

**COLUSA  
LOCAL AGENCY FORMATION  
COMMISSION (LAFCo)**

***DRAFT***

**COLUSA COUNTY  
WATERWORKS DISTRICT #1  
GRIMES**

***Municipal Service Review (MSR)***

***and***

***Sphere of Influence (SOI) Update***

***August 2020***

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## **1 INTRODUCTION**

### **1.1 Local Agency Formation Commission (LAFCo) History**

This report is prepared pursuant to State legislation enacted in 2000 that requires Colusa LAFCo to complete a comprehensive review of municipal service delivery and update the spheres of influence (SOIs) of all agencies under LAFCo's jurisdiction. This chapter provides an overview of LAFCo's history, powers and responsibilities. It discusses the origins and legal requirements for preparation of a Service Review commonly referred to as a Municipal Service Review (MSR). Finally, the chapter reviews the process for MSR review, MSR approval and SOI updates.

After World War II, California experienced dramatic growth in population and economic development. With this boom came a demand for housing, jobs and public services. To accommodate this demand, many new local government agencies were formed, often with little forethought as to the ultimate governance structures within a given region. A lack of coordination and adequate planning led to a multitude of overlapping, inefficient jurisdictional and service area boundaries, many of which resulted in the premature conversion of California's agricultural and open-space lands and duplication of services.

Recognizing this problem, in 1959, Governor Edmund G. Brown, Sr. appointed the Commission on Metropolitan Area Problems. The Commission's charge was to study and make recommendations on the "misuse of land resources" and the growing complexity of local governmental jurisdictions. The Commission's recommendations on local governmental reorganization were introduced in the Legislature in 1963; resulting in the creation of a Local Agency Formation Commission, or "LAFCo," operating in every county.

LAFCo was formed as a countywide agency to discourage urban sprawl and to encourage the orderly formation and development of local government agencies within its jurisdiction. LAFCo is responsible for coordinating logical and timely changes in local governmental boundaries; including annexations and detachments of territory, incorporations of cities, formations of special districts, and consolidations, mergers and dissolutions of districts, as well as reviewing ways to reorganize, simplify, and streamline governmental structure.

The Commission's efforts are focused on ensuring services are provided efficiently and economically while agricultural and open-space lands are protected or conserved to the extent possible. To better inform itself and the in compliance with the State Law; LAFCo conducts MSR's to evaluate the provision of municipal services for service providers within its jurisdiction.

LAFCo regulates, through approval, denial, conditions and modification, boundary changes proposed by public agencies or individual voters and landowners. It also regulates the extension of public services by cities and special districts outside their boundaries. LAFCo is empowered to initiate updates to the SOIs and proposals involving the dissolution, consolidation or formation of special districts, establishment of subsidiary districts, and any reorganization including such actions. Where LAFCo is not given specific authority, LAFCo actions must originate as petitions from affected voters or landowners, or by resolutions by affected cities or special districts.

A Plan for Services is required in Government Code Section 56653. A Plan for Services must include the following information: An enumeration and description of services to be provided, the level and range of those services, an indication of how those services are to be extended into the territory, an indication of any improvements or upgrading of structures, Information on how the services are to be financed.

### **1.2 Preparation of the MSR**

Research for this Municipal Service Review (MSR) was conducted during the late fall of 2019. This MSR is intended to support preparation and update of Spheres of Influence, in accordance with the provisions of the Cortese-Knox-Hertzberg Act. The objectives of this Municipal Service Review (MSR) are as follows:

- ✓ To develop recommendations that will promote more efficient and higher quality service options and patterns
- ✓ To identify areas for service improvement
- ✓ To assess the adequacy of service provision as it relates to determination of appropriate sphere boundaries

While LAFCo prepared the MSR document, given budgetary constraints, LAFCo did not engage the services of experts in engineering, hydrology, geology, water quality, fire protection, accounting or other specialists in related fields, but relied upon published reports and available information. Insofar there is conflicting or inconclusive information LAFCo staff may recommend the district retain a licensed professional or expert in a particular field for an opinion.

Therefore, this MSR reflects LAFCo's recommendations, based on available information during the research period and provided by District Board to assist in its determinations related to promoting more efficient and higher quality service patterns; identifying areas for service improvement; and assessing the adequacy of service provision by the Colusa County Waterworks District #1 in Grimes. Additional information on local government funding issues in found in Appendix A at the end of this report.

### **1.3 Role and Responsibility of LAFCo**

Local Agency Formation Commissions (LAFCOs) in California are independent agencies created by the California Legislature in 1963 for the purpose of encouraging the orderly formation of local government agencies and conserving and preserving natural resources. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56000 et seq.) is the statutory authority for the preparation of an MSR, and periodic updates of the Sphere of Influence (SOI) of each local agency.

LAFCOs are responsible for coordinating logical and timely changes in local governmental boundaries, conducting special studies that review ways to reorganize, simplify, and streamline governmental structure, preparing a review of services called a MSR, and preparing a SOI thereby determining the future "probable" boundary for each city and special district within each county.

The Commission's efforts are directed toward seeing that services are provided efficiently and economically while agricultural and open-space lands are protected. Often citizens are confused as to what LAFCo's role is. LAFCos do not have enforcement authority nor do they have the authority to initiate a city or district annexation or detachment proceeding. LAFCos may initiate consolidation or dissolution proceedings; however, these proceedings are subject to the voter approval or denial.

The Legislature has given LAFCos the authority to modify any proposal before it to ensure the protection of agricultural and open space resources, discourage urban sprawl and promote orderly boundaries and the provision of adequate services.

The Governor's Office of Planning and Research (OPR) has issued Guidelines for the preparation of a MSR. This MSR adheres to the procedures set forth in OPR's MSR Guidelines.

A SOI is a plan for the probable physical boundaries and service area of a local agency, as determined by the affected Local Agency Formation Commission (Government Code §56076). Government Code §56425(f) requires that each SOI be updated not less than every five years, and §56430 provides that a MSR shall be conducted in advance of the SOI update.

#### **1.4 Municipal Services Review Requirements**

Effective January 1, 2001 and subsequently amended, LAFCo is required to conduct a review of municipal services provided in the county by region, sub-region or other designated geographic area, as appropriate, for the service or services to be reviewed, and prepare a written statement of determination with respect to each of the following six topics (Government Code §56430):

1. Growth and population projections for the affected area
2. The location and characteristics of any disadvantaged unincorporated communities (DUC) within or contiguous to the sphere of influence
3. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies
4. Financial ability of agencies to provide services
5. Status of, and opportunities for shared facilities
6. Accountability for community service needs, including governmental structure and operational efficiencies

#### **1.5 Municipal Services Review Process**

For local agencies, the MSR process involves the following steps:

- Outreach: LAFCo outreach and explanation of the project

- Data Discovery: provide documents and respond to LAFCo questions
- Map Review: review and comment on LAFCo draft map of the agency's boundary and sphere of influence
- Profile Review: internal review and comment on LAFCo draft profile of the agency
- Public Review Draft MSR: review and comment on LAFCo draft MSR
- LAFCo Hearing: attend and provide public comments on MSR

MSRs are exempt from California Environmental Quality Act (CEQA) pursuant to §15262 (feasibility or planning studies) or §15306 (information collection) of the CEQA Guidelines. LAFCo's actions to adopt MSR determinations are not considered "projects" subject to CEQA. The MSR process does not require LAFCo to initiate changes of organization based on service review findings, only that LAFCo identify potential government structure options.

However, LAFCo, other local agencies, and the public may subsequently use the determinations to analyze prospective changes of organization or reorganization or to establish or amend SOIs. Within its legal authorization, LAFCo may act with respect to a recommended change of organization or reorganization on its own initiative (e.g., certain types of consolidations), or in response to a proposal (i.e., initiated by resolution or petition by landowners or registered voters).

Once LAFCo has adopted the MSR determinations, it must update the SOI for each jurisdiction. The LAFCo Commission determines and adopts the spheres of influence for each agency. A CEQA determination is made by LAFCo on a case-by-case basis for each sphere of influence action and each change of organization, once the proposed project characteristics are sufficiently identified to assess environmental impacts.

### **1.6 Sphere Of Influence Update Process**

The Commission is charged with developing and updating the Sphere of Influence (SOI) for each city and special district within the county.<sup>1</sup>

An SOI is a LAFCo-approved plan that designates an agency's probable future boundary and service area. Spheres are planning tools used to provide guidance for individual boundary change proposals and are intended to encourage efficient provision of organized community services and prevent duplication of service delivery. Territory cannot be annexed by LAFCo to a city or district unless it is within that agency's sphere.

The purposes of the SOI include the following:

- to ensure the efficient provision of services
- to discourage urban sprawl and premature conversion of agricultural and open space lands
- to prevent overlapping jurisdictions and duplication of services

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<sup>1</sup> The initial statutory mandate, in 1971, imposed for no deadline for completing sphere designations. When most LAFCOs failed to act, 1984 legislation required all LAFCOs to establish spheres of influence by 1985.

