

**Colusa Local Agency Formation Commission**

**Regular Meeting Agenda**

**Thursday –March 2, 2017**

**3:00 PM**

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

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

**Commissioners**

Chuck Bergson, (City Member)  
Brandon Ash, (Vice Chair, Public)  
Denise Carter (County)  
John Loudon (County)  
Tom Reische, Colusa, (Chair, City  
Member )

**Alternates**

Kent Boes, (County Alternate)  
David Womble (City Alternate)  
Mary Winters, (Public Member Alternate)

**Staff**

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

**2. Consider Minutes for February 2, 2017**

*a. Approve minutes from the February 2, 2017 LAFCo Meeting*

**3. Public Comment**

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

**4. Consent Agenda**

*a. Payment of claims for the month of February 2017*

**5. Correspondence: Letter received from the Westside Water District re: Annexion or Formation of Water District Without Water Supply.**

**6. Discussion regarding Work Program for Fiscal Year 2017-2018**

*a. Review list of Service Reviews and Spheres of Influence completed to date and make a determination of which Service Reviews of Spheres are in need of updating.*

7. **Executive Officer's Report:**

- a. *700 Forms due April 1st*

8. **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.*

9. **Closed Session**

<p><b>Subject: Employee Performance Evaluation March 2016 – March 2017</b> <b>Title: LAFCO Executive Officer</b></p>
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10. **Adjourn to the next regular meeting on April 6, 2017**

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

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

*Public Comment*

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

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

*Public Hearings*

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

*Agenda Materials*

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

*Accessibility*

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

*Disclosure & Disqualification Requirements*

Pursuant to Government Code Sections 56100.1, 56300(b), 56700.1, and 81000 et seq., and Colusa LAFCO's Policies and Procedures for the Disclosure of Contributions and Expenditures in Support of and Opposition to Proposals, any

person or combination of persons who directly or indirectly contribute \$1000 or more or expend \$1000 or more in support of or opposition to a change of organization or reorganization that has been submitted to Colusa LAFCO must comply with the disclosure requirements approved by Colusa LAFCO. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. Additional information may be obtained at the Colusa County Elections Department 546 Jay Street, Colusa, CA 95932. (530) 458-0500

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

Contact LAFCO Staff LAFCO staff may be contacted at (530) 458-0593 or by mail at Colusa LAFCO P.O. Box 2694, Granite Bay Ca 95746 or by email at [lafo@countyofcolusa.org](mailto:lafo@countyofcolusa.org) or [johnbenoit@surewest.net](mailto: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.colusacountylafo.org](http://www.colusacountylafo.org)

LOCAL AGENCY FORMATION COMMISSION  
COLUSA COUNTY  
MINUTES OF MEETING  
February 2, 2017

PRESENT:

JOHN LOUDON, County Member  
MARY WINTERS, Public, Alternate  
TOM REISCHE, Chair, City Member  
DENISE CARTER, County Member  
CHUCK BERGSON, City Member

ALSO PRESENT:

P. SCOTT BROWNE, Legal  
JOHN BENOIT, Ex. Officer  
LORA CECCON, Clerk  
KENT BOES, County Alt.

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

The meeting was called to order at 3:03 p.m. There was a quorum present.

2. **Consider Minutes for December 1, 2016**

**On motion of T. Reische, second by D. Carter, the commission approved the minutes of the December 1, 2016 meeting; motion carried. (3-2-0)**

3. **Public Comment – None**

4. **Consent Agenda**

**On motion of D. Carter, second by T. Reische, the commission approved payment of the December 2016 and January 2017 claims, motion carried by roll call vote. (5-0)**

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

J. Benoit presented the Executive Officer’s report regarding the annexation of 531.70 acres more or less to the Westside Water District to provide surface water to the annexation territory. He stated that a public hearing is not required. The district is requesting annexation to enable surface water supplies to be distributed on the property. No additional CVP water is requested for the proposed annexation and this annexation will benefit the district by enabling it to distribute water from potential future water sources such as the Sites Reservoir, as it becomes available.

D. Carter stated that she is concerned about the adequacy of the water. It was suggested that a memo could be provided from the district concerning this issue. The memo will incorporate numbers and confirm that they have the water. There is a need to approve the resolution today due to timelines.

