

Colusa Local Agency Formation Commission

Regular Meeting Agenda

Thursday – March 1, 2018

3:00 PM

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

1. Call to Order/Roll Call

Commissioners

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

Alternates

Kent Boes (County Alternate)
Roberto Mendoza (City Alternate)
Mary Winters, (Public Member Alternate)

Staff

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

2. Consider Minutes from January 4, 2018

a. *Consider approval of the January 4, 2018*

3. Public Comment

This is the time for the public to address the Commission on any matter not on the agenda. Testimony related to an item on the agenda should be presented at the time that item is considered

4. Consent Agenda

a. *Payment of claims for the month of January 2018*

5. Correspondence:

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 have received CCWD water.

a. *Review Executive Officer's Report and information handed out on November 2, 2017, December 7th, 2017 and January 4, 2018 Memo and available at www.colusalafco.org*

- b. *Consider Resolution 2017-0006, a resolution making determinations and approving the annexation of 1,607.39-acres more or less to the Colusa County Water District and detachment of 4,998.56-acres more or less from the Colusa County Water District or provide direction to staff.*

Public Hearing:

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

- a. *Conduct a public hearing on the Service Review (MSR) and Sphere of Influence (SOI) for the Colusa Mosquito Abatement District.*
- b. *Consider Resolution 2018-0001 adopting a Municipal Service Review and Resolution 2018-0002 adopting a Sphere of Influence for the Colusa Mosquito Abatement District.*

8. Work program for FY 2018-2019

- a. *Discuss and adopt work program for FY 2018-2019*

9. Executive Officer's Report:

- a. *GCID Detachment – Willows ongoing*
- b. *Upcoming MSR's: Reclamation Districts*
- c. *700 Forms due April 2, 2018*

10. Commissioner Reports - Discussion

This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters

11. Closed Session

<p>Subject: Employee Performance Evaluation March 2017 – March 2018 Title: LAFCO Executive Officer</p>
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12. Report from Closed Session

13. Adjourn to the next regular meeting 3:00 pm on April 5, 2018

Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority Government Code Section 56325.1

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

Public Comment

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

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

Public Hearings

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

Agenda Materials

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

Accessibility

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

Disclosure & Disqualification Requirements

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

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

Contact LAFCO Staff LAFCO staff may be contacted at (530) 458-0593 or by mail at Colusa LAFCO P.O. Box 2694, Granite Bay Ca 95746 or by email at lafo@countyofcolusa.org or johnbenoit@surewest.net or by Fax (916) 797-7631

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

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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.

Colusa Local Agency Formation Commission

CLAIMS

For Jan and Feb 2018

Authorize payment of the following claims:

FY 2017-2018 EXPENSES:

Feb 10, 2018	Staff Svcs and Expenses – Jan 2018	\$ 5,143.94
Feb 10, 2018	Frontier Phone Jan 7, 2018	\$ 36.25
12.16.17- 1.15.2018	Legal Services P. Scott Browne	\$ 2,000.00
Feb 10, 2018	Pioneer Review Legal Notice CMAD MSR & SOI	\$ 65.00
March 1, 2018	Staff Svcs and Exp for February 2018	\$ 5,061.71
March 1, 2018	Legal Svcs P. Scott Browne	\$ 2,000.00
March 1, 2018	Frontier Phone Feb 7, 2018	\$ 36.65

TOTAL: \$ 14,343.55

DATED: Mar 1, 2018

APPROVED: Mar 1, 2018

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

Attest:

John Benoit
Executive Officer

Colusa LAFCO

Shadow Accounting
2017-2018

EXPENSE	Executive Off. Cont 53180	Clerical Support 53180	Workers Comp 51035	Atty Contract 53180	Insurance 53100	Office Supplies 53170	Postage 53171	Copies 53170	Membership 53150
CALAFCO Dues 17-18	48000.00	3657.00	50.00	24000.00	1741.00	375.00	500.00	1500.00	899.00
SDRMA Insurance 17-18					-1715.00				-899.00
Staff Servicess June 2017	-4000.00	-175.00				-57.61	-9.87	-46.40	
Frontier Phone June 7, 2017									
Browne Legal Svcs 5.16.2017-6.15.2018					-1750.00				
Browne Legal Svcs 6.16.2017-7.15.2017					-2000.00				
Staff Svcs July 2017	-4000.00					-43.35		-10.00	
Frontier Ph July 7, 2017									
Calafco Conf reg Carter, Bergson & Loudon									
Staff Svcs August 2017	-4000.00	-175.00							
Browne Ending 8.15.17							-11.48	-135.86	
Front Ph Aug 7, 2017					-2000.00				
Appeal De. Final 17-18 Budget notice									
Revenue 2017-0001 CCWD Reorganization									
Staff Svcs September 2017	-4000.00	-175.00							
Browne Ending 9.15.17							-8.96	-89.60	
Bergson Airline Reimb Conference					-2000.00				
Frontier Phone Sept 7, 2017									
Front Phone Long Distance									
Staff Svcs October 2017	-4000.00								
Browne ending 10.15.17							-9.80	-37.10	
Front Phone Oct 7, 2017					-2000.00				
Staff Svcs. November 2017	-4000.00	-175.00							
Browne Legal ending 11.15.17							-17.15	-34.50	
Frontier Phone Nov 7, 2017					-2000.00				
Carter Conf. Reimbursement Calafco									
Loudon Conf. Reimbursement Calafco									
Bergson Conf. Reimburse Calafco									
Front Ph Dec 7, 2017									
Browne Ending 12.15.17									
Staff Svcs December 2018	-4000.00	-175.00			-2000.00				
Staff Svcs Jan 2018	-4000.00	-175.00				-25.00	-5.60	-56.60	
Front Ph Jan 7, 2018							-2.80	-10.80	
Browne ending 1.15.18									
Colusa Pioneer CMAD SOI & MSR					-2000.00				
Staff Svcs February 2018	-4000.00								
Browne ending 2.15.18							-83.90		
Frontier phone Feb 7, 2018					-2000.00				
Worker's Comp 7/1/17-2/2/18			-33.36						
Indirect Overhead costs County A-87									
County Software portion						-42.02			
Total Expended in FY 16-17	-36000.00	-1050.00	-33.36	-17750.00	-1715.00	-251.88	-65.66	-420.86	-899.00
Total Remaining in FY 16-17	12000.00	2607.00	16.64	6250.00	26.00	123.12	434.34	1079.14	0.00