LAFCo may not directly regulate land use, dictate internal operations or administration of any local agency, or set rates. LAFCo is empowered to enact policies that indirectly affect land use decisions. On a regional level, LAFCo promotes logical and orderly development of communities as it considers and decides individual proposals. LAFCo has a role in reconciling differences between agency plans so that the most efficient urban service arrangements are created for the benefit of current and future area residents and property owners.

The Cortese-Knox-Hertzberg (CKH) Act requires LAFCos to develop and determine the SOI of each local governmental agency within its jurisdiction and to review and update the SOI every five years, as necessary. LAFCos are empowered to adopt, update and amend a SOI. They may do so with or without an application. Any interested person may submit an application proposing an SOI amendment.

While SOIs are required to be updated every five years, as necessary, this does not necessarily define the planning horizon of the SOI. The term or horizon of the SOI is determined by each LAFCo.

LAFCo may recommend government reorganizations to particular agencies in the county, using the SOIs as the basis for those recommendations. In determining the SOI, LAFCo is required to complete an MSR and adopt the six determinations previously discussed. In addition, in adopting or amending an SOI, LAFCo must make the following five determinations as required in Government Code section 56425(c):

1. Present and planned land uses in the area, including agricultural and open-space lands
2. Present and probable need for public facilities and services in the area
3. Present capacity of public facilities and adequacy of public service that the agency provides or is authorized to provide
4. Existence of any social or economic communities of interest in the area if the Commission determines these are relevant to the agency
5. For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.<sup>2</sup>

The CKH Act stipulates several procedural requirements in updating SOIs. It requires cities to file written statements on the class of services to be provided and LAFCo must clearly establish the location, nature and extent of services provided by special districts.

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<sup>2</sup> California Government Code Section 56425 (e)(5)



By statute, LAFCo must notify affected agencies 21 days before holding the public hearing to consider the SOI and may not update the SOI until after that hearing. The LAFCo Executive Officer must issue a report including recommendations on the SOI amendments and updates under consideration at least five days before the public hearing.

### **1.7 Possible Approaches to the Sphere of Influence**

LAFCo may recommend government reorganizations to particular agencies in the county, using the SOIs as the basis for those recommendations. Based on review of the guidelines of Colusa LAFCo as well as other LAFCOs in the State, various conceptual approaches have been identified from which to choose in designating an SOI. These seven approaches are explained below:

1) Coterminous Sphere:

A Coterminous Sphere means that the Sphere of Influence for a city or special district that is the same as its existing boundaries of the city or district.

2) Annexable Sphere:

A sphere larger than the agency's boundaries identifies areas the agency is expected to annex. The annexable area is outside the district boundaries and inside the sphere of influence.

3) Detachable Sphere:

A sphere that is smaller than the agency's boundaries identifies areas the agency is expected to detach. The detachable area is the area within the agency bounds but not within its sphere of influence.

4) Zero Sphere:

A zero sphere indicates the affected agency's public service functions should be reassigned to another agency and the agency should be dissolved or combined with one or more other agencies.

5) Consolidated Sphere:

A consolidated sphere includes two or more local agencies and indicates the agencies should be consolidated into one agency.

6) Limited Service Sphere:

A limited service sphere is the territory included within the SOI of a multi-service provider agency that is also within the boundary of a limited purpose district which provides the same service (e.g., fire protection), but not all needed services. Territory designated as a limited service SOI may be considered for annexation to the limited purpose agency without detachment from the multi-service provider.

This type of SOI is generally adopted when the following conditions exist:

- a) The limited service provider is providing adequate, cost effective and efficient services
- b) The multi-service agency is the most logical provider of the other services
- c) There is no feasible or logical SOI alternative
- d) Inclusion of the territory is in the best interests of local government organization and structure in the area

Government Code §56001 specifically recognizes that in rural areas it may be appropriate to establish limited purpose agencies to serve an area rather than a single service provider, if multiple limited purpose agencies are better able to provide efficient services to an area rather than one service district.

Moreover, Government Code Section §56425(i), governing sphere determinations, also authorizes a sphere for less than all of the services provided by a district by requiring a district affected by a sphere action to “establish the nature, location, and extent of any functions of classes of services provided by existing districts” recognizing that more than one district may serve an area and that a given district may provide less than its full range of services in an area.

### **1.8 Description of Public Participation Process**

The LAFCo proceedings are subject to the provisions of California’s open meeting law, the Ralph M. Brown Act (Government Code Sections 54950 et seq.). The Brown Act requires advance posting of meeting agendas and contains various other provisions designed to ensure that the public has adequate access to information regarding the proceedings of public boards and commissions. Colusa LAFCo complies with the requirements of the Brown Act.

The State MSR Guidelines provide that all LAFCOs should encourage and provide multiple public participation opportunities in the MSR process.

## 2 GRIMES AREA

### 2.1 Grimes Background

Grimes (formerly, Grimes Landing) is a census designated place on the Southern Pacific Railroad. It lies at an elevation of 46 feet. The two main roads that run through it are State Route 45 and Grimes-Arbuckle Road. The post office was established in 1883. Grimes is named after Cleaton Grimes, who obtained the town site land in 1844.<sup>3</sup> Grimes is located on the Sacramento River. There is a small post office, a library, and a school. The school features grades kindergarten through 5th grade. There is a boat landing farther south, near Knight's Landing.

### 2.2 Grimes Population Data

The 2010 US Census reported that Grimes had a population of 391. There were 130 households, out of which 48 (36.9%) had children under the age of 18 living in them, 33 households (25.4%) were made up of individuals and 12 (9.2%) had someone living alone who was 65 years of age or older. The remaining households were two or more people living together. The average household size was 3.01. There were 91 families (70.0% of all households); the average family size was 3.70.

#### GRIMES POPULATION 2010 AGE DISTRIBUTION

AGE	NUMBER	PERCENT
Under the age of 18	120 people	30.7%
Aged 18 to 24	31 people	7.9%
Aged 25 to 44	96 people	24.6%
Aged 45 to 64	104 people	26.6%
65 years of age or older	40 people	10.2%
TOTAL	391 people	100.0%

The median age was 33.6 years. For every 100 females, there were 96.5 males. For every 100 females age 18 and over, there were 97.8 males.

There were 145 housing units of which 130 were occupied, of which 71 (54.6%) were owner-occupied, and 59 (45.4%) were occupied by renters. The homeowner vacancy rate was 4.1%; the rental vacancy rate was 9.2%. There were 210 people (53.7% of the population) living in owner-occupied housing units and 181 people (46.3%) living in rental housing units.

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<sup>3</sup> Durham, David L. (1998). California's Geographic Names: A Gazetteer of Historic and Modern Names of the State. Clovis, Calif.: Word Dancer Press. p. 495. ISBN 1-884995-14-4.

### **2.3 Grimes Income Data<sup>4</sup>**

Grimes income data is shown below:

Grimes Median Household Income	\$41,857
California Median Household Income	\$63,783 (80% = \$51,026)

The Median Household Income for Grimes is clearly well below the State of California Median Household Income which means that Grimes is a disadvantaged unincorporated community (DUC).

### **2.4 Grimes Community Facilities**

#### **2.4.1 Library**

Grimes Branch Library<sup>5</sup>  
Juana Rodriguez, Library Aide  
240 Main Street, Grimes, CA 95950

Phone: (530) 437-2428  
Tuesday 2:00 p.m. - 7:00 p.m.; Thursday 2:00 p.m. - 7:00 p.m.

#### **2.4.2 School**

Grand Island Elementary School is located at 551 Leven Street, Grimes CA 95950 and serves 49 students in grades Kindergarten through fifth grade. The School is part of the Pierce Joint Unified School District.<sup>6</sup>

#### **2.4.3 Fire Station**

The fire station in Grimes is part of the Sacramento River Fire Protection District which also serves the area around the City of Colusa.

### **2.5 Colusa County General Plan-Grimes**

The Colusa County General Plan shows the following policies relating to Grimes:

*Colusa County General Plan Community Character Element-Grimes<sup>7</sup>*

*Policy CC 2---28: Grimes should remain a small rural community with an emphasis on agricultural operations within and adjacent to the town.*

*Policy CC 2---29: Limit future residential and commercial development within Grimes to the area within the utility district Sphere of Influence.*

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<sup>4</sup> <https://www.areavibes.com/grimes-ca/employment/>, November 25, 2019.

<sup>5</sup> County of Colusa, <http://www.countyofcolusa.org/BusinessDirectoryII.aspx?lngBusinessCategoryID=22>, November 18, 2019.

<sup>6</sup> <https://www.greatschools.org/california/grimes/629-Grand-Island-Elementary-School/>, November 18, 2019.

<sup>7</sup> Colusa County General Plan, Adopted July 31, 2012, Community Character Element, Pages 4-6 and 4-7.

