

Colusa Local Agency Formation Commission

Regular Meeting Agenda

Thursday – January 4, 2024

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

3:00 PM

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

Kent Boes (Vice-Chair, County)
Katherine Dunlap, (Williams, City)
Brandon Ash (Public)

Alternates

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

Staff

John Benoit, Executive Officer
P. Scott Browne, Legal Counsel

Greg Ponciano (Chair, Colusa, City)
Merced Corona (Chair, County)

Paige Hensley Clerk

2. Approval of minutes from the October 5th and December 7th LAFCo meetings

Action:

- a. Approve minutes from the October 5th and December 7th LAFCo meetings*

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

Action:

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

5. Correspondence:

6. Retirement of Executive Officer effective around June 30, 2024

- a. *Appoint an ad hoc committee to review proposals once submitted.*
- b. *Review and comment regarding draft request for proposal.*
- c. *If ready, authorize staff to finalize and distribute the request for proposal.*

7. Colusa Basin Drainage District Service Review and Sphere of Influence process and timeline

- a. *Discuss issues to be addressed, the process and timeline for the Service Review and Sphere of Influence for the Colusa Basin Drainage District.*

8. Executive Officer's Report:

*Williams Service Review
Upcoming projects*

9. 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

10. Next Colusa LAFCo meeting: The next LAFCo meeting will take place on February 1st 2024

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

Pursuant to Government Code Section 54954.2, Commission members may make a brief announcement or report on activities. Commission members may also provide a reference to staff or other resources for factual information, request staff to report back to the Commission at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

Public Comment

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

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

Public Hearings

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

Agenda Materials

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

Accessibility

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

Disclosure & Disqualification Requirements

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

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

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

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

**LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
October 5th, 2023**

1. Call to Order/Roll Call:

Chair, Ponciano called the meeting to order at 3:02 p.m. There was a quorum present.

Commissioners Present:

Greg Ponciano – City Member
Merced Corona, County Member
Katherine Dunlap - City Member
Brandon Ash - Public Member

Alternates Present:

John Loudon- Public Alternate
Janice Bell – County Alternate

Also present:

John Benoit, Executive Officer
Scott Browne, Legal Counsel
Paige Hensley, Clerk

2. Consider Meeting Minutes from September 7, 2023.

The minutes from September 7, 2023, were continued to the next meeting.

3. Public Comment:

Ben King, landowner, stated the General Manager for SOI GCID has resigned. He also made a correction in his assumption of the salt load regarding the contamination of ground water at the Colusa and Sacramento Refuge.

4. Consent Agenda:

a. Payment of Claims for the month September, 2023.

Action: Upon motion from Commissioner Corona, and a second from Commissioner Bell, the commission approved the consent agenda; Motion carried by roll call vote.

5. Correspondence:

John Benoit explained the upcoming CALAFCo Conference agenda has been sent out.

6. Colusa Basin Drainage District (CBDD)

John Benoit asked Counsel to make determination as to Colusa LAFCO's specific jurisdiction and obligations regarding the Colusa Basin Drainage District.

John Benoit stated he would be Inviting the Colusa Basin Drainage District General Manager to a future LAFCO Meeting.

Ben King explained the need to have a MSR and SOI Update prepared.

7. Colusa County Water District Annexation and Minor Sphere Amendment (File 2023-0001).

John Benoit gave a summary of the Executive Officer Report

Shelly Murphy explained the Colusa County Water District's capacity to provide water.

Public Hearing:

Mike (last name unknown) questions whether there is adequate water supply and expressed concern of adding acreage to the district. He raised the question of inadequate notification to neighbors and wonders about the 218 ramifications.

Shelly Murphy explained the applicants were the ones to reach out to the district and explained others have the same opportunity to submit a letter to the district.

Action:

1. Upon motion of Commissioner Bell and seconded by Commissioner Corona, the commission unanimously voted to approve LAFCO Resolution 2023-0006 adopting a 123.32 acre Sphere of Influence Amendment for Colusa County Water District
2. Upon motion of Commissioner Ponciano and seconded by Commissioner Bell, the commission unanimously voted to approve LAFCo Resolution 2023-0007 annexing 758 acres more or less to the Colusa County Water District.

8. Executive Officer's Report:

- a. Williams Service Review – John Benoit stated staff is working on a Municipal Service Review for Williams.
- b. Calafco Conference – John Benoit briefed the commission on the upcoming CALAFCo Conference.

9. Commissioner Reports:

Scott Brown, LAFCO Counsel explained there is a new proposition on the November ballot, and if passed will affect LAFCO annexations in the future. The proposition is intended to further Prop 218 to fill in loopholes that have been used and would require any geographical extension into a district (that already has a special tax) to be conditioned upon a Prop 218.

10. Next Colusa LAFCO meeting: The next Colusa LAFCO meeting is scheduled for December 7th, 2023.

The meeting was adjourned at 3:35 p.m.

**LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
December 7, 2023**

1. Call to Order/Roll Call:

Chair, Ponciano called the meeting to order at 3:06 p.m. There was a quorum present.

Commissioners Present:

Kent Boes- County Member
Greg Ponciano – City Member
Brandon Ash - Public Member

Alternates Present:

John Loudon- Public Alternate

Also present:

John Benoit, Executive Officer
Scott Browne, Legal Counsel
Paige Hensley, Clerk

2. Consider Meeting Minutes from September 7, 2023.

Action: Upon motion from Commissioner Ash and a second from Commissioner Boes, the commission unanimously approved the minutes for the September 7, 2023. meeting.