Colusa Local Agency Formation Commission

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MEMORANDUM

March 1, 2018

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

This reorganization was originally scheduled for the November 2, 2017 and December 7, 2017 LAFCo meetings and has been continued to the January 4, 2018 LAFCo meeting and the March 1, 2017 meetings. Please bring the information distributed for the November 2017, December 2017 and January 2018 meetings to the March 1, 2018 LAFCo meeting. Otherwise, information for those meetings has been posted on the LAFCo Website: www.colusalafco.org

Enclosed please find a revised Resolution including three additional terms and conditions to be considered by the Commission as follows:

17. The District shall send to LAFCo a letter affirming territory subject to payment of any fairly attributable outstanding fees and an appropriate buy-out of CCWD's Bureau of Reclamation contract obligations and (or) debt have paid prior to the issuance of the Certificate of Completion. Likewise a letter shall state lands requesting detachment will not be further assessed by the district and other landowners shall not be financial responsible for any additional payments,
18. The District shall send LAFCo a letter affirming that all territory in which annexation is requested must pay off any prior obligations not found to have been paid.
19. The CCWD shall forward to LAFCo an updated Bureau of Reclamation Map reflecting the new District service area.

In addition, please find the following:

1. A February 20, 2018 letter of response from David R.E. Aladjem, Attorney for the Colusa County Water District responding to Paul Minasian's January 3rd, 2018 letter, and
2. A Draft Agreement entitled "AGREEMENT OF LANDOWNER WAIVING THE BENEFITS OF AND CLAIMS OF CREDITS FOR GROUNDWATER RECHARGE AND GROUNDWATER STORAGE ARISING FROM DELIVERIES OF AND USE OF RECLAMATION WATER WITHIN COLUSA COUNTY WATER DISTRICT" (Agreement of Landowner Waving the Rights)

Colusa Local Agency Formation Commission

Recommendation:

Prior to considering this reorganization, please review the above information received and the information received at the November 2017 and December 2017 and January 2018 meetings as well as consider the inclusion of new terms and conditions #17, #18 and #19 as well as inclusion of an additional term and condition requiring landowners to sign the **“Agreement of Landowner Waving the Rights”** as suggested by Mr. Minasian.

**Resolution 2017-0006 of the
Colusa Local Agency Formation Commission
Colusa County, California**

A Resolution Making Determinations and Approving the Annexation of 1,607.39-acres more or less to the Colusa County Water District and Detachment of 4,998.56-acres more or less from the Colusa County Water District

WHEREAS, a Resolution of Application for Annexation of 1,607.39-acres more or less and Detachment of 4,998.56-acres more or less to and from the Colusa County Water District has been filed with the Executive Officer of the Colusa Local Agency Formation Commission; and said application complied with all the requirements of law and the Commission; and,

WHEREAS, the proceedings for this reorganization are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 *et seq.* of the Government Code; and

WHEREAS, no public hearing by the Commission for this application is required since there is 100% landowner consent, it is consistent with the Sphere of Influence and the territory is uninhabited; and

WHEREAS, the Executive Officer has reviewed the application and has prepared a report including staff recommendations thereon within the time required by law and has furnished copies of said report to the Commission and to all other persons required by law to receive it; and

WHEREAS, at a meeting on November 2nd 2017, December 7, 2017, January 4, 2018 and March 1, 2018 the Commission considered the proposal and the report of the Executive Officer; the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56668; and all other relevant evidence and information presented at said meeting.

NOW THEREFORE, the Colusa Local Agency Formation Commission does hereby resolve and order the following:

1. The foregoing recitals are true and correct.
2. The territory comprises an annexation of 1,607.39-acres more or less and a Detachment of 4,998.56-acres more or less
3. The change of organization is assigned the following distinctive short-term designation:
LAFCO 2017-0001 - Colusa County Water District Cleanup Reorganization
4. The proposal is consistent with the sphere of influence of the Colusa County Water District. The Commission has considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, Sphere

of Influence and General Plan consistency, and other factors specified in Government Code Section 56668 and as described in the staff report dated November 2, 2017.

5. The Commission adopts the determinations regarding consistency with LAFCO Policies contained in the staff report for this project and incorporates them by reference herein.
6. The purpose of this reorganization is place territory receiving district water into the district and remove territory not receiving water outside the district.
7. In reviewing this application, the Commission finds that irrigation water services to be provided by Colusa County Water District are necessary and that there will not be a duplication of other powers provided by any other special district.
8. In reviewing this application, this Commission has considered each of the factors required by Government Code Section 56668 and LAFCO's adopted policies.
9. The LAFCO Executive Officer's Staff Report including attachments and recommendation for approval of the proposal is hereby incorporated by reference and hereby adopted.
10. The map and boundary descriptions shall comply with the requirements of the County Surveyor. The boundary description and map, if rejected by the County Surveyor or amended by LAFCO, will be revised at the expense of the applicant. The applicant shall be responsible for any associated costs. The boundary description and map, if amended by action of the Commission, will be revised and checked by the Colusa County Surveyor at the expense of the applicant, prior to filing of the Certificate of Completion.
11. The boundaries, as set forth in the proposal and amended by action of the Commission, are hereby approved as submitted and subject to approval of the County Surveyor and must include the following language "Colusa LAFCo File 2017-0001 Colusa County Water District Cleanup Reorganization" and are as described in Exhibits "A1- A-8" Annexation Boundary Descriptions and "B1 - B-8" Annexation Maps attached and "C1 - C17" Detachment Boundary Descriptions and "D1 - D17" Detachment Maps hereto and by this reference incorporated herein subject to the terms and conditions included.
12. As stated in the LAFCO Staff Report dated November 2, 2017, the amount of base property tax and tax increment transferred shall be in accordance with Colusa County Resolution 00-47 attached hereto as Exhibit "E".
13. Said reorganization territory is found to be uninhabited.
14. All Colusa County, LAFCO and State of California fees must be paid in full prior to filing the Certificate of Completion. LAFCO will forward invoices and (or) a list of required fees prior to filing the Certificate of Completion for direct payment to the agency by project proponent.