*Policy CC 2---30: Additional local---serving retail and services businesses should be encouraged in the commercially designated areas of Grimes.*

*Policy CC 2---31: Discourage new residential development on parcels two acres in size and smaller unless centralized or shared wastewater service is available.*

*Policy CC 2---32: Encourage the use, expansion and development of private or mutually owned wastewater systems serving residential and commercial uses within the Sphere of Influence.*

*Policy CC 2---33: Support the restoration and re---use, particularly with community---oriented commercial and civic uses, of vacant historic buildings in the Grimes commercial district.*

*Policy CC 2---34: Encourage improvements, expanded access, and increase recreational opportunities along the Sacramento River and at the Grimes Boat Landing.*

### **3 COLUSA COUNTY WATERWORKS DISTRICT #1 IN GRIMES**

#### **3.1 Colusa County Waterworks District #1 Background**

On November 22, 1961, the Colusa County board of Supervisors called an election to be held on December 12, 1961, for the formation of a County Waterworks district in Grimes. On December 13, 1961, the Board of Supervisors formed the Colusa County Waterworks District #1, under the provisions of the California Water code, Division 16. The District operates under Sections 55000-55991 of the Water Code providing water for domestic purposes in the area of Grimes, California.<sup>8</sup>

#### **3.2 Colusa County Waterworks District #1 Board of Directors**

The Colusa County Waterworks District #1 Board of Directors are appointed by the Colusa County Board of Supervisors and appointments are indefinite, until the Board Member resigns. The Board meets as needed. The Board of Directors is as follows:<sup>9</sup>

Lance Swift  
Mark Sumner  
Martin Ramirez (Phone 437-2325)  
Vernon Jones  
Stuart Angerer (Phone: 530-437-2494) (E-Mail: KIBEAR@frontiernet.net)

Contact information for the District is as follows:

Colusa County Waterworks District #1, PO Box 131, Grimes, CA 95950  
Phone: 530-224-4800

The contact person for the District at the State of California Division of Drinking Water is as follows:

Reese B. Crenshaw, PE, Division of Drinking Water-SWRCB  
364 Knollcrest Drive, Suite 101, Redding CA 96002  
Phone: 530-224-4861, Fax: 530-224-4844, Mobile: 530-510-5007  
Email: Crenshaw, Reese@waterboards

#### **3.3 Colusa County Waterworks District #1 Facilities**

The District maintains two water wells. Well #1 (223 feet deep) is located in the southern alley of Poundstone Street and Leven Street on Colusa County parcel #019-084-010 owned by the County of Colusa. Well #2 (stand-by) is located on 359 Main Street on Colusa County parcel #019-081-014 owned by Sacramento River Fire District. The District serves 123 service connections and a population of 381.

The District provides 36 million gallons of water annually. July is the peak flow month with 5 million gallons. The water supply infrastructure in the District is comprised of pipes ranging in size from 2-inch to 8-inch diameter. The 2-inch pipes are PVC or metal, the

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<sup>8</sup> Colusa County Auditor-Controller, Annual Audit for Colusa County Waterworks District #1, December 12, 2018, Page 2.

<sup>9</sup> Colusa County Board of Supervisors, Phone 530-458-0508, November 18, 2019.

larger pipes are asbestos-concrete (AC). Water is treated with sodium hypochlorite for Coliform bacteria.

The District also provides water to ten fire hydrants as part of an agreement with the Sacramento River Fire Protection District. However, this water is not sufficient to maintain fire flows and the Sacramento River FPD must also rely on water tenders to achieve adequate supply.<sup>10</sup>

### **3.4 Water Quality**

#### **3.4.1 Grant Award**

The State of California awarded the Colusa County Waterworks District #1 the following grant:

3940P01D1702019 Colusa County Waterworks District 1<sup>11</sup>

*Arsenic Exceedance - Planning Project*

*The Colusa County Waterworks District No. 1 (Grimes) utilizes a groundwater well which produces water with elevated levels of arsenic which exceed the MCL.*

*The project includes an evaluation of all feasible alternatives, including new sources, treatment, and/or blending.*

*Plans, specifications and environmental documentation will be prepared for the selected construction project. \$415,000.00 Colusa*

#### **3.4.2 2018 Water Quality Report<sup>12</sup>**

The 2018 Water Quality Report for the Colusa County Waterworks District #1 prepared by the State Department of Health Services Division of Drinking Water and Environmental Management shows the following information in five separate tables. The State notes that “Some of the data, though representative of the water quality, are more than one year old.”

The information is presented in detail below because the water quality for the District failed to meet the standard for arsenic as shown in Table 4. This has been the reason for the grant applications and projects. This is the reason that the District purchases bottle water for the residents of the District.

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<sup>10</sup> Colusa County Housing Element Update, Prepared by DeNovo Planning Group, 4630 Brand Way, Sacramento CA 95819, June 17, 2014, Pages 2-31, 2-32.

<sup>11</sup> State of California, Water Resources Control Board, <http://bondaccountability.resources.ca.gov/SearchResults.aspx?SearchMode=AssocCountySearchCriteria>, December 2, 2019.

<sup>12</sup> State of California, Department of Health Services, Division of Drinking Water and Environmental Management, 364 Knollcrest Drive, Suite 101, Redding Ca 96002, 2018 Water Quality Report for Colusa County WWD#1-Grimes, Prepared by Basic Laboratory, Inc. 2019.

<b>COLUSA COUNTY WATERWORKS DISTRICT #1, GRIMES TABLE 1 SAMPLING RESULTS SHOWING THE DETECTION OF COLIFORM BACTERIA</b>					
<b>Microbiological Contaminants</b>	<b>Highest Number of Detections</b>	<b>Number of Months in Violation</b>	<b>MCL Maximum Contaminant Level</b>	<b>MCLG Maximum Contaminant Level Goal*</b>	<b>Typical Source of Bacteria</b>
Total Coliform Bacteria (State Total Coliform Rule)	(in a month) 0	0	1 positive monthly sample	0	Naturally present in the environment
Fecal Coliform or <i>E.coli</i> (State Total Coliform Rule)	(in the year) 0	0	A routine sample and a repeat sample are total coliform positive, and one of these is also fecal coliform or <i>E.coli</i> positive		Human and animal fecal waste
<i>E.coli</i> (Federal Revised Total Coliform Rule)	(in the year) 0	0	(a)	0	Human and animal fecal waste
(a) Routine and repeat samples are total coliform positive and either is <i>E.coli</i> -positive or system fails to take repeat samples following <i>E.coli</i> -positive routine sample or system fails to analyze total coliform-positive repeat sample for <i>E.coli</i> .					

\*Maximum Contaminant Level Goal is set by the US EPA (US Environmental Protection Agency).

The Table below shows that there was no detectable level of Lead or Copper found in the Colusa County Waterworks District #1 water at the time of testing in August 2018.



COLUSA COUNTY WATERWORKS DISTRICT #1, GRIMES							
TABLE 2							
SAMPLING RESULTS SHOWING THE DETECTION OF LEAD AND COPPER							
Lead and Copper	Number of samples collected	90 <sup>th</sup> Percentile level detected	Number of sites exceeding AL Regulatory Action Level	AL Regulatory Action Level	PHG Public Health Goal*	Number of schools requesting lead sampling	Typical Source of Contaminant
Lead (ppb) 08/27/18 ppb: parts per billion or micrograms per liter (µg/l)	5	ND Not detectable at testing limit	None	15	0.2	None	Internal corrosion of household water plumbing systems; discharges from industrial manufacturers; erosion of natural deposits
Copper (ppm) 08/27/18 ppm: parts per million or milligrams per liter mg/L	5	ND Not detectable at testing limit	None	1.3	0.3	Not applicable	Internal corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives
<p>If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. Colusa County Waterworks District #1 is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components.</p> <p>When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking.</p> <p>If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline (1-800-426-4701) or at <a href="http://www.epa.gov/lead">http://www.epa.gov/lead</a>.</p>							

\*PHG, Public Health Goal is set by the California Environmental Protection Agency (EPA).

**COLUSA COUNTY WATERWORKS DISTRICT #1, GRIMES**  
**TABLE 3**

<b>SAMPLING RESULTS FOR SODIUM AND HARDNESS</b>						
<b>Chemical or Constituent (and reporting units)</b>	<b>Sample Date*</b>	<b>Level Detected</b>	<b>Range of Detections</b>	<b>MCL Maximum Contaminant Level</b>	<b>PHG Public Health Goal** (MCLG) Maximum Contaminant Level Goal***</b>	<b>Typical Source of Contaminant</b>
Sodium (ppm) ppm: parts per million or milligrams per liter mg/L	3/31/10	46		none	none	Salt present in the water and is generally naturally occurring.
Hardness (ppm) ppm: parts per million or milligrams per liter mg/L	3/31/10	55		none	none	Sum of polyvalent cations present in the water, generally magnesium and calcium, and are usually naturally occurring.

\*The State Water Resources Control Board allows monitoring for certain contaminants less than once per year because the concentrations of these contaminants do not change frequently.

\*\*PHG, Public Health Goal is set by the California Environmental Protection Agency (EPA).

\*\*\* MCLG, Maximum Contaminant Level Goal is set by the US EPA (US Environmental Protection Agency).

Table 4 below shows that the level of arsenic in the drinking water for Grimes clearly exceeds the MCL (Maximum Contaminant Level). This is the reason that the District is working with the State of California through grant funding to alleviate this problem.