****The October 5th, 2023, minutes were continued until the next meeting. (Due to non-attendance, Commissioner Boes abstained from voting on the approval of the October 5th, 2023 meeting minutes, which then resulted in a lack of quorum to proceed with the vote for approval)****

3. Public Comment:

There was no public comment.

4. Consent Agenda:

a. Payment of Claims for the month October and November 2023.

Action: Upon motion from Commissioner Boes, and a second from Commissioner Ash, the motion was carried, and the Commission unanimously approved the consent agenda.

5. Correspondence:

There was no correspondence to report.

6. Colusa Basin Drainage District (CBDD)

1. Review LAFCo Counsel Opinion regarding the Colusa Basin Drainage District:

Scott Browne, LAFCo Legal Counsel, determined and confirmed CBDD is subject to LAFCo, therefore a Municipal Service Review (MSR) would be in order.

2. Presentation from Merrilee Vanderwall, Manager of the Colusa Basin Drainage District regarding district activities:

Ben King gave some history of the Colusa Basin Drainage District and stated there are a lot of issues to flush out in the MSR.

Merrilee Vanderwall, CBDD District Manager agreed with LAFCo Counsel's determination. Merrilee Vanderwall explained this is a multi-county special district with boundaries encompassing Colusa, Glenn and Yolo counties. She discussed the history of the district, their past and present goals, assessments, debts, audits and a 2000 acre ranch previously purchased by the district. Merrilee Vanderwall explained the ranch was purchased to build a detention dam as part of an integrative development plan, however due to inadequate funding the damn was never built.

Ben King explained he had run for a seat on the CBDD board but lost the election. He feels funds may have been misallocated and that some of the funds should go back to the public.

7. Review of the Calafco Annual Conference from October 18-20th.

John Benoit summarized some of the sessions that were held during the conference such as: Out of Agency Agreement's, Every LAFCo has a District that Goes Adrift, and Fire Services.

Commissioner Ponciano stated he was glad he had some LAFCo knowledge prior to going to the conference and thought the conference was a valuable experience.

8. LAFCo Regular meeting schedule for 2024.

Action: Upon motion from Commissioner Ash, and a second from Commissioner Boes, the motion was carried, and the Commission unanimously approved the 2024 meeting agenda.

9. Retirement of Executive Officer effective around June 30, 2024.
 - a. John Benoit announced his forthcoming retirement effective June 30, 2024, and stated a RFP could be discussed at the January meeting.
 - b. Commissioner decided to wait until the next meeting to appoint an Ad-Hoc committee.

10. Executive Officer's Report:
 - a. Williams Service Review – John Benoit stated the Williams Service Review would be postponed:

11. Commissioners Reports: There were no Commissioner Reports.

12. Next Colusa LAFCO meeting: The next Colusa LAFCO meeting is scheduled for January 4 7th, 2024.

The meeting was adjourned at 3:58 p.m.

Colusa Local Agency Formation Commission

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CLAIMS

December 2023

Authorize payment of the following claims:

FY 2023-2024 EXPENSES:

Claims for December 2023:

Jan 1, 2024	Staff Svcs and Exp. -Dec 2023	\$ 6,625.80
Jan 1, 2024	Calafco Conf. Reimbursement 2023	\$ 1,086.23
11.16-23-12-15.24	Legal Svcs. P. Scott Browne	\$ 2,229.00
TOTAL:		\$ 9,941.03

DATED: January 4, 2024

APPROVED: January 4, 2024

Greg Ponciano , Chair or Kent Boes, Vice-Chair
Colusa Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

2023-2024

Acct 520-500

City Expenditure titles Expenditure Category City Coding	Ex Officer Cont Executive Off. Co 7338	Clerical Support Clerical Supp 7320	Workers Co Workers Com 7016	Contactural Lgl Services 7321	Liability Insurance 7315	Office Exp Office Suppl 7339	Postage and Copies Postage 7322	Copies 7322	Dues-Subs Memberships 7319
	\$53,523.46	\$3,657.00	\$50.00	\$26,761.73	\$2,919.00	\$375.00	\$500.00	\$750.00	\$2,027.00
Calafco Dues 2022-2023 (2022-06)									-\$1,486.00
SDRMA Insurance 22-23 #72123					-\$2,807.81				
Calafco Reg JB,Jb,KD, GP &RC									
Browne Ending 7.15.23				-\$2,229.00					
Staff Svcs July 2023	-\$4,458.00	-\$175.00				-\$32.20	-\$1.39	-\$30.70	
Browne Endlgn 8.15.2023				-\$2,229.00					
Staff Svcs August 2023	-\$4,458.00					-\$15.00			
Staff Svcs Sept 2023 2024-07	-\$4,458.00					-\$20.00			
Browne Ending 9.15.23				-\$2,229.00					
Browne Ending 10.15.23				-\$2,229.00					
Browne Ending 11.15.23				-\$2,229.00					
r4rr	-\$4,458.00							-\$60.00	
Staff SVCS NOVEMBER 2023	-\$4,458.00						-\$2.00	-\$3.50	
CSDA 2024 Member Invoice									-\$500.00
Conf Reimb Ponciano for Colusa									
Conf Reimb Janice Bell Colusa									
Staff Svcs December 2023	-\$4,458.00	-\$637.50						-\$1.00	
Browne ending 12.15.23				-\$2,229.00					

Total Expended in FY 21-22	-\$26,748.00	-\$812.50	\$0.00	-\$13,374.00	-\$2,807.81	-\$67.20	-\$3.39	-\$95.20	-\$1,986.00
Total Remaining in FY 21-22	\$26,775.46	\$2,844.50	\$50.00	\$13,387.73	\$111.19	\$307.80	\$496.61	\$654.80	\$41.00