15. Further protest proceedings are waived and the Commission orders the Annexation of 1,607.39 acres more or less and Detachment of 4,998.56 acres more or less to the Colusa County Water District, pursuant to Part 4 commencing with Section 57000. Satisfactory proof has been given that the subject territory is uninhabited, that all landowners within the affected territory have given their written consent to the proposal and all affected agencies have not objected in writing to the waiver of conducting authority proceedings (Section 56663 of Government Code). Therefore, The Commission does hereby approve and authorize the conducting authority to annex the territory described in Exhibits "A1- A-8" Annexation Boundary Descriptions and "B1 - B-8" Annexation Maps attached and "C1 - C17" Detachment Boundary Descriptions and "D1 - D17" Detachment Maps to the Colusa County Water District without notice and election.
16. The Commission hereby adopts the Notice of Exemption and makes a specific determination that the issues as adopted by LAFCo adequately address this change of organization and no unusual circumstances exist with respect to the reorganization.
17. All Colusa County Water District previously authorized assessments; taxes, fees and charges shall apply to any annexed territory upon recordation of the Certificate of Completion. All annexed property shall comply with the terms and conditions contained in the written policies of the Colusa County Water District.
18. This reorganization shall be subject to all terms and conditions as set forth in Colusa County Water District Resolution 2017-4 adopted on June 14, 2017 and attached to the Executive Officer's report dated November 2, 2017.
19. The District shall send to LAFCo a letter affirming territory subject to payment of any fairly attributable outstanding fees and an appropriate buy-out of CCWD's Bureau of Reclamation contract obligations and (or) debt have paid prior to the issuance of the Certificate of Completion. Likewise a letter shall state lands requesting detachment will not be further assessed by the district and other landowners shall not be financial responsible for any additional payments,
20. The District shall send LAFCo a letter affirming that all territory in which annexation is requested must pay off any prior obligations not found to have been paid.
21. The CCWD shall forward to LAFCo an updated Bureau of Reclamation Map reflecting the new District service area.
22. An electronic copy of Exhibits A and B in PDF format, two large copies (18 x 24) and two 8 1/2 x 11 reductions of all maps along with two copies of the final LAFCO approved boundary description shall be submitted to LAFCO prior to recordation of the Certificate of Completion.
23. Approval of this change of organization is conditioned upon the applicant's obligation to defend, indemnify, and hold harmless the Colusa Local Agency

Formation Commission and its agents, officers and employees from any claim, action or proceeding against the Commission or its agents, officers, and employees; including all costs, attorney's fees, expenses and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, or void the approval or determinations of this Commission concerning this reorganization. The Colusa Local Agency Formation Commission shall promptly notify the applicant of any such claim, action, or proceeding and be entitled to representation by counsel of its choosing.

24. The Executive Officer of this Commission is instructed to mail a certified copy of this resolution to those persons so indicated on the application and as required by Government Code Section 56882.
25. The Executive Officer is directed to record a Certificate of Completion for this proposal upon completion of all proceedings.
26. Completion of proceedings shall be concluded within one year after adoption of this resolution. If the proceedings are not concluded within one year after passage of this resolution, all proceedings shall be terminated unless the LAFCo Commission grants an extension.

PASSED AND ADOPTED by this Local Agency Formation Commission of the County of Colusa, on the 1st day of March 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Signed and approved by me after its passage this 1st day of March 2018

Brandon Ash, Chair – Colusa Local Agency
Formation Commission

Attest:

John Benoit, Executive Officer
Colusa Local Agency Formation Commission

February 20, 2018

VIA USPS AND ELECTRONIC MAIL

lafco@countyofcolusa.org

johnbenoit@surewest.net

John Benoit
Executive Officer
Colusa County Local Agency Formation Commission
P.O. Box 2694
Granite Bay, California 95746

Re: Colusa County Water District Cleanup Reorganization

Dear Mr. Benoit:

Our firm represents the Colusa County Water District (CCWD). This letter responds to the letter dated January 3, 2018 from Paul Minasian regarding the proposed reorganization. Put simply, as described below, the comments contained in that letter: (i) misunderstand the factual circumstances of this reorganization, (ii) misunderstand the Cortese-Knox-Hertzberg Act and/or the California Environmental Quality Act, or (iii) are premature and should be directed to the Colusa County groundwater sustainability joint powers authority. For those reasons, LAFCo should proceed expeditiously to process and approve the proposed reorganization.

1. *The Changes Proposed by LAFCo Simply Conform CCWD's Boundaries to Past Practice*

As the Commission's staff report has rightly noted, the changes requested by CCWD are an administrative "clean-up" effort that is intended to ensure that the official boundaries of the District match the existing patterns of land use in the area. Contrary to the suggestions in Mr. Minasian's letter, the proposed reorganization would not change any of the services currently provided by CCWD, would not change the land use patterns within CCWD or elsewhere, and would not modify CCWD's sphere of influence. Instead, the proposed reorganization would detach properties that have not paid assessments and have not received services from CCWD and would include properties within CCWD's sphere of influence that have been paying for and receiving services from CCWD. It seems to CCWD that such an administrative "clean-up" is precisely the type of action that LAFCo should undertake in order to ensure the efficient and effective provision of governmental services, as required by the Cortese-Knox-Hertzberg Act.