COLUSA COUNTY WATERWORKS DISTRICT #1, GRIMES						
TABLE 4						
DETECTION OF CONTAMINANTS						
WITH A PRIMARY DRINKING WATER STANDARD						
Chemical or Constituent (and reporting units)	Sample Date	Level Detected	Range of Detections	MCL Maximum Contaminant Level (MRDL) Maximum Residual Disinfectant Level	PHG Public Health Goal* (MCLG)** (MRDLG)***	Typical Source of Contaminant
Arsenic (ppb) ppb: parts per billion or micro-grams per liter (µg/l)	01/17/18-10/17/18	23.0	20.4-25.1	10	0.004	Some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk of getting cancer.
Radium 228 (pCi/L) pCi/L: Picocuries per liter (a measure of radiation)	3/16/16-6/15/16	0.9	0.6-1.2	5	(0) <sup>(c)</sup>	Erosion of natural deposits.
Total Trihalomethanes (ppb) ppb: parts per billion or micro-grams per liter (µg/l)	4/20/16	1.6		80	N/A	By-product of drinking water disinfection

\*PHG, Public Health Goal is set by the California Environmental Protection Agency (EPA).  
 \*\* MCLG, Maximum Contaminant Level Goal is set by the US EPA (US Environmental Protection Agency).  
 \*\*\*MRDLG, Maximum Residual Disinfectant Level Goal.

The table below shows Secondary Drinking Water Standards and Detection of Contaminants. Maximum Contaminant Levels (MCLs) are for contaminants that affect taste, odor or appearance of the drinking water. Contaminants with Secondary Drinking Water Standards do not affect the health at the MCL (Maximum Contaminant Level).

Although some secondary contaminants are detected, they are all well below the Secondary Maximum Contaminant Level (SMCL).

<b>COLUSA COUNTY WATERWORKS DISTRICT #1, GRIMES</b>						
<b>TABLE 5</b>						
<b>DETECTION OF CONTAMINANTS</b>						
<b>WITH A SECONDARY DRINKING WATER STANDARD</b>						
<b>Chemical or Constituent (and reporting units)</b>	<b>Sample Date*</b>	<b>Level Detected</b>	<b>Range of Detections</b>	<b>SMCL Secondary Maximum Contaminant Level</b>	<b>PHG (MCLG)</b>	<b>Typical Source of Contaminant</b>
Chloride (ppm)	3/31/10	8		500	N/A	Runoff and leaching from natural deposits; seawater influence
Sulfate (ppm)	3/31/10	5.38		500	N/A	Runoff and leaching from natural deposits; Industrial wastes
Manganese (ppb)	3/31/10	39		50	N/A	leaching from natural deposits
Specific Conductivity (µS/cm)	3/31/10	330		1600	N/A	Substances that form ions when in water, seawater influence
Total Dissolved Solids (ppm)	3/31/10	189		1000	N/A	Runoff and leaching from natural deposits
Color (units)	3/31/10	3		15	N/A	Naturally occurring of organic materials

\*The State Water Resources Control Board allows monitoring for certain contaminants less than once per year because the concentrations of these contaminants do not change frequently.

### **3.5 Colusa County Waterworks District #1 Budget**

The Budget for the Colusa County Waterworks District #1 is found in Appendix B at the end of this report. The Budget shows that the District has sufficient funds from the water charges to operate the District water system. The charges for Professional/Specialized Service and for Special Department Expense are paid for from the State grant funding.

The engineer from the Division of Drinking Water, Reese Crenshaw, had several questions regarding the District Budget. The District provided the answers to these questions. The Budget is prepared by the District and the Colusa County Auditor. It could be helpful in the future to get help from the Engineer at the Division of Drinking Water to make sure that the Budget accurately reflects the technical programs that the funds are allocated for.

### **3.6 Colusa County Waterworks District #1 Audit**

The Audit is prepared by the Colusa County Auditor's office. The Audit shows that the District has sufficient funding and that the funds were maintained by the County of Colusa. Working with the Colusa County Auditor's office is a good way to make sure that the expenditures of funds is transparent and complies with applicable laws and rules. The Audit is shown in Appendix C at the end of this report.

The engineer from the Division of Drinking Water, Reese Crenshaw, had several questions regarding the Audits. The description of Grant Funds was not specific to describe the projects funded. It could be helpful in the future to have the State Engineer provide the District with information that could be submitted to the County Auditor when preparing the Annual Audit Report.

### **3.7 District Website Requirement**

Every California independent special district is required to maintain a website by January 1, 2020. Senate Bill 929 added Government Code sections 6270.6 and 53087.8 to provide the public easily accessible and accurate information about the districts. The requirements for the District website are as follows:

- 1) Contact Information
- 2) Current Agenda
- 3) Financial Transaction Reports (as sent to State Comptroller)
- 4) Compensation Reports (as sent to State Comptroller)

The Colusa County Waterworks District #1 does not have a website. It would be helpful if the County of Colusa could provide a page on the County website to allow the Colusa County Waterworks District #1 to meet this legal requirement.

#### **4 COLUSA COUNTY WATERWORKS DISTRICT #1-GRIMES MUNICIPAL SERVICE REVIEW (MSR)**

##### **4.1 Growth and Population Projections for the Colusa County Waterworks District #1-Grimes Area<sup>13</sup>**

*Purpose: To evaluate service needs based on existing and anticipated growth patterns and population projections.*

##### **4.1.1 Colusa County Waterworks District #1-Grimes Area Population Projections**

The General Plan Housing Element estimates that an additional 17 homes could be built in the Grimes area.<sup>14</sup> However, this is unlikely since there is no sewage treatment facility in the area and two acres are required for each dwelling unit. Further, it is unlikely that anyone would be able to secure a loan due to the water contamination with arsenic.

##### **4.1.2 MSR Determinations on Growth and Population Projections for the Colusa County Waterworks District #1-Grimes Area**

MSR 1-1) The population of Grimes is not expected to increase. In fact, it will probably decrease if the residents are able to move from the area.

##### **4.2 Location and Characteristics of any Disadvantaged Unincorporated Communities (DUC) within or Contiguous to Colusa County Waterworks District #1-Grimes<sup>15</sup>**

*Purpose: To comply with the State Law to examine any unincorporated areas which could be provided with better services by annexing to an adjacent city.*

##### **4.2.1 Determination of Colusa County Waterworks District #1 Area Disadvantaged Unincorporated Community (DUC) Status**

A Disadvantaged Unincorporated Community is one where the Median Household Income is lower than 80% of the State Median Household Income.

Grimes income data is shown below:<sup>16</sup>

Grimes Median Household Income	\$41,857
California Median Household Income	\$63,783 (80% = \$51,026)

<sup>13</sup> California Government Code Section 56430. (a) (1)

<sup>14</sup> Colusa County Housing Element Background Report, Prepared by DeNovo Planning Group, 4630 Brand Way, Sacramento CA 95819, June 17, 1914, Page3-2.

<sup>15</sup> California Government Code Section 56430. (a) (2)

<sup>16</sup> <https://www.areavibes.com/grimes-ca/employment/>, November 25, 2019.

#### **4.2.2 MSR Determinations on Disadvantaged Unincorporated Communities near Colusa County Waterworks District #1-Grimes**

MSR 2-1) Grimes is clearly a Disadvantaged Unincorporated Community (DUC).

#### **4.3 Colusa County Waterworks District #1 Capacity and Infrastructure**

*Purpose: To evaluate the present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.*<sup>17</sup>

##### **4.3.1 Capacity and Infrastructure**

The Colusa County Waterworks District #1-Grimes has adequate water supply and infrastructure; however, the arsenic contamination problem will have to be ameliorated before the District can use its full capacity.

##### **4.3.2 MSR Determinations on Capacity and Infrastructure for Colusa County Waterworks District #1-Grimes**

MSR 3-1) The capacity and infrastructure for the Colusa County Waterworks District #1 in Grimes is inadequate at this time due to the contamination of arsenic in the water. Grant funded studies are in progress to determine the best way to fix this problem. In the meantime, residents are provided with bottled water.<sup>18</sup>

#### **4.4 Financial Ability to Provide Services**<sup>19</sup>

*Purpose: To evaluate factors that affect the financing of needed improvements and to identify practices or opportunities that may help eliminate unnecessary costs without decreasing service levels.*

##### **4.4.1 Financial Considerations for Colusa County Waterworks District #1-Grimes**

The Colusa County Waterworks District #1 is a low-budget District with income of less than \$40,000 from water fees. If the income from fees should drop the expenses may not be reduced accordingly and the District would be in a deficit situation. The District has also received grant funding to study and remedy the water contamination problems.

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<sup>17</sup> California Government Code Section 56430. (a) (3)

<sup>18</sup> Colusa County Waterworks District #1, Stuart Angerer, Email: [kibear@frontiernet.net](mailto:kibear@frontiernet.net), June 26, 2020.

