

Colusa Local Agency Formation Commission

Regular Meeting Agenda

Thursday – February 2, 2017

3:00 PM

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

1. Call to Order/Roll Call

Commissioners

_____, (City Member)
Brandon Ash, (Vice Chair, Public)
Denise Carter (County)
Gary Evans (County)
Tom Reische, Colusa, (Chair, City
Member)

Alternates

John Loudon, (County Alternate)
David Womble (City Alternate)
Mary Winters, (Public Member Alternate)

Staff

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

2. Consider Minutes for December 1st , 2016

a. Approve minutes from the December 1st , 2016 LAFCo 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

a. Payment of claims for the months of December 2016 and January 2017

5. LAFCO #2016-0003, Abel Tract Annex to the Westside Water District

a) Review Executive Officer's report and Consider Resolution 2017-0001 approving a annexation of 530.70 acres more or less to Westside Water District known as the Abel Tract Annexation.

6. **Authorize staff to attend the Calafco staff workshop in Fresno March 4-7, 2017**
 - a. *Authorize staff to attend the Calafco Staff workshop in Fresno.*
7. **Meeting with State Water Resources Control Board / Division of Drinking water staff**
 - a. *Legislation affecting water systems SB 88, SB 552 and SB 1263*
8. **Establish Ad Hoc Budget Committee for FY 2017-2018**
 - a. *Establish Ad Hoc Budget Committee for FY 2017-2018*
9. **Grant a three month's extension for LAFCo file 2015-0002 for the Vedo Annexation to obtain verification of filing of the Certificate of Compliance by Colusa County and final descriptions and mapping.**
 - a. *Grant a 3 month's extension for this project to verify filing of the Certificate of Compliance and to receive final descriptions and mapping per conditions of approval.*

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. Adjourn to the next regular meeting on March 2, 2017

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

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 are 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
December 1, 2016

PRESENT:

GARY EVANS, County Member
BRANDON ASH, Vice Chair, Public
TOM REISCHE, Chair, City Member
DENISE CARTER, County Member
KENT BOES, City Member

ALSO PRESENT:

P. 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 October 6, 2016

On motion of G. Evans, second by D. Carter, the commission approved the minutes of the October 6, 2016 meeting; motion carried. (5-0)

3. Public Comment – None

4. Consent Agenda

On motion of D. Carter, second by T. Reische, the commission approved payment of the October and November, 2016 claims, motion carried by roll call vote. (5-0)

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

J. Benoit provided the commission with a report on the City of Colusa State Park Reorganization. He stated that the proposal consists of the annexation of 300 acres, more or less, of territory into the City of Colusa and the concurrent detachment of 300 acres, more or less, from the Sacramento River Fire Protection District. The city has prepared a plan for provision of services, and they will be building a new boat ramp. Staff recommends adoption of Resolution 2016-0009.

3:05 – opened public hearing

3:06 – closed public hearing

T. Reische moved to approve Resolution 2016-0009 approving a detachment from the Sacramento River Fire Protection District and Annexation of the state recreation areas to the City of Colusa including 300 acres, more or less, subject to terms and conditions, second by B. Ash, motion carried by roll call vote. (5-0)

6. Set regular meeting schedule for 2017

On motion of D. Carter, second by G. Evans, the commission approved the 2017 meeting schedule as presented. (5-0)

7. Discussion regarding the Calafco Conference in Santa Barbara

J. Benoit and S. Browne provided a brief report on their attendance at this year's Calafco conference. S. Browne advised the commission to not be surprised if Lafcos become the agency responsible for environmental justice. John reviewed more issues "on deck". A legislative report was distributed to the Lafco members.

8. Executive Officer's Report

John reported that he has been working with Kathy Moran to get the Lafco files organized. They are getting the files out of the Planning Department, and the sphere files are mostly computerized.

Vedo Annexation – has been nearly 1 year; need to get the city to put pressure on Vedo to finish it up.

This is Kent's last day here as a city representative. The Mayor Select Committee will need to meet and select a new representative. David Womble will serve as the alternate.

9. Commissioner Reports – Discussion

T. Reische stated that he enjoyed his trip to the conference and it was well worthwhile.

K. Boes stated that he had a lot of fun serving on the commission, and he looks forward to coming back.

10. Adjourn to the next regular meeting on January 5, 2017.

It was agreed that the January meeting will be cancelled.

The meeting was adjourned at 3:36 p.m.

Colusa Local Agency Formation Commission

CLAIMS

For Dec 2016 and Jan 2017

Authorize payment of the following claims:

FY 2016-2017 EXPENSES:

Jan 1, 2017	Staff Svcs and Expenses – Dec 2016	\$ 5,807.63
Jan 1, 2017	Long Dist. July 16 – Dec 16	\$ 5.00
Dec 7, 2016	Frontier Phone Dec 7, 2016	\$ 31.91
11.16.16 - 12.15.2016	Legal Services P. Scott Browne	\$ 1,750.00
12.16.16-1.15.17	Legal Services P. Scott Browne	\$ 1,750.00
Feb 1, 2017	Staff Svcs and Expenses Jan 2017	\$ 4,086.79
Jan 7, 2017	Frontier Phone Jan 7, 2017	\$ 33.16
TOTAL:		\$ 13,464.49

DATED: Feb 2, 2017

APPROVED: Feb 2, 2017

**Tom Reische, Chair or Brandon Ash, Vice Chair
Colusa Local Agency Formation Commission**

Attest:

**John Benoit
Executive Officer**

Colusa LAFCO

Shadow Accounting
2016-2017

EXPENSE	Executive Off. Cont 53180	Clerical Support 53180	Workers Comp 51035	Atty Contract 53180	Insurance 53100	Office Supplies 53170	Postage 53171	Copies 53170	Membership 53150
	48000.00	2100.00	50.00	21000.00	1705.00	375.00	500.00	2000.00	840.00
CALAFCO Dues 16-17									-840.00
SDRMA Insurance 16-17					-1624.60				
Staff Servicess June 2016	-4000.00	-175.00				-15.00	-17.86	-57.37	
Frontier Phone June 7, 2016									
Browne Legal Svcs 5.16.2016-6.15.2016				-1750.00					
Long Distance Mar, Apr, May, June 16									
Staff Svcs July 2016	-4000.00					-10.00		-89.80	
Browne Ending 7.15.15				-1750.00					
Frontier Phone July 7, 2016									
Carter and Reische Regi CALAFCO									
Browne Ending 8.15.16				-1750.00					
Staff Svcs August 2016	-4000.00	-175.00					-23.31	-23.39	
Frontier PH August 2016									
Staff Svcs September 2016	-4000.00					-19.50	0.00	-15.00	
Browne Ending 9.15.16				-1750.00					
Frontier Ph Sept 2016									
App Democrat WRFPD Annex									
Browne ending 10.15.16				-1750.00					
Staff Svcs Oct 2016	-4000.00	-175.00				-10.00	-13.34	-52.07	
Frontier Ph Oct 7, 2016									
Staff Svcs November 2016	-4000.00							-10.00	
Browne Ending 11.15.16				-1750.00					
Carter Conf. Reimbursement SBA Oct 16									
Reiche Conf. Reimb SBA Oct 2016									
Front Ph Nov 7, 2016									
LONG DIST july-Dec 2016									
Frontier Ph Dec 7, 2016									
Staff Svcs Dec 2016	-4000.00	-175.00				-44.72	-17.04	-58.80	
Browne Ending 12.15.16				-1750.00					
Frontier Phone Jan 7, 2017									
Staff Svcs Jan 2017	-4000.00					-15.00	-0.47	-30.00	
Browne Ending 1.15.17				-1750.00					
Revenue Westsite WD Able Annex									
Revenue State Parks annex									
Total Expended in FY 16-17	-32000.00	-700.00	0.00	-14000.00	-1624.60	-114.22	-72.02	-336.43	-840.00
Total Remaining in FY 16-17	16000.00	1400.00	50.00	7000.00	80.40	260.78	427.98	1663.57	0.00