**D. Carter moved to approve Resolution 2017-0001 making determination and approving the annexation of 531.70 acres to the Westside Water District, with the understanding that a memo be submitted stating that they have the**

**amount of water needed to service the additional acreage, second by J. Loudon, motion carried by roll call vote. (5-0)**

6. **Authorize staff to attend the Calafco staff workshop in Fresno March 4-7, 2017**

S. Browne will be attending the conference. J. Benoit has not decided.

7. **Meeting with State Water Resources Control Board/Division of Drinking Water staff**

Commissioners were provided a copy of the letter from the State Water Resources Control Board regarding SB 1263, Changes to Domestic Water Supply Permit Applications.

SB 1266 is a new bill proposing that LAFcos regulate JPAs for urban service providers. This would not apply to every JPA. It would be the JPAs responsibility to file with LAFCo.

8. **Establish Ad Hoc Budget Committee for FY 2017-2018**

John stated that LAFCo has had an ad hoc committee for a number of years now. The purpose of the committee is to analyze the budget. The shadow accounting helps with this process.

M. Winters and D. Carter volunteered to sit on the ad hoc committee.

9. **Grant a three month's extension for LAFCo file 2015-0002 for the Vedo Annexation to obtain verification of filing of the Certificate of Compliance by Colusa County and final descriptions and mapping.**

J. Benoit stated that the City of Colusa needs to get this done. A map and description are needed, and once received, can be recorded. The permit will expire in two days. T. Reische stated that he will talk to Brian Stice regarding this issue.

**On motion of J. Loudon, second by D. Carter, the commission agreed to a three month extension; until the May LAFCo meeting, motion carried. (5-0)**

10. **Executive Officer's Report**

- Form 700's are due in April
- John asked which commissioners would like to receive electronic agendas.
- Berlin Water District – John has a map, and stated that there is much incorrect information on the map. They want to form a GSA to manage groundwater.

D. Carter provided information on the Berlin Water District and their plans for the future. They are not yet a district. She stated that there are a lot of good reasons to form a district in that area. More discussion followed.

**11. Commissioner Reports – Discussion**

None

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

**The meeting was adjourned at 3:55 p.m.**

# 4

# Colusa Local Agency Formation Commission

## CLAIMS

For February 2017

Authorize payment of the following claims:

**FY 2016-2017 EXPENSES:**

Mar 1, 2017	Staff Svcs and Expenses – Feb 17	\$ 4,399.80
Feb 7, 2016	Frontier Phone Dec 7, 2016	\$ 33.16
1.16.17- 2.15.2017	Legal Services P. Scott Browne	\$ 1,750.00
<b>TOTAL:</b>		<b>\$ 6,182.96</b>