<sup>19</sup> California Government Code Section 56430. (a) (4)

#### **4.4.2 MSR Determinations on Financing for Colusa County Waterworks District #1-Grimes**

- MSR 4-1) The Colusa County Waterworks District #1 has been able to operate with the small number of connections and thus fees collected; however, if the number of connections should drop the District could be in a severe financial crisis.
- MSR 4-2) The Colusa County Waterworks District #1 charges a flat fee for water service so income will not be reduced if residents use less water in the future.
- MSR 4-3) Residents may keep paying for the water service to maintain landscaping and the values of the properties.
- MSR 4-4) Residents receive bottled water paid for by grant funds to provide for safe water to be used for drinking.

#### **4.5 Status of and Opportunities for Shared Facilities<sup>20</sup>**

*Purpose: To evaluate the opportunities for a jurisdiction to share facilities and resources to develop more efficient service delivery systems.*

##### **4.5.1 Facilities**

Although Reclamation District 108 has an office in Grimes it is not known if this District would be able to assist the Colusa County Waterworks District #1. Any assistance provided would have to be paid for by the Colusa County Waterworks District #1. An alternative to getting assistance from RD 108 would be to work with the Colusa County Public Works Department since this Department serves County Service Areas 1 and 2 in Stonyford and Century Ranch. The cost for this type of assistance could increase the expense to the District and thus to the landowners.

The Colusa County Waterworks District #1 does work with Colusa County to maintain the budget and prepare the audit each year.

The Colusa County Waterworks District #1 is not located near any other domestic water service providers.

##### **4.5.2 MSR Determinations on Shared Facilities for Colusa County Waterworks District #1-Grimes**

- MSR 5-1) The Colusa County Waterworks District #1 works with Colusa County to maintain financial records and process claims.
- MSR 5-2) The Colusa County Waterworks District #1 is not located near any other domestic water service providers to share facilities.

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<sup>20</sup> California Government Code Section 56430. (a)(5)



#### **4.6 Accountability for Community Service Needs, Government Structure and Operational Efficiencies**<sup>21</sup>

*Purpose: To consider the advantages and disadvantages of various government structures that could provide public services, to evaluate the management capabilities of the organization and to evaluate the accessibility and levels of public participation associated with the agency's decision-making and management processes.*

##### **4.6.1 Government Structure**

The Colusa County Waterworks District #1 has a five member board of directors. The District is fortunate to have five citizens willing to serve in this capacity. The Board meets as needed. It would be better for the public if the Board could have at least four regularly scheduled meetings per year. A website would also be beneficial to keep members of the community informed about the Waterworks District.

##### **4.6.2 MSR Determinations on Local Accountability and Governance**

- MSR 6-1) The Colusa County Waterworks District #1 is fortunate to have a five member Board of Directors.
- MSR 6-2) The Colusa County Waterworks District #1 needs a website to meet the legal requirements of the California Government Code. A website might be coordinated with either Colusa County or Reclamation District 108.
- MSR 6-3) The Colusa County Waterworks District #1 should have regularly scheduled meetings at least four times per year in addition to "meeting as needed".

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<sup>21</sup> California Government Code Section 56430. (a)(6).

## **5 COLUSA COUNTY WATERWORKS DISTRICT #1-GRIMES SPHERE OF INFLUENCE (SOI)**

### **5.1 Recommendation for Colusa County Waterworks District #1 Sphere of Influence**

The Colusa County Waterworks District #1 Sphere of Influence should remain the same as the present District boundary.

### **5.2 Present and Planned Land Uses in the Colusa County Waterworks District #1 Area, Including Agricultural and Open Space Lands**<sup>22</sup>

#### **5.2.1 General Plan and Zoning for Colusa County Waterworks District #1 SOI Area**

The General Plan for Colusa County includes a separate map of Grimes in the Land Use Element. Grimes includes lands designated for Commercial land use, Rural Residential, Urban Residential and Public Service uses.<sup>23</sup>

#### **5.2.2 SOI Determinations on Present and Planned Land Use for Colusa County Waterworks District #1 Area**

SOI 1-1] The land use designations for the Grimes area are determined by the Colusa County Board of Supervisors at the time the General Plan is adopted.

SOI 1-2] Grimes cannot achieve its full potential allowed by the Land Use Element until the water system is changed to meet all Public Health Standards.

### **5.3 Present and Probable Need for Public Facilities and Services in the Colusa County Waterworks District #1 Area**<sup>24</sup>

#### **5.3.1 Municipal Service Background**

The Colusa County Waterworks District was started in 1961, 58 years ago. It is not surprising that changes and upgrades must be made in order to meet the needs and requirements of the 21<sup>st</sup> century. The District is working to develop a plan to meet the water quality standards with the assistance of State funded grants.

#### **5.3.2 SOI Determinations on Facilities and Services Present and Probable Need for Colusa County Waterworks District #1**

SOI 2-1] The homes and businesses in Grimes need potable water and the District is working on a plan to be able to provide drinking water that meets all of the State and Federal Public Health requirements, most particularly the standard for Arsenic.

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<sup>22</sup> California Government Code Section 56425 (e)(1)

<sup>23</sup> Colusa County General Plan, Land Use Element, Adopted July 31, 2012.

<sup>24</sup> California Government Code Section 56425 (e)(2)

#### **5.4 Present Capacity of Public Facilities Present and Adequacy of Public Services**<sup>25</sup>

##### **5.4.1 Capacity Background**

The capacity of the Colusa County Waterworks District #1 has been compromised by the failure to meet the Public Health Standard for Arsenic. The District is working with the State of California Water Resources Department to develop a plan to fix the water system.

##### **5.4.2 SOI Determinations on Public Facilities Present and Future Capacity for Colusa County Waterworks District #1**

SOI 3-1] The Colusa County Waterworks District #1 will not have capacity for future needs until the water quality standards can be met. The present capacity of the system is compromised by the failure to meet the public health standard for arsenic in drinking water.

#### **5.5 Social or Economic Communities of Interest for Colusa County Waterworks District #1**<sup>26</sup>

##### **5.5.1 Colusa County Waterworks District #1 Community Background**

The community of Grimes is not a full-service community and residents depend on the City of Colusa or Arbuckle for most services. Grimes has an elementary school which is part of the Pierce Joint Unified School District in Arbuckle. The fire station is part of the Sacramento River Fire Protection District which includes the area outside the City of Colusa. The library in Grimes is operated by the County Library system out of the main library in Colusa.

##### **5.5.2 SOI Determinations on Social or Economic Communities of Interest for Colusa County Waterworks District #1**

SOI 4-1] The water system in Grimes could provide a focus for the community that is unique to Grimes and not associated with another community. However, it is difficult for the community to look at the Colusa County Waterworks District #1 with pride when the water fails to meet the State and Federal drinking water standards.

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<sup>25</sup> California Government Code Section 56425 (e)(3)

<sup>26</sup> California Government Code Section 56425 (e)(4)

## **5.6 Disadvantaged Unincorporated Community Status**<sup>27</sup>

### **5.6.1 Disadvantaged Unincorporated Communities**

A Disadvantaged Unincorporated Community is one where the Median Household Income is lower than 80% of the State Median Household Income.

Grimes income data is shown below:<sup>28</sup>

Grimes Median Household Income	\$41,857
California Median Household Income	\$63,783 (80% = \$51,026)

### **5.6.2 Colusa County Waterworks District #1 Disadvantaged Unincorporated Community Status**

SOI 6-1] Grimes is clearly a Disadvantaged Unincorporated Community (DUC).

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<sup>27</sup> California Government Code Section 56425 (e)(5)

<sup>28</sup> <https://www.areavibes.com/grimes-ca/employment/>, November 25, 2019.

## **APPENDIX A LOCAL GOVERNEMENT SPENDING ISSUES**

### **1 Municipal Financial Constraints**

Municipal service providers are constrained in their capacity to finance services by the inability to increase property taxes, requirements for voter approval for new or increased taxes, and requirements of voter approval for parcel taxes and assessments used to finance services. Municipalities must obtain majority voter approval to increase or impose new general taxes and two-thirds voter approval for special taxes.

Limitations on property tax rates and increases in taxable property values are financing constraints. Property tax revenues are subject to a formulaic allocation and are vulnerable to State budget needs. Agencies formed since the adoption of Proposition 13 in 1978 often lack adequate financing.

#### **1.1 California Local Government Finance Background**

The financial ability of the cities and special districts to provide services is affected by financial constraints. City service providers rely on a variety of revenue sources to fund city operating costs as follows:

Property Taxes

Benefit Assessments

Special Taxes

Proposition 172 Funds

Other contributions from city or district general funds.

As a funding source, property taxes are constrained by statewide initiatives that have been passed by voters over the years and special legislation. Seven of these measures are explained below:

##### **A. Proposition 13**

Proposition 13 (which California voters approved in 1978) has the following three impacts:

- Limits the ad valorem property tax rate
- Limits growth of the assessed value of property
- Requires voter approval of certain local taxes.

Generally, this measure fixes the ad valorem tax at one percent of value; except for taxes to repay certain voter approved bonded indebtedness. In response to the adoption of Proposition 13, the Legislature enacted Assembly Bill 8 (AB 8) in 1979 to establish property tax allocation formulas.

