commission in an amount not to exceed \$175.00 per month for taking minutes at the monthly meeting, without prior approval by the Chair or the Commission. Additionally, Contractor shall be reimbursed for additional clerical costs at the rate of \$50/hour. The Clerk shall not be an employee of LAFCo.

- Exhibit A, which references Contractor's hourly rate for special projects, is amended to read in its entirety as follows:

Exhibit A

Hourly Rate Schedule for Special Projects

John Benoit

Hourly Rate: \$110 per hour

Other Consultants

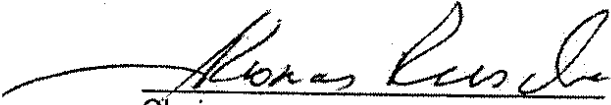
Rate as charged to Benoit and approved by Commission in proposal plus 10% administrative expense

Except as specifically set forth herein, all remaining terms and conditions of the Agreement for Executive Officer Services dated March 6th, 2003 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on July 1st, 2017.

LAFCo

CONTRACTOR

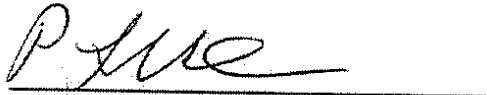


Chairperson



John Benoit, Contractor

APPROVED AS TO FORM:



P. Scott Browne
LAFCO Counsel

Colusa Local Agency Formation Commission

2018

LAFCO Regular Meeting Schedule

3:00 p.m.

Board of Supervisors Room
546 Jay Street
Colusa, California

January 4th

February 1st

March 1st

April 5th

May 3rd

June 7th

July 5th

August 2nd

September 6th

October 4th

November 1st

December 6th

Regular meetings of the Commission are scheduled for the first Thursday of every month at 3:00 p.m. in the Board of Supervisor's Chambers, 546 Jay St, Colusa, California. The Commission may, at its own discretion, meet at a different time or place from time to time, provided that public notice of such time and place is given in accordance with the Open Meeting Law, Government Code Section 54954 and applicable provisions of the LAFCO Act.

The Chair or Executive Officer may call a special meeting of the Commission. The Chair shall call a special meeting if requested by two or more Commissioners. Any special meetings of the Commission shall be called in the manner provided by Section 54956 of the Government Code. The order calling the special meeting shall specify the time and place of the meeting and the business to be conducted and no other business shall be conducted at that meeting. The special meeting may be called for any day prior to the date established for the next regular meeting of the Commission.