It is important to note that CCWD Resolution No. 2017-4 provided that the detachment of lands requesting detachment would be subject to the payment of any outstanding fees, including an appropriate buy-out of CCWD's Bureau of Reclamation 9(d) contract obligations, prior to the issuance of any Certificate of Completion by LAFCo. In this way, the owners of above noted lands would pay all of their obligations to CCWD and/or Reclamation prior to being allowed to detach from CCWD; this provision is intended to keep the remaining landowners, CCWD and Reclamation whole. Similarly, while there was a clerical error that left certain lands within CCWD's sphere of influence outside of the service area map of CCWD's contract with Reclamation, those lands to be annexed have paid their obligations to CCWD over the past decades as if they were within the service area map. Final approval of annexations would also be dependent on annexed lands paying off any prior obligations not found to have been paid. Thus, the inclusion of these landowners will not have any adverse impact on other landowners, on CCWD or on Reclamation. Indeed, by conforming CCWD's district boundaries to the actual payments by landowners and the delivery of water by CCWD, the proposed reorganization is fair and equitable.

Mr. Minasian's letter requests that LAFCo delay the proposed reorganization based on a variety of factual misunderstandings. The letter, however, does not recognize the very real value to the affected landowners, CCWD and Reclamation that will result from the proposed reorganization. Cleaning up the administrative matters described in the proposed reorganization fosters the values of governmental efficiency and effectiveness that are at the heart of the Cortese-Knox-Hertzberg Act. Delaying such a reorganization defeats the purpose of the Act and only continues the current unsettled state of affairs.

2. *The Proposed Reorganization is Exempt from CEQA*

The proposed reorganization involves precisely the type of organizational changes, with no risk of changes or impacts to the physical environment, that sections 15319 and 15320 of the CEQA Guidelines were designed to exempt from environmental review. Section 15319 exempts from environmental review annexations where the area to be annexed will be served with existing facilities and where there will not be a change in land-use designations, which is the case here. Section 15320 exempts from environmental review changes in organization where the change does not change the geographical area where the powers are exercised. Again, as noted above, that is the case with the proposed reorganization. Contrary to Mr. Minasian's suggestion, there are no "unusual circumstances" involved in this matter, other than that Mr. Minasian seems to contest the wisdom of the action. But it is long-settled law under CEQA that the statute is not intended to address the wisdom of a public agency's action but only whether or not it has fully disclosed the environmental effects of that action. Thus, the proposed reorganization is plainly not subject to CEQA, and none of the facts suggested by Mr. Minasian compel a different conclusion.

3. *Groundwater Questions Should Be Referred to the Colusa Groundwater Authority*

Mr. Minasian's letter suggests that LAFCo address questions relating to potential groundwater pumping credits and a loosely defined notion of "groundwater equity" prior to approving the proposed reorganization. Those questions are properly the purview of the Colusa Groundwater Authority, not LAFCo. At present, there are no "pumping credits" available within Colusa County; any such credit system would be created by the groundwater sustainability plan currently being developed by the Colusa Groundwater Authority. Accordingly, the claim for such credits is – at best – premature and directed to the wrong agency. To the extent that there is any claim for "groundwater equity" – whatever that may be – again, that is a question to be considered by the Colusa Groundwater Authority in developing and implementing the groundwater sustainability plan for Colusa County. There is no need for LAFCo to delay the implementation of the proposed reorganization to address speculation about the future actions and groundwater management decisions of the Colusa County Groundwater Authority. These issues are unrelated to the proposed reorganization, and these complicated matters are outside of LAFCo's jurisdiction and expertise.

4. *Conclusion*

As discussed above, CCWD has shown that the proposed reorganization conforms to past practices and will not advantage or disadvantage any landowners in the areas affected by the proposed reorganization. Moreover, the proposed reorganization is exempt from CEQA and there is no need for LAFCo to address the groundwater management issues identified by Mr. Minasian.

Most of Mr. Minasian's suggestions (e.g., asking detaching landowners to waive the right to claim groundwater recharge) are novel and lack any legal basis. If LAFCo were to adopt any of those suggestions, it would be acting in excess of its authority and without a proper factual basis.

CCWD urges LAFCo to follow the staff report and order the proposed reorganization without further delay.

Very truly yours,

DOWNEY BRAND LLP



David R.E. Aladjem

cc: Shelly Murphy, Colusa County Water District
Paul Minasian

COLUSA COUNTY WATER DISTRICT DETACHMENTS

AGREEMENT OF LANDOWNER WAIVING THE BENEFITS OF AND CLAIMS OF CREDITS FOR GROUNDWATER RECHARGE AND GROUNDWATER STORAGE ARISING FROM DELIVERIES OF AND USE OF RECLAMATION WATER WITHIN COLUSA COUNTY WATER DISTRICT

This Agreement is entered into this ____ day of _____, 2018 by and between

hereinafter referred to as “LANDOWNER” of that certain real property described in Exhibit “A” attached hereto and included herein as if set forth in full (hereinafter referred to as “the Lands” or “the Real Property” owned by LANDOWNER and the COLUSA COUNTY WATER DISTRICT, a California County water district, formed and existing under the laws of the State of California, hereinafter referred to as “DISTRICT”. The parties, DISTRICT and LANDOWNER, do hereby agree for full and adequate consideration, receipt of which is evidenced and the adequacy of which is stipulated to as follows:

I. BACKGROUND OF AGREEMENT

1. DISTRICT provided for the delivery of surface water deliveries from the United States Department of Interior, Bureau of Reclamation and provided for the financing, installation and, thereafter, the operation and maintenance of a distribution system for those purchased waters within the DISTRICT boundaries. The surface water supply from the Department of Interior varies annually and the costs of the distribution system and its operation was expensive and continues to be expensive. The owner of LANDOWNER’S Lands did not elect

to participate in the contract for purchase of water or the distribution system costs. As a result, certain lands, including the lands of LANDOWNER, did not subscribe to or receive water service from the Bureau supply or the distribution system and did not agree to pay for the costs of the receipt of the Bureau water or the benefits of that supply.