##### **B. AB 8**

Generally, AB 8 allocates property tax revenue to the local agencies within each tax rate area based on the proportion each agency received during the three fiscal years preceding adoption of Proposition 13. This allocation formula benefits local agencies, which had relatively high tax rates at the time Proposition 13 was enacted.

##### **C. Proposition 98**

Proposition 98, which California voters approved in 1988, requires the State to maintain a minimum level of school funding. In 1992 and 1993, the Legislature began shifting billions of local property taxes to schools in response to State budget deficits. Local property taxes were diverted from local governments into the Educational Revenue

Augmentation Fund (ERAF) and transferred to school districts and community college districts to reduce the amount paid by the State general fund.

Local agencies throughout the State lost significant property tax revenue due to this shift. Proposition 172 was enacted to help offset property tax revenue losses of cities and counties that were shifted to the ERAF for schools in 1992.

**D. Proposition 172**

Proposition 172, enacted in 1993, provides the revenue of a half-cent sales tax to counties and cities for public safety purposes, including police, fire, district attorneys, corrections and lifeguards. Proposition 172 also requires cities and counties to continue providing public safety funding at or above the amount provided in FY 92-93.

**E. Proposition 218**

Proposition 218, which California voters approved in 1996, requires voter- or property owner-approval of increased local taxes, assessments, and property-related fees. A two-thirds affirmative vote is required to impose a Special Tax, for example, a tax for a specific purpose such as a fire district special tax.

However, majority voter approval is required for imposing or increasing general taxes such as business license or utility taxes, which can be used for any governmental purpose. These requirements do not apply to user fees, development impact fees and Mello-Roos districts.

**F. Mello-Roos Community Facilities Act**

The Mello-Roos Community Facilities Act of 1982 allows any county, city, special district, school district or joint powers authority to establish a Mello-Roos Community Facilities District (a "CFD") which allows for financing of public improvements and services. The services and improvements that Mello-Roos CFDs can finance include streets, sewer systems and other basic infrastructure, police protection, fire protection, ambulance services, schools, parks, libraries, museums and other cultural facilities. By law, the CFD is also entitled to recover expenses needed to form the CFD and administer the annual special taxes and bonded debt.

A CFD is created by a sponsoring local government agency. The proposed district will include all properties that will benefit from the improvements to be constructed or the services to be provided. A CFD cannot be formed without a two-thirds majority vote of residents living within the proposed boundaries. Or, if there are fewer than 12 residents, the vote is instead conducted of current landowners.

In many cases, that may be a single owner or developer. Once approved, a Special Tax Lien is placed against each property in the CFD. Property owners then pay a Special Tax each year.

If the project cost is high, municipal bonds will be sold by the CFD to provide the large amount of money initially needed to build the improvements or fund the services. The Special Tax cannot be directly based on the value of the property. Special Taxes instead are based on mathematical formulas that take into account property characteristics such as use of the property, square footage of the structure and lot size. The formula is

defined at the time of formation, and will include a maximum special tax amount and a percentage maximum annual increase.

If bonds were issued by the CFD, special taxes will be charged annually until the bonds are paid off in full. Often, after bonds are paid off, a CFD will continue to charge a reduced fee to maintain the improvements.

### **G. Development Impact Fees**

A county, cities, special districts, school districts, and private utilities may impose development impact fees on new construction for purposes of defraying the cost of putting in place public infrastructure and services to support new development.

To impose development impact fees, a jurisdiction must justify the fees as an offset to the impact of future development on facilities. This usually requires a special financial study. The fees must be committed within five years to the projects for which they were collected, and the district, city or county must keep separate funds for each development impact fee.

#### **1.2 Financing Opportunities that Require Voter Approval**

Financing opportunities that require voter approval include the following five taxes:

1. Special taxes such as parcel taxes
2. Increases in general taxes such as utility taxes
3. Sales and use taxes
4. Business license taxes
5. Transient occupancy taxes

Communities may elect to form business improvement districts to finance supplemental services, or Mello-Roos districts to finance development-related infrastructure extension. Agencies may finance facilities with voter-approved (general obligation) bonded indebtedness.

#### **1.3 Financing Opportunities that Do Not Require Voter Approval**

Financing opportunities that do not require voter approval include imposition of or increases in fees to more fully recover the costs of providing services, including user fees and Development Impact Fees to recover the actual cost of services provided and infrastructure.

Development Impact Fees and user fees must be based on reasonable costs, and may be imposed and increased without voter approval. Development Impact Fees may not be used to subsidize operating costs. Agencies may also finance many types of facility improvements through bond instruments that do not require voter approval.

Water rates and rate structures are not subject to regulation by other agencies. Utility providers may increase rates annually, and often do so. Generally, there is no voter approval requirement for rate increases, although notification of utility users is required. Water providers must maintain an enterprise fund for the respective utility separate from other funds, and may not use revenues to finance unrelated governmental activities.

## **2 Public Management Standards**

While public sector management standards do vary depending on the size and scope of an organization, there are minimum standards. Well-managed organizations do the following eight activities:

1. Evaluate employees annually.
2. Prepare a budget before the beginning of the fiscal year.
3. Conduct periodic financial audits to safeguard the public trust.
4. Maintain current financial records.
5. Periodically evaluate rates and fees.
6. Plan and budget for capital replacement needs.
7. Conduct advance planning for future growth.
8. Make best efforts to meet regulatory requirements.

Most of the professionally managed and staffed agencies implement many of these best management practices. LAFCo encourages all local agencies to conduct timely financial record-keeping for each city function and make financial information available to the public.

## **3 Public Participation in Government**

The Brown Act (California Government Code Section 54950 et seq.) is intended to insure that public boards shall take their actions openly and that deliberations shall be conducted openly.

The Brown Act establishes requirements for the following:

- Open meetings
- Agendas that describe the business to be conducted at the meeting
- Notice for meetings
- Meaningful opportunity for the public to comment

Few exceptions for meeting in closed sessions and reports of items discussed in closed sessions.

According to California Government Section 54959:

*Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.*

Section 54960 states the following:

*(a) The district attorney or any interested person may commence an action by mandamus, injunction or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to actions or threatened future action of the legislative body*



**APPENDIX B COLUSA COUNTY WATERWORKS DISTRICT #1 BUDGET**

<b>Colusa County Waterworks District #1 Grimes Budget 2019-2020</b>		
<b>Account</b>	<b>Title</b>	<b>Amount</b>
<b>REVENUE</b>		
441900	Interest, State Proposition 1 Grant Award*	289,700
454608	State CAA Grant Award, Bottled water revenue**	105,000
468010	Water Charges/Hook ups	39,600
<b>TOTAL REVENUE</b>		
<b>EXPENDITURES</b>		
53060	Communications	-
53100	Insurance	1,650
53120	Maintenance-Equipment	8,000
53130	Maintenance-Structures, Improvements, Grounds	2,500
53150	Memberships	450
53160	Misc.-returned check charge	50
53170	Office Expense	500
53180	Professional/Specialized Service	30,000
53220	Small Tools	200
53230	Special Department Expense***	85,000
53250	Transportation and Travel	200
53251	Education and Training	2,000
53260	Utilities	7,000
57064	Miscellaneous Equipment <\$5,000	2,500
<b>TOTAL EXPENDITURES</b>		<b>\$140,050</b>
Revenue/Expense Difference		

\*Proposition 1 authorized the Integrated Regional Water Management (IRWM) funding.

\*\*CAA, Cleanup and Abatement Program, Created by California Water Code Sections 13440-1443 to provide public agencies with funds for the cleanup or abatement of a condition of pollution when there are no viable responsible parties available to undertake the work, remedying a significant unforeseen water pollution problem.

\*\*\*This is for bottled water.<sup>29</sup>

<sup>29</sup> Colusa County Waterworks District #1, Stuart Angerer, Email: [kibear@frontiernet.net](mailto:kibear@frontiernet.net), June 26, 2020.

**APPENDIX C AUDIT FOR COLUSA COUNTY WATERWORKS DISTRICT #1**

<b>Colusa County Waterworks District #1 (#03410)</b>		
<b>Balance Sheet as of June 30, 2018<sup>30</sup></b>		
<b>ASSETS</b>		
Cash on deposit with the County Treasurer Fund # 03410		143,447
Gain/Loss Investment –Market Value GASB 31		(1,916)
Accounts Receivable Customer		0
Equipment		2,636
Structures and Improvements		3,445
Land (no land is owned by the District)		0
<b>Total Assets</b>		<b>\$147,612</b>
<b>LIABILITIES</b>		
Warrants Payable		
Equity		
Gain/Loss Investment-Market Value @7/1/17	(439)	
Add/(Deduct) thru 6/30/18	(1,477)	(1,916)
Fund Balance Unavailable @7/1/17	0	
Add/(Deduct) thru 6/30/18	0	0
Fund Balance Available @7/1/17	137,269	
Add/(Deduct) thru 6/30/18	4,930	142,199
Fixed Assets Investment @ 7/1/17	6081	
Add/(Deduct) thru 6/30/18	0	6081
<b>Total Equity</b>		<b>\$146,364</b>
<b>Total Liabilities and Equity</b>		<b>\$147,612</b>

<b>Colusa County Waterworks District #1 (#03410)</b>				
<b>Changes in Equity as of June 30, 2018<sup>31</sup></b>				
	Investment Fixed	Fund Balance Unavailable	Fund Balance Available	Total
Balance @ 7/1/17	6,081	(439)	137,269	\$142,911
Add/ (Deduct)	0	(1,477)	4,930	\$3,453
Balance @6/30/18	6,081	(1,916)	142,199	\$146,364

<sup>30</sup> Colusa County Auditor-Controller, Annual Audit for Colusa County Waterworks District #1, December 12, 2018, Page 4.