**DATED:** Mar 2, 2017

**APPROVED:** Mar 2, 2017

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

**Attest:**

\_\_\_\_\_  
**John Benoit**  
**Executive Officer**

EXPENSE	Executive Off. Cont	Clerical Support	Workers Comp	Atty Contract	Insurance	Office Supplies	Postage	Copies	Membership
	53180	53180	51035	53180	53100	53170	53171	53170	53150
	48000.00	2100.00	50.00	21000.00	1705.00	375.00	500.00	2000.00	840.00
CALAFCO Dues 16-17									-840.00
SDRMA Insurance 16-17					-1624.60				
Staff Servicess June 2016	-4000.00	-175.00				-15.00	-17.86	-57.37	
Frontier Phone June 7, 2016									
Browne Legal Svcs 5.16.2016-6.15.2016				-1750.00					
Long Distance Mar, Apr, May, June 16									
Staff Svcs July 2016	-4000.00					-10.00		-89.80	
Browne Ending 7.15.15				-1750.00					
Frontier Phone July 7, 2016									
Carter and Reische Regi CALAFCO									
Browne Ending 8.15.16				-1750.00					
Staff Svcs August 2016	-4000.00	-175.00					-23.31	-23.39	
Frontier PH August 2016									
Staff Svcs September 2016	-4000.00					-19.50	0.00	-15.00	
Browne Ending 9.15.16				-1750.00					
Frontier Ph Sept 2016									
App Democrat WRFPD Annex									
Browne ending 10.15.16				-1750.00					
Staff Svcs Oct 2016	-4000.00	-175.00				-10.00	-13.34	-52.07	
Frontier Ph Oct 7, 2016									
Staff Svcs November 2016	-4000.00							-10.00	
Browne Ending 11.15.16				-1750.00					
Carter Conf. Reimbursement SBA Oct 16									
Reiche Conf. Reimb SBA Oct 2016									
Front Ph Nov 7, 2016									
LONG DIST july-Dec 2016									
Frontier Ph Dec 7, 2016									
Staff Svcs Dec 2016	-4000.00	-175.00				-44.72	-17.04	-58.80	
Browne Ending 12.15.16				-1750.00					
Frontier Phone Jan 7, 2017									
Staff Svcs Jan 2017	-4000.00					-15.00	-0.47	-30.00	
Browne Ending 1.15.17				-1750.00					
Revenue Westsite WD Able Annex									
Revenue State Parks annex									
Appeal Democrat Colusa SRA Reorg									
Appeal Democrat Prince WWD MSR-SOI									
Staff Svcs February 2017	-4000.00	-175.00					-12.88	-40.00	
Browne Ending 2.15.17				-1750.00					
Frontier Phone Feb 7, 2017									
<b>Total Expended in FY 16-17</b>	<b>-36000.00</b>	<b>-875.00</b>	<b>0.00</b>	<b>-15750.00</b>	<b>-1624.60</b>	<b>-114.22</b>	<b>-84.90</b>	<b>-376.43</b>	<b>-840.00</b>
<b>Total Remaining in FY 16-17</b>	<b>12000.00</b>	<b>1225.00</b>	<b>50.00</b>	<b>5250.00</b>	<b>80.40</b>	<b>260.78</b>	<b>415.10</b>	<b>1623.57</b>	<b>0.00</b>





**WESTSIDE WATER DISTRICT***a public entity*5005 STATE HIGHWAY 20  
WILLIAMS, CA 95987

February 3, 2017

Board of Directors  
Colusa County LAFCo  
220 12<sup>th</sup> Street  
Colusa, CA 95932

Subject: Annexation or Formation of Water District Without Water Supply

First, I want to thank you for the opportunity to speak with you yesterday and discuss my District's future along with many other issues. It was quite insightful and I appreciated the level of detail.

I'd also like to take this opportunity to caution the Board in regards to how it approaches its view of the link between Water District annexations and water supply. I wouldn't want to limit folks whom are willing to basically tax themselves in order to form or join a District for benefits they have concluded are worth it. As I mentioned yesterday, there are benefits to creating or joining a District even without water supply. Just having the ability to put CVP water on its grounds adds value to a property within the District veil. Only through this recognized annexation process will Reclamation permit Federal water to be delivered to properties, whereas without, Districts would be in violation of our contracts which could threaten the entire District's ability to deliver water. In wet years where supplies are abundant, we need to share this resource and put water to use where it is needed most. In addition, approving annexations contingent on water supply also limits their ability to take advantage of future potential water supply opportunities, as we spoke about yesterday. Sites Reservoir is the first opportunity of "new" water for Northern California Contractors in decades; to limit folks whom are willing to take on the risks associated with this investment, would effectively limit our flexibility to deal with several issues, some we aren't even aware of today. One example we spoke about yesterday was the benefits of the potential formation of a new Water District called Berlin. There is an interesting bit of history tied to the name you should be aware of. Here we have a group of private landowners willing to tax themselves in order to simply have representation at a future Board table, without any certain water supply. Again, I wouldn't want to limit our flexibility as agencies in a time when we need as many tools as possible.

As we all move forward, our learning curve will be steep, the link between surface water and ground water does exist, to what extent, only future studies and large costs associated with those studies will reveal. Agencies, such as ours, need to continue to recognize the need to work together, looking beyond our boundaries for opportunities to keep our region sustainable. I commend the County's efforts thus far and look forward to working with you all in the future.

Thank you again for the opportunity and please feel free to call me if you have any additional questions or would like to discuss this further.

Respectfully Submitted,



Daniel Ruiz,  
General Manager

COLUSA LAFCO

Status: Service Reviews and Spheres of Influence, Policies and Bylaws: March 2017

Name of Agency	Service Review completed	Sphere of Influence completed
<b>AGENCIES FORMED DURING THE PAST 10 YEARS</b>		
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
<b>WATER AND OR WASTEWATER SERVICE DISTRICTS</b>		
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
<b>FIRE AND EMS DISTRICTