

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
January 4, 2018

PRESENT:

JOHN LOUDON, County Member
KENT BOES, County Alternate
MARY WINTERS, Public Alternate

ALSO PRESENT:

ALFRED SELLERS, JR.
JOHN BENOIT, Ex. Officer
P. SCOTT BROWNE, Legal
BRANDON ASH, Public

1. Call to Order/Roll Call

The meeting was called to order at 3:05 p.m. There was a quorum present.

2. Consider Minutes for December 7, 2017

On motion of K. Boes, second by J. Loudon, the commission approved the minutes for December 7, 2017, motion carried by roll call vote.

John requested two items need to be added to the end of today's agenda regarding the Calafco Annual Staff Workshop and the *Ad hoc* Budget Committee.

3. Public Comment – None

4. Consent Agenda

On motion of K. Boes, second by J. Loudon, the commission approved claims for the month of December 2017, motion carried by roll call vote.

5. Correspondence: John received a letter from the City of Williams regarding the appointment of an alternate and a regular member to the Lafco board. John explained that the two mayors (Williams and Colusa) would need to meet and appoint the regular members. The alternate member rotates between the two cities; the alternate will now be a representative from the City of Williams.

6. LAFCo File 2017-0001 CCWD Cleanup Reorganization (continued): The Colusa County Water District (CCWD) is requesting an annexation of 1,607.39 acres more or less of territory currently receiving CCWD water and detachment of 4,998.56 acres more or less of territory that has never received CCWD water.

John stated that a letter was received from MINASIAN, MEITH, SOARES, SEXTON & COOPER, LLP, attorneys at law, regarding the proposed reorganization. An e-mail was received from Commissioner Carter regarding the reorganization, also.

John stated that CEQA compliance may be a concern since it was brought up in a letter from Paul Minasian. Commissioner Carter and Attorney Paul Minasian

would like to see this item continued. Shelly Murphy, General Manager, of the Colusa County Water District is present to respond to the concerns raised in the letter from Paul Minasian.

Ms. Murphy provided some history of the district and responded to concerns raised in the Minasian letter. She stated that all of the lands due to be detached have never received water, and so, there will be no impact and will need to consult with her attorney, but she does not believe CEQA applies in these situations. She clarified which lands are assessed (by the district) and what fees are charged/paid. Those parcels being detached (and have received no benefits) currently do not pay fees and those that are being annexed are currently receiving bills to receive district water and are paying fees to the district. Ms. Murphy advised the commission that the Bureau of Reclamation will not move forward until Lafco approves the project. Ms. Murphy stated there will be no financial impacts upon other landowners in the district and that this action is a cleanup and that the CCWD is a member of the Colusa Groundwater Authority who will be addressing groundwater issues in the district as well as in Colusa County (the GSA) and not the CCWD.

Paul Minasian provided a great deal of information to the Commission regarding the reorganization and encouraged Lafco to not take any action on this item.

Claude Grillo, Smith Farms, responded to the idea of signing a release and assessments. Mr. Grillo believes that he should be reimbursed for past assessments, if he is detached. Shelly responded to Claude's comments. He pays assessment costs since he transfers his water allotments to an adjacent landowner.

John stated that additional information is needed in the form of who has paid assessments over the years.

S. Browne stated that, if we can address the attorney's three concerns, then we can proceed with the reorganization project. The concerns being to ensure no debt or prior assessment or fees will later need to be paid; that those landowners being detached would never make a claim since they gave up their water credits; and a request for a waiver of any surface water rights be signed by each owner of land to be detached prior to final LAFCo approval. In addition the Bureau Map of the territory must be amended to reflect the results of the reorganization.

More discussion followed.

Pete Peterson provided some additional history on the district.

The district agreed to waive the 70-day timeline expiring on 1/12/2018 timeline for LAFCo consideration. The district set a continued meeting for March 1st 2018 since the district (applicant) has agreed to waive the 70-day deadline.

K. Boes made the motion to continue in reliance on waiver of the deadline, second by M. Winters, all agreed.

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

John stated that D. Carter had questioned the property assessments. He looked into it, and noted that they were put into the wrong category for one year.

Dave Whitesell could not make today's meeting. A public hearing will be held on March 1, 2018.

8. Review of AB-979 Seating Special Districts on LAFCo

John reported that the Legislature passed AB-979, which makes it a much quicker process to seat special districts on Lafco. A majority vote of the districts is still required to convene a meeting, and a majority of those present would need to vote in favor. We do not have a special district committee in Colusa County, so the Executive Officer would have to send out ballots.

Special Districts would pay 1/3 of the costs, based on their budgets. John believes that it is a good idea because it gives districts a voice, and provides a special district perspective.

S. Browne stated that it also helps dilute the county's domination of Lafco.

More discussion followed. John suggested adding this item to a future meeting agenda for discussion, with special district input.

9. Ad Hoc Budget Committee – D. Carter volunteered to sit on the budget committee and Mary Winters was also suggested.

B. Ash nominated D. Carter and M. Winters to serve on the budget committee; nomination accepted.

John will contact the County Clerk regarding the mayor select committee.

10. Calafco Annual Staff Workshop – This year's staff workshop will be in Marin County, in April. Both Scott and John will be attending. Costs will be shared with other Lafcos. The Commission approved attendance

11. Executive Officer's Report:

John discussed the Willows GCID annexation and the MSR – SOI for Reclamation Districts

12. Commissioner Reports - Discussion

J. Loudon provided an update on the hospital.

13. Adjourn to the next regular meeting in March 1, 2018.

The meeting was adjourned at 4:47 p.m.