<sup>31</sup> Colusa County Auditor-Controller, Annual Audit for Colusa County Waterworks District #1, December 12, 2018, Page 4.

<b>Colusa County Waterworks District #1 (#03410)</b>		
<b>Statement of Cash Receipts, Cash Disbursements, and Cash Balance</b>		
<b>for the fiscal year ended June 30, 2018<sup>32</sup></b>		
Available Cash in Colusa County Treasury July 1, 2017		\$136,830
<b>REVENUE</b>	<b>ACTUAL</b>	
Interest	1,759	
Interest Adjusted to Market Value GASB 34	(1,477)	
Water Charges/Hook Ups	41,709	
State Grant Award-Water Treatment System	26,713	
Total Revenue	68,704	
<b>DISBURSEMENTS</b>		
Insurance	1,500	
Maintenance of Equipment	1,549	
Maintenance of Structures/Grounds	440	
Membership	390	
Miscellaneous Expense	8	
Publication and Legal Services	25	
Professional and Special Service: Water Treatment	6,190	
Professional and Special Service: Other	23,778	
Special Department Expenses Other	624	
Special Department Expenses Water Treatment	24,444	
Utilities	6,303	
Total Disbursements	\$65,251	
<b>Excess of Receipts over Disbursements</b>		<b>\$3,453</b>
<b>Total Cash Available in the Colusa County Treasury, June 30, 2018</b>		<b>\$140,283</b>

The audit summary states the following:

*In our opinion, the accompanying Balance Sheet and the Statement of Cash Receipts, Disbursements, and the Cash Balance present fairly the financial position of your District for the year ended June 30, 2018, in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding year.*

<sup>32</sup> Colusa County Auditor-Controller, Annual Audit for Colusa County Waterworks District #1, December 12, 2018, Page 5.

<b>Colusa County Waterworks District #1 (#03410)</b>		
<b>Balance Sheet as of June 30, 2019<sup>33</sup></b>		
<b>ASSETS</b>		
Cash on deposit with the County Treasurer Fund # 03410		152,067
Gain/Loss Investment –Market Value GASB 31		24
Equipment		2,981
Structures and Improvements		3,445
Land (no land is owned by the District)		0
<b>Total Assets</b>		<b>\$158,517</b>
<b>LIABILITIES</b>		
Warrants Payable		26,675
<b>Equity</b>		
General Fund Balance Unassigned @7/1/18	140,283	
Add/(Deduct) thru 6/30/19	(14,867)	125,416
Fixed Assets Investment @ 7/1/18	6,081	
Add/(Deduct) thru 6/30/19	345	6,426
<b>Total Equity</b>		<b>\$131,842</b>
<b>Total Liabilities and Equity</b>		<b>\$158,517</b>

<b>Colusa County Waterworks District #1 (#03410)</b>				
<b>Changes in Equity as of June 30,2019</b>				
	Investment Fixed	Fund Balance Unavailable	Fund Balance Available	Total
Balance @ 7/1/18	6,081	-	140,283	\$146,364
Add/ (Deduct)	345	-	(14,867)	\$(14,522)
Balance @6/30/19	6246	-	125,416	\$131,842

<sup>33</sup> Colusa County Auditor-Controller, Colusa County Waterworks District #1 Annual Audit for the period ended June 30, 2019, December 26, 2019, Margaret Van Warmerdam, Accountant Auditor II, Page 4.

<b>Colusa County Waterworks District #1 (#03410)</b>		
<b>Statement of Cash Receipts, Cash Disbursements, and Cash Balance</b>		
<b>for the fiscal year ended June 30, 2019<sup>34</sup></b>		
Available Cash in Colusa County Treasury July 1, 2018		\$140,283
<b>REVENUE</b>	<b>ACTUAL</b>	
Interest	2,908	
Interest Adjusted to Market Value GASB 34	1,939	
Water Charges/Hook Ups	42,026	
State Grant Award-Water Treatment System	106,037	
Total Revenue	152,910	
<b>DISBURSEMENTS</b>		
Insurance	1,500	
Maintenance of Equipment	7,365	
Maintenance of Structures/Grounds	3,100	
Membership	422	
Miscellaneous Expense	40	
Publication and Legal Services	132	
Professional and Special Service: Water Treatment*	6,793	
Professional and Special Service: Other	8,402	
Special Department Expenses Consultant	104,952	
Special Department Expenses Water Treatment*	28,221	
Special Department Expenses Other	352	
Utilities	6,153	
Printer	345	
Total Disbursements	\$167,777	
<b>Excess of Receipts over Disbursements</b>		<b>\$(14,867)</b>
<b>Total Cash Available in the Colusa County Treasury, June 30, 2019</b>		<b>\$125,416</b>

\*Water treatment includes chlorine treatment, water sampling and lab analysis.<sup>35</sup>

<sup>34</sup> Colusa County Auditor-Controller, Colusa County Waterworks District #1 Annual Audit for the period ended June 30, 2019, December 26, 2019, Margaret Van Warmerdam, Accountant Auditor II, Page 5.

<sup>35</sup> Colusa County Waterworks District #1, Stuart Angerer, Email: [kibear@frontiernet.net](mailto:kibear@frontiernet.net), June 26, 2020.

**ABBREVIATIONS**

AB	Assembly Bill
ACH	Aluminum Chloride Hydroxide
AC pipe	Asbestos-cement pipe
ACWA	Association of California Water Agencies
AF	Acre-feet
AFA	Acre-feet per annum
AWWA	American Water Works Association
BLM	Bureau of Land Management (US)
CEQA	California Environmental Quality Act
CFD	Community Facilities District
CIF	Capital Improvement Fee
CIP	Capital Improvement Program
CKH Act	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
County	Colusa County
District	Colusa County Waterworks District #1-Grimes
DUC	Disadvantaged Unincorporated Community
EDU	Equivalent Dwelling Unit
FY	Fiscal Year
GAC	Granular Activated Carbon
GASB	Government Accounting Standards Board
GPM	gallons per minute
IRWM	Integrated Regional Water Management Grant Program
LAFCo	Local Agency Formation Commission
LAIF	Local Agency Investment Fund (State of California)
MG	Million Gallons
MGD	million gallons per day

MSR	Municipal Service Review (LAFCo)
MWC	Mutual Water Company
O&M	Operations and Maintenance
PG&E	Pacific Gas and Electric Company
PUD	Public Utility District
PVC	poly-vinyl-chloride (pipe material)
RCAC	Rural Community Assistance Corporation
RV	Recreational Vehicle
SB	Senate Bill
SCADA	Supervisory Control and Data Acquisition
SOI	Sphere of Influence (LAFCo)
SR	State Route
SWRCB	State Water Resources Control Board
T&D	Treatment and Distribution
USDA	United States Department of Agriculture
WTP	Water Treatment Plant

## **DEFINITIONS**

**Acre Foot (AF):** The volume of water that will cover one acre to a depth of one foot, 325,850 U.S. Gallons or 1,233,342 liters (approximately).

**Agriculture:** Use of land for the production of food and fiber, including the growing of crops and/or the grazing of animals on natural prime or improved pastureland.

**Aquifer:** An underground, water-bearing layer of earth, porous rock, sand, or gravel, through which water can seep or be held in natural storage. Aquifers generally hold sufficient water to be used as a water supply.

**Available Supply:** the quantity of groundwater, which can be withdrawn annually from a groundwater basin without exceeding safe yield of the basin.

**Board of Directors:** the legislative body or governing board of a district.

**Board of Supervisors:** the legislative body or governing board of a county.

**California Environmental Quality Act (CEQA):** A State Law requiring State and local agencies to regulate activities with consideration for environmental protection. If a proposed activity has the potential for a significant adverse environmental impact, an environmental impact report (EIR) must be prepared and certified as to its adequacy before taking action on the proposed project.

**Capital Improvement Plan (CIP):** is a short-range plan, usually four to ten years, which identifies capital projects and equipment purchases, provides a planning schedule and identifies options for financing the plan. Essentially, the plan provides a link between a municipality, school district, parks and recreation department and/or other local government entity and a comprehensive and strategic plans and the entity's annual budget.