State Water Resources Control Board

Division of Drinking Water

January 10, 2017

Mr. John Benoit, Executive Officer
Colusa County
Local Area Formation Commission
P.O. Box 2694
Granite Bay, CA 95746

**RE: Senate Bill 1263
Changes to Domestic Water Supply Permit Applications**

Dear Mr. Benoit,

Senate Bill 1263 was enacted on September 29, 2016 and took effect on January 1, 2017. This bill amends Section 11640 and adds Section 116527 to the California Health and Safety Code and adds Section 106.4 to the Water Code. This bill changes the application requirements for proposed new public water systems and clarifies acceptable water sources. A summary of the key changes is provided below.

- It is the policy of the State of California to discourage the establishment of new, unsustainable public water systems when there is a feasible alternative.
- All new public water supply permit applicants are required to submit to the State Water Resources Control Board-Division of Drinking Water (SWRCB-DDW) a preliminary technical report evaluating consolidation with existing water systems at least 6 months before initiating construction of any water-related development (for example wells, piping, treatment, etc.). The requirements of the preliminary technical report are specified in the bill.
- If consolidation is determined to be feasible for the service area and evidence exists that the proposed new public water system will be unable to supply affordable and safe drinking water in the reasonably foreseeable future, the Division may deny the permit application. As a practical matter, the Division may require some technical, managerial, and financial information to be submitted at the same time as the preliminary technical report to assist in this evaluation.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

- Local primacy agencies are required to seek concurrence from SWRCB-DDW prior to issuing any new public water supply permit for all proposed water systems serving at least 25 individuals at least 60 days of the year. Local primacy agencies are those county agencies, predominantly environmental health agencies, that regulate public water systems serving less than 200 connections. Local primacy agencies will continue as the regulating authority of any newly formed public water system that falls under their jurisdiction and will receive specific guidance on implementation in a separate correspondence.
- Cities, including charter cities, and counties are prohibited from issuing building permits for the construction of new residential development where the source of water supply is water transported by a water hauler, bottled water, a water-vending machine, or a retail water facility, except under certain natural disaster events. "Residential development," is defined per Section 65008(f) of the Government Code, meaning a single-family residence or a multifamily residence, including manufactured homes.
- In addition to technical, managerial, and financial capacity of new public water systems, the Division is now also required to consider sustainability of the proposed public water system, including factors such as global climate change, groundwater contaminant migration potential, and other treatment factors, in determining approval or denial of a new public water system.

Full text of Senate Bill 1263 may be found at the following website link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1263.

Tools to search for existing public water systems in each county can be found on the following websites:

<https://sdwis.waterboards.ca.gov/PDWW/>

http://cehtp.org/page/water/water_system_map_viewer

The first website link contains a database of all public drinking water systems under the jurisdiction of the SWRCB-DDW in California; you may sub-select for a list in your county. The listing provides water system name, type (community, non-transient non-community, or transient), and the primary water source type (groundwater or surface water). You can get additional information for each water system, such as phone number, administrative address, population served, and number of connections by clicking on the Water System Number. Please note that water systems with the "Status" of "A" are active and "I" are inactive. *Inactive systems should not be considered for consolidation potential.* Water

system boundary maps for *some* public water systems may found at the second web address. This website is in the development process and does not yet contain a complete inventory of all public water systems.

Thank you for your support on implementing these new regulatory changes. Additional information may be obtained by contacting Michelle Frederick of our staff at (707) 576-2731, or for local primacy agencies from Wendy Killou at (916) 449-5158.

Sincerely,



Bruce H. Burton, P.E.

Assistant Deputy Director

Northern California Field Office Branch

State Water Resources Control Board, Division of Drinking Water