1.1 The water delivery system and distribution system was designed to be a conjunctive use project in which landowners within the area receiving Bureau water and the benefits of the distribution system would be required to continue to maintain groundwater wells to fully irrigate their properties and during dry periods and periods of shortage even more groundwater would be pumped from wells to irrigate the overlying lands within the distribution system area. Those amounts of groundwater would be assured under the conjunctive use plan because the use of surface water would conserve groundwater supplies and cause “substituted recharge”.

1.2 Because of increasing costs of operation and maintenance of the distribution system and of the DISTRICT and increasing costs of the water purchased from the Bureau of Reclamation and its delivery, landowners within the distribution system area have in the past and presently bear expensive water costs. As a result of the delivery of Bureau water, substituted recharge has occurred to the extent that when landowners within the distribution system area utilize surface water, groundwater is preserved, and substituted recharge occurs, and, therefore, there is more groundwater available for use both by the distribution system area and other lands, including the lands of LANDOWNER. LANDOWNER may be currently using groundwater to irrigate the Real Property or may in the future wish to use groundwater resources underlying its lands for those purposes. LANDOWNER has not paid for the costs of DISTRICT’S conjunctive use operation in the past or for DISTRICT’S distribution system

operations and agrees that if increased amounts of groundwater have been added to storage in the groundwater aquifers in the past or are available in the future from the aquifers, LANDOWNER and the Real Property should not gain any credit or benefit from those water supplies.

LANDOWNER agrees that the Land should be entitled to utilize its proportional share of the safe annual yield of the groundwater basin available from natural recharge sources and share that yield with all other overlying landowners, including owners of land within the distribution District area.

1.3 LANDOWNER wishes to detach from the DISTRICT to avoid the potential that the DISTRICT will levy charges upon their land. LANDOWNER understands that a condition of detachment is that the LANDOWNER waives both past benefits and any future benefits, and any claims to substituted recharge or direct recharge which has occurred or will occur in the future as a result of surface water being supplied for irrigation use within the Colusa County Water District area. LANDOWNER further wishes by this Agreement to give up any claim that they are entitled to any of the benefit or computation of available groundwater based upon future use of surface water within the Colusa County Water District, substituted recharge from surface water use and any claim to recharge of groundwater supplies from imported and purchased surface water percolating past plants' root zones or from direct recharge from surface water, delivery systems or recharge facilities established within the distribution system area of Colusa County Water District and any claim of whatsoever nature or kind to the benefits of the use of the distribution system of substituted recharge through use of surface water or direct recharge.

NOW THEREFORE, LANDOWNER agrees on its behalf and on behalf of all successor owners or occupants of LANDOWNER'S Lands as follows:

1. The Background Facts set forth above are true and correct and included within this Agreement as a term thereof;

2. LANDOWNER understands this Agreement will be recorded and shall be binding upon LANDOWNER, any tenants, occupants, and all successor landowners, occupants or holders of interests in LANDOWNER's Real Property described in Exhibit "A" (hereinafter "the Successors");

3. This Agreement is not revocable or reversible by LANDOWNER or its Successors;

4. LANDOWNER, on its behalf and the Successor's behalf, forever and fully waives and gives up any and all claims that the Lands of LANDOWNER should be entitled to pump, use or credited with any portion of (i) substituted groundwater recharge amounts from surface water use with Colusa County Water District or other Districts receiving Bureau water deliveries, and/or (ii) credits for groundwater not diverted or used by LANDOWNER within the Colusa County Water District distribution District, and/or (iii) any form of claims that additional available groundwater underlying or available to LANDOWNER'S Lands arising from or caused by past substituted recharge or (iv) direct recharge caused by surface water used within DISTRICT'S boundaries supplied by the Bureau of Reclamation or the use of DISTRICT'S distribution system to deliver surface water to DISTRICT lands should be usable by LANDOWNER'S Lands or credited to their right to use groundwater. LANDOWNER waives, forever, any form of claim of entitlement or right to both past or future substituted recharge or direct recharge from the water supplied by the Bureau of Reclamation and distributed through the distribution system of Colusa County Water District.

5. LANDOWNER agrees the consideration of being free of the power and authority of DISTRICT to charge for the benefits provided by DISTRICT is sufficient and adequate consideration for the terms and provisions of this Agreement and its enforcement.

6. LANDOWNER and DISTRICT agree that the third party beneficiary of this Agreement is any landowner within the distribution system area of DISTRICT from time to time and such landowner's within DISTRICT, or successor landowners, are third party beneficiaries of this Agreement and are entitled to enforce the terms and provisions of this Agreement.

7. LANDOWNER agrees to appear in any administrative or judicial proceeding relating to the use of groundwater and the apportionment of groundwater quantities from aquifers underlying LANDOWNER'S Lands and to submit this Agreement as binding upon LANDOWNER, any Successors, and LANDOWNER'S Lands or occupants thereof, or any portion thereof and agree and stipulate in those proceedings that LANDOWNER'S Lands or any portion thereof are entitled to only their pro rata and equitable share with all other overlying landowners of naturally existing and recharged groundwater and disclaim any claim or right to any benefit of or use of any quantities of water made available as a result of use of surface water by landowners within the DISTRICT, and recharge of underground water caused by the use or Bureau of Reclamation water supplies within DISTRICT or which groundwater is recharged from surface water imported into the area and applied on overlying lands percolating into the underground aquifers.

9. LANDOWNER further agrees to disclaim any right to groundwater which is recharged intentionally by groundwater recharge projects developed by DISTRICT or others within the area unless LANDOWNER has participated in the costs of those projects and has

entered into binding written agreements or stipulations or abided by Court Orders providing for payment of the costs of those projects and the operation maintenance, repair and replacement.