**Census-Designated Place (CDP):** a concentration of population identified by the United States Census Bureau for statistical purposes. CDPs are delineated for each decennial census as the statistical counterparts of incorporated places such as cities, towns, and villages. CDPs are populated areas that lack separate municipal government, but which otherwise physically resemble incorporated places. CDPs are delineated solely to provide data for settled concentrations of population that are identifiable by name but are not legally incorporated under the laws of the state in which they are located. They include small rural communities, colonias located along the U.S. border with Mexico, and unincorporated resort and retirement communities. The boundaries of a CDP have no legal status. Thus, they may not always correspond with the local understanding of the area or community with the same name. However, criteria established for the 2010 Census require that a CDP name "be one that is recognized and used in daily communication by the residents of the community" (not "a name developed solely for planning or other purposes") and recommend that a CDP's boundaries be mapped based on the geographic extent associated with residents' use of the place name.

**Certified Public Accountant (CPA):** the statutory title of qualified accountants in the United States who have passed the Uniform Certified Public Accountant Examination and have met additional state education and experience requirements for certification as a CPA.

**Community Facilities District:** Under the Mello-Roos Community Facilities Act of 1982 (Section 53311, et seq.) a legislative body may create within its jurisdiction a special tax district that can finance tax-exempt bonds for the planning, design, acquisition, construction, and/or operation of public facilities, as well as public services for district residents. Special taxes levied solely within the district are used to repay the bonds.



**Environmental Impact Report (EIR):** A report required pursuant to the California Environmental Quality Act that assesses all the environmental characteristics of an area, determines what effects or impact will result if the area is altered or disturbed by a proposed action, and identifies alternatives or other measures to avoid or reduce those impacts. (See California Environmental Quality Act.)

**Infrastructure:** Public services and facilities such as sewage-disposal systems, water-supply systems, and other utility systems, schools and roads.

**Inhabited territory:** Inhabited territory means territory within which there reside 12 or more registered voters. The number of registered voters as determined by the elections officer, shall be established as of the date a certificate of filing is issued by the executive officer. All other territory shall be deemed "uninhabited."<sup>36</sup>

**IRWM:** The Integrated Regional Water Management (IRWM) Grant Program is a competitive grant program first created under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50) with continuing funding provided by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coast Protection Bond Act of 2006 (Proposition 84). Complementary funding was also provided by the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Proposition 1E) for Storm water Flood Management Grant Program.

The program is administered by the Department of Water Resources to award funds to local public agencies and non-profit organizations, for projects and programs to improve water supply reliability and improve and protect water quality. Such projects and programs must be consistent with an adopted IRWM Plan.<sup>37</sup>

**Land Use Classification:** A system for classifying and designating the appropriate use of properties.

**Leapfrog Development:** New development separated from existing development by substantial vacant land.

**Local Agency Formation Commission (LAFCo):** A five-or seven-member commission within each county that reviews and evaluates all proposals for formation of special districts, incorporation of cities, annexation to special districts or cities, consolidation of districts, and merger of districts with cities. Each county's LAFCo is empowered to approve, disapprove, or conditionally approve such proposals. The LAFCo members generally include two county supervisors, two city council members, and one member representing the general public. Some LAFCOs include two representatives of special districts.

**Maximum Contaminant Level (MCL):** The designation given by the U.S. Environmental Protection Agency (USEPA) to water-quality standards promulgated under the Safe Drinking Water Act. The MCL is the greatest amount of a contaminant that can be present in drinking water without causing a risk to human health.<sup>38</sup>

**Maximum Contaminant Level Goal (MCLG):** the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs are set by the U.S. Environmental Protection Agency (USEPA).

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<sup>36</sup> California Government Code Section 56046

<sup>37</sup> State of California,

<http://bondaccountability.resources.ca.gov/Program.aspx?ProgramPK=14&Program=Integrated%20Regional%20Water%20Management&PropositionPK=4>, May 30, 2018.

<sup>38</sup> <http://ga.water.usgs.gov/edu/dictionary.html>

**Maximum Residual Disinfectant Level (MRDL):** The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

**Maximum Residential Disinfectant Level Goal (MRDLG):** The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

**Per Capita Water Use:** The water produced by or introduced into the system of a water supplier divided by the total residential population; normally expressed in gallons per capita per day (gpcd).

**Percolation:** The downward movement of water through the soil or alluvium to a ground water table.

**pH:** a measure of the relative acidity or alkalinity of water. Water with a pH of 7 is neutral; lower pH levels indicate increasing acidity, while pH levels higher than 7 indicate increasingly basic solutions.<sup>39</sup>

**Potable Water:** Water of a quality suitable for drinking.<sup>40</sup>

**pound-force per square inch gauge (Psig):** a unit of pressure relative to the surrounding atmosphere.<sup>41</sup>

**Proposition 13:** (Article XIII A of the California Constitution) Passed in 1978, this proposition enacted sweeping changes to the California property tax system. Under Prop. 13, property taxes cannot exceed 1% of the value of the property and assessed valuations cannot increase by more than 2% per year. Property is subject to reassessment when there is a transfer of ownership or improvements are made.<sup>42</sup>

**Proposition 218:** (Article XIII D of the California Constitution) This proposition, named "The Right to Vote on Taxes Act", filled some of the perceived loopholes of Proposition 13. Under Proposition 218, assessments may only increase with a two-thirds majority vote of the qualified voters within the District. In addition to the two-thirds voter approval requirement, Proposition 218 states that effective July 1, 1997, any assessments levied may not be more than the costs necessary to provide the service, proceeds may not be used for any other purpose other than providing the services intended, and assessments may only be levied for services that are immediately available to property owners.<sup>43</sup>

**Public Health Goal (PHG):** The level of a contaminant in drinking water below which there is no known or expected risk to health. PHGs are set by the California Environmental Protection Agency.

**Ranchette:** A single dwelling unit occupied by a non-farming household on a parcel of 2.5 to 20 acres that has been subdivided from agricultural land.

**Recharge:** flow to groundwater storage from precipitation, infiltration from streams, irrigation, spreading basins and other sources of water.

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<sup>39</sup> <http://ga.water.usgs.gov/edu/dictionary.html#P>, November 29, 2011.

<sup>40</sup> <http://ga.water.usgs.gov/edu/dictionary.html>

<sup>41</sup> <http://www.convertunits.com/info/psig>, March 27, 2012

<sup>42</sup> [http://www.californiataxdata.com/A\\_Free\\_Resources/glossary\\_PS.asp#ps\\_08](http://www.californiataxdata.com/A_Free_Resources/glossary_PS.asp#ps_08)

<sup>43</sup> [http://www.californiataxdata.com/A\\_Free\\_Resources/glossary\\_PS.asp#ps\\_08](http://www.californiataxdata.com/A_Free_Resources/glossary_PS.asp#ps_08)

**Regulatory Action Level (AL):** The concentration of a contaminant which, if exceeded, triggers treatment or other requirements that a water system must follow.

**Sanitary Sewer:** A system of subterranean conduits that carries refuse liquids or waste matter to a plant where the sewage is treated, as contrasted with storm drainage systems (that carry surface water) and septic tanks or leech fields (that hold refuse liquids and waste matter on-site).

**Secondary Drinking Water Standards (SDWS):** MCLs for contaminants that affect taste, odor, or appearance of the drinking water. Contaminants with SDWSs do not affect the health at the MCL levels.

**Sphere of Influence (SOI):** The probable physical boundaries and service area of a local agency, as determined by the Local Agency Formation Commission (LAFCo) of the county.

**Treatment Technique (TT):** A required process intended to reduce the level of a contaminant in drinking water.

**Urban:** Of, relating to, characteristic of, or constituting a city. Urban areas are generally characterized by moderate and higher density residential development (i.e., three or more dwelling units per acre), commercial development, and industrial development, and the availability of public services required for that development, specifically central water and sewer service, an extensive road network, public transit, and other such services (e.g., safety and emergency response). Development not providing such services may be “non-urban” or “rural”. CEQA defines “urbanized area” as an area that has a population density of at least 1,000 persons per square mile (Public Resources Code Section 21080.14(b)).

**Urban Services:** Utilities (such as water, gas, electricity, and sewer) and public services (such as police, fire protection, schools, parks, and recreation) provided to an urbanized or urbanizing area.

**Variations and Exemptions:** Department permission to exceed an MCL or not comply with a treatment technique under certain conditions.

**Zoning:** The division of a city by legislative regulations into areas, or zones, that specify allowable uses for real property and size restrictions for buildings within these areas; a program that implements policies of the general plan.

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**COLUSA LOCAL AGENCY FORMATION COMMISSION  
 COLUSA COUNTY WATERWORKS DISTRICT #1  
 AND SPHERE OF INFLUENCE**

Range 01 East



**Legend**

- Communities
- County Boundary
- Highways
- Roads
- Parcels
- Sectional Grid (MDB&M)

Colusa County Waterworks District #1

Colusa County Waterworks District #1 Sphere of Influence

0 330 660 990 1,320 Feet

**Colusa County Waterworks District #1**  
 Colusa County Waterworks District #1 Sphere of Influence  
 LAFCo Resolution: 2009-0002  
 Adopted: February 5, 2009

Source: Colusa LAFCo Map Created 4/11/2019