10. This Agreement is full and entire and there are no other agreements. This Agreement may not be amended or altered, except by a written instrument approved by at least 50% of the acres within the distribution system of DISTRICT conducted in accordance with the Uniform District Election Law by mailed ballot.

11. Time is of the essence of this Agreement.

12. If it shall be necessary to enforce or interpret the terms and provisions of this Agreement, the costs incurred, and attorney's fees incurred by the prevailing party shall be awarded to the prevailing party.

13. This Agreement is a covenant running with the land, both benefiting and binding the land of LANDOWNER'S described in Exhibit "A" and the land within DISTRICT, DISTRICT's distribution system area described in Exhibit "B" attached hereto and included herein as though set forth in full. If for any reason this Agreement shall not be binding as a covenant running with the land, it shall be enforceable as an equitable servitude upon LANDOWNER'S Lands.

Date:

LANDOWNER

Date:

COLUSA COUNTY WATER DISTRICT

By: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF _____)

On _____, 2018, before me, _____, Notary Public, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF _____)

On _____, 2018, before me, _____, Notary Public, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

EXHIBIT "A"

Description of LANDOWNER'S Lands

EXHIBIT "B"

Description of lands within the distribution system area of

COLUSA COUNTY WATER DISTRICT

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COLUSA LAFCo

March 1, 2018

MEMORANDUM

TO: LAFCo Commission
FROM: John Benoit, Executive Officer
RE: Colusa Mosquito Abatement District MSR and SOI Recommendation

In December 2017 you received a copy of the MSR-SOI for the Colusa Mosquito Abatement District. On January 4th 2018 there was a workshop regarding this draft and no comments were received. **PLEASE BRING THE DRAFT MSR and SOI document to the meeting.** This draft is available on the LAFCo website at www.colusalafco.org

Recommendation:

Staff recommends the Commission adopt the following:

- a. *Consider Resolution 2018-0001 adopting a Service Review for the Colusa Mosquito Abatement District.*
- b. *Consider Resolution 2018-0002 updating a Sphere of Influence for the Colusa Mosquito Abatement District.*

Resolution 2018-0001 of the

Colusa Local Agency Formation Commission

Approving a Municipal Service Review of Vector Control Services Provided by the Colusa Mosquito Abatement District in Colusa County and Adopting Written Determinations Thereon

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission ("LAFCo") adopt and periodically review Sphere of Influence Plans for all agencies in its jurisdiction; and,

WHEREAS, California Government Code Section 56430 requires that a LAFCO conduct a review of the municipal services provided by and within an agency prior to updating or adopting its Sphere of Influence Plan; and,

WHEREAS, the Sphere of Influence Plan is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO; and,

WHEREAS, on June 3rd, 2004, the Commission adopted its Work Plan and included a schedule for initiation of Municipal Service Reviews (MSRs) and Spheres of Influence; and

WHEREAS, the Commission adopted Resolution 2008-02 on February 7th, 2008 amending and reaffirming guidelines for conducting MSRs, which applies to this MSR for services provided by the Colusa Mosquito Abatement District; and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission for vector control services provided in the Colusa Mosquito Abatement District area, including approval of the report and adoption of the written determinations contained therein; and,

WHEREAS, the Commission hereby determines that the hearing draft of the Municipal Service Review for services provided by and within the Colusa Mosquito Abatement District area and written determinations contained therein will provide information for updating the Sphere of Influence of the Colusa Mosquito Abatement District, and is otherwise consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities; and,

WHEREAS, in making this determination, the Commission has considered the documentation on file in this matter; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Colusa Local Agency Formation Commission hereby resolves, orders and determines the following:

- 1) The Municipal Service Review of Vector Control services provided in the Colusa Mosquito Abatement District area, attached hereto as Exhibit A, is approved and the written determinations presented in the Municipal Service Review report are hereby adopted.
- 2) LAFCO staff is further ordered to proceed as appropriate with update to the Sphere of Influence Plan of the Colusa Mosquito Abatement District.

3) LAFCO staff is further ordered to forward copies of this resolution containing the adopted Municipal Service Review to the Colusa Mosquito Abatement District.

The foregoing resolution was duly passed by the Colusa Local Agency Formation Commission of Colusa County at a regular meeting held on March 1st, 2018, by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this March 1st 2018.

Brandon Ash, Chair
Colusa LAFCo

Attest:

John Benoit, Executive Officer
COLUSA LAFCo

NOTICE OF EXEMPTION

TO: County Clerk
County of Colusa
Colusa, CA 95453

FROM; Colusa LAFCO
P.O. Box 2694
Granite Bay, CA 95746

PROJECT TITLE: Sphere of Influence Update for Colusa Mosquito Abatement District

PROJECT LOCATION: East Colusa Co. and Northwest Sutter Co.
DESCRIPTION OF PROJECT:

An update to the sphere plan for the probable physical boundaries and service area for the Colusa Mosquito Abatement District.

NAME OF PUBLIC AGENCY APPROVING PROJECT:
Colusa Local Agency Formation Commission

NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT:
John Benoit, Executive Officer for
Colusa Local Agency Formation Commission

EXEMPT STATUS:
Class 20 Categorical Exemption, "Changes in Organization of Local Agencies" CEQA Guideline Section 15320.

REASONS WHY PROJECT IS EXEMPT:

The proposed project involves a sphere of influence update where the services provided by the Colusa Mosquito Abatement District will not change as a result of this update.

CONTACT PERSON:
John Benoit
LAFCO Executive Officer

TELEPHONE NUMBER:
(530) 458-0593

By: _____

Date: March 1, 2018

Resolution No. 2018-0002

COLUSA LOCAL AGENCY FORMATION COMMISSION

A Resolution Making Determinations and Approving A Sphere of Influence Update for the Colusa Mosquito Abatement District

WHEREAS, Government Code Section 56425 requires each Local Agency Formation Commission to adopt and periodically review and update a sphere of influence for each local governmental agency within its jurisdiction; and

WHEREAS, the COLUSA Local Agency Formation Commission, in compliance with the aforementioned requirement, is providing a "plan for the probable physical boundaries and service area" for the Colusa Mosquito Abatement District; and

WHEREAS, the Commission has set the hearing date of March 1st, 2018, for the update of the sphere of influence for the Colusa Mosquito Abatement District and has noticed this hearing at the times and as otherwise prescribed by Government Code Section 56150, *et seq.*; and

WHEREAS, the Commission has heard and previously adopted a Municipal Services Review of services provided by the Colusa Mosquito Abatement District in accordance with Gov. Code section 56430; and

WHEREAS, the Commission has reviewed and considered the proposed Sphere of Influence update report and the proposed Sphere of Influence Update Map which are attached hereto and incorporated herein; and

WHEREAS, Colusa LAFCo prepared a Notice of Exemption for such action since there is no change in the proposed boundaries; and

WHEREAS, the Commission has considered those factors determined by it to be relevant to the proposed sphere of influence update, including, but not limited to, those factors specified in Government Code Section 56425, *et seq.*, and has heard from interested parties and considered requests for amendment and/or revision of the proposed updated sphere boundary, if any;

NOW, THEREFORE, BE IT RESOLVED that the Colusa Local Agency Formation Commission does hereby find and determine as follows:

1. That the proposed sphere of influence update with respect to the Colusa Mosquito Abatement District complies with the provisions of Government Code Section 56000, *et seq.*
2. That no significant protests have been received regarding the establishment of this Sphere of Influence update.
3. That, pursuant to Government Code Section 56425, the Commission makes and adopts those determinations set forth in the Sphere of Influence Study are attached hereto and incorporated herein.
4. The Colusa Mosquito Abatement District is authorized to provide mosquito and miscellaneous vector control services.

5. That the Sphere of Influence Update Report, Executive Officer's Report, Notice of Exemption, and Map for the Colusa Mosquito Abatement District including an updated Sphere of Influence is hereby adopted and approved as set forth in Attachment "A".

PASSED AND ADOPTED at a regular meeting of the Local Agency Formation Commission of the County of Colusa, State of California, on the March 1st, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Brandon Ash, Chair
Colusa Local Agency Formation
Commission

Attest:

John Benoit, Executive Officer

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COLUSA LAFCO

Status: Service Reviews and Spheres of Influence, Policies and Bylaws: March 2018

Name of Agency	Service Review completed	Sphere of influence completed	
AGENCIES FORMED DURING THE PAST 10 YEARS			
Cortina CSD*	Resolution 2015-012 Aug 6, 2015	Resolution 2015-0013 Aug 6, 2015	
Arbuckle Parks and Rec. Dist	Formed July 6, 2006	Resolution 2006-0005 July 6, 2006	
WATER AND/OR WASTEWATER SERVICE DISTRICTS			
Maxwell PUD*	Resolution 2006-07 Dec 7, 2006	Resolution 2007-0006 November 1, 2007	
Princeton Water Works District*	Resolution 2016-0007 10.6.16	Resolution 2016-0008 10.6.2016	
Colusa County Waterworks #1 (grimes)	Resolution 2009-0001 Feb 5, 2009	Resolution 2009-0002 February 5, 2009	
Arbuckle Public Utility District	Reso 2013-0001 March 7, 2013	Reso 2013-0002 March 7, 2013	
FIRE AND EMS DISTRICTS			
Arbuckle-College City Fire	Resolution 2007-05 Aug 2, 2007	Resolution 2011-0005 December 8, 2011	
Bear Valley-Indian Valley Fire	Resolution 2007-05 Aug 2, 2007	Resolution 2011-0005 December 8, 2011	
Glenn-Colusa Fire Protection District	Resolution 2007-05 Aug 2, 2007	Resolution 2011-0005 December 8, 2011	
Maxwell Fire Protection District	Resolution 2007-05 Aug 2, 2007	Resolution 2011-0005 December 8, 2011	
Princeton Fire Protection District	Resolution 2007-05 Aug 2, 2007	Resolution 2011-0005 December 8, 2011	
Sacramento River Fire Protection	Resolution 2007-05 Aug 2, 2007	Resolution 2012-0005 March 1, 2012	
Williams Fire Protection Authority	Resolution 2007-05 Aug 2, 2007	Resolution 2011-0005 December 8, 2011	
City of Colusa Fire	Resolution 2007-05 Aug 2, 2007	Resolution 2011-0005 December 8, 2011	
MOSQUITO ABATEMENT			
Colusa Mosquito Abatement District	Resolution 2008-13 Oct 2, 2008	Resolution 2008-0014 Oct 2, 2008	Pending
CEMETERY DISTRICTS			
Antelope-Black Mountain Cemetery District	Resolution 2007-0009 Dec 6, 2007	Resolution 2007-0010 December 6, 2007	
Arbuckle Cemetery District	Resolution 2007-0009 Dec 6, 2007	Resolution 2007-0010 December 6, 2007	
College City Cemetery District	Resolution 2007-0009 Dec 6, 2007	Resolution 2007-0010 December 6, 2007	
Colusa Cemetery District	Resolution 2007-0009 Dec 6, 2007	Resolution 2007-0010 December 6, 2007	
Cypress Hill Cemetery District	Resolution 2007-0009 Dec 6, 2007	Resolution 2007-0010 December 6, 2007	
Grand Island Cemetery District	Resolution 2007-0009 Dec 6, 2007	Resolution 2007-0010 December 6, 2007	
Maxwell Cemetery District	Resolution 2007-0009 Dec 6, 2007	Resolution 2007-0010 December 6, 2007	
Princeton Cemetery District	Resolution 2007-0009 Dec 6, 2007	Resolution 2007-0010 December 6, 2007	
Stonyford-Indian Valley	Resolution 2007-0009 Dec 6, 2007	Resolution 2007-0010 December 6, 2007	
Williams Cemetery District	Resolution 2007-0009 Dec 6, 2007	Resolution 2007-0010 December 6, 2007	
IRIGATION DISTRICTS			
Holthouse Water District	Resolution 2008-0004 March 6, 2008	Resolution 2007-0007 March 6, 2008	
Colusa County Water District	Resolution 2009-0011 August 6, 2009	Resolution 2009-0012 August 6, 2009	
Davis Water District*	Resolution 2015-0001 Feb 5, 2015	Resolution 2015-0002 Feb 5, 2015	
Glenn Valley Water District*	Resolution 2015-0004 March 5, 2015	Resolution 2015-0003 3/5/2015	
Glenn Colusa I. D.	Resolution 2007-08 Nov 1, 2006	Resolution 2008-0005 March 6, 2008	
La Grande Water District	Resolution 2009-0003 March 5, 2009	Resolution 2009-0004 March 5, 2009	
Maxwell ID	Resolution 2017-0004 Sept 9, 2017	Resolution 2017-0005 September 7, 2017	
Westside Water District	Resolution 2008-0003 March 6, 2008	Resolution 2008-0006 March 6, 2008	
4M water district	Resolution 2016-0002 Feb 4, 2016	Resolution 2016-0003 Feb 4, 2016	
CITIES			
City of Colusa	Resolution 2010-0003 March 4, 2010	Resolution 2012-0003 Feb 2, 2012	
City of Williams	Resolution 2013-0005 August 1, 2013	Resolution 2014-0002 March 6, 2014	
RECLAMATION & FLOOD CONTROL DISTRICTS			
Reclamation District 108	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010	Pending
Reclamation District 479	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010	Pending
Reclamation District 1004	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010	Pending
Reclamation District 2047	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010	Pending
Sacramento River Westside Levee District	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010	Pending
Cortina Creek Flood Control and Floodwater Conservation District	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010	Pending
Knights Landing Ridge Drainage District	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010	Pending
Colusa County Flood Control and Water Conservation District	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010	Pending
PARK AND RECREATION DISTRICTS			
Arbuckle Park and Recreation District	Reso 2010-0010 January 27, 2011	Resolution 2010-0011 Jan 27, 2011	
Maxwell Park and Recreation District	Reso 2010-0010 January 27, 2011	Resolution 2010-0011 Jan 27, 2011	
Stonyford Park and Recreation District	Reso 2010-0010 January 27, 2011	Resolution 2010-0011 Jan 27, 2011	
COUNTY SERVICE AREAS			
County Service Area #1 - Century Ranch	Resolution 2012-0008 Dec 6, 2012	Resolution 2012-0009 December 6, 2012	
County Service Area #2 - Stonyford	Resolution 2012-0008 Dec 6, 2012	Resolution 2012-0009 December 6, 2012	
RESOURCE CONSERVATION			
Colusa RCD	Resolution 2014-0008 Dec 4, 2014	Resolution 2014-0009 December 4, 2014	
POLICY UPDATE			
BYLAWS	Resolution 2009-0009 5.7.09	Amended 1 time since 2009 update	
	Resolution 03-04 11.6.2003	Amended 4 times since 2003	

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**COLUSA LAFCO
EXECUTIVE OFFICER PERFORMANCE EVALUATION**

Date: MARCH 1, 2018 **Name:** JOHN BENOIT

Rating Period: MARCH 2017-MARCH 2018

A=Superior B=Very Good C=Satisfactory D=Needs Improvement F=Unacceptable
(Please note the "Superior" should not be viewed as a "perfect" rating since no one is perfect. It simply means the individual is superior to most in similar positions.)

Item	Rating	Comments
Communication Skills	_____	_____
Organization of Work	_____	_____
Accuracy of Work	_____	_____
Resourcefulness	_____	_____
Knowledge of LAFCO	_____	_____
Knowledge of County	_____	_____
Willingness to Learn and Adapt	_____	_____
Leadership	_____	_____
Other	_____	_____

ESTABLISH GOALS FOR UPCOMING YEAR (use reverse side for additional goals)

1. _____

2. _____

3. _____

Signature (Chairperson)

Signature of person being evaluated

Explanation of Terms

Communication Skills: How well does the Executive Officer (EO) communicate verbally and orally? Are staff reports clear and well written? Does the EO speak clearly and to the point? Can the EO react quickly and appropriately to new issues and questions?

Organization of Work: How well organized is the EO? Is the EO good at prioritizing tasks? Does the work get done in a timely manner? Does the EO appropriately delegate tasks to others to assist in getting the work done?

Accuracy of Work: Are the documents prepared by the EO accurate and complete, taking into account limitations on time and access to information? Are oral statements accurate?

Resourcefulness: Given the limitations on LAFCo staffing and funding, is the EO good at stretching those resources to achieve his or her objectives?

Knowledge of LAFCO: How well does the EO know how LAFCo's are supposed to operate? Does the EO demonstrate knowledge of the Cortese-Knoz-Hertzberg Local Government Reorganization Act? Does the EO know about the technical details needed to complete a change of organization?

Knowledge of County: How familiar is the EO with the county, its communities, agencies and leaders.

Willingness to Learn and Adapt: Given that LAFCo has to deal with so many different issues, is the EO good at quickly learning the essentials needed to address a new issue? Can the EO adapt to new personalities and problems?

Leadership: Because of the limited nature of Commission member participation, for LAFCo to be effective, the EO must lead the agency. How well does the EO work with the Commission in strengthening the agency and its effectiveness? How well does the EO manage staff and consultants? Is the EO proactive in informing the Commission of issues, developing LAFCo policies and addressing community issues?

Other: What other qualities of the EO or performance concerns does the Commission want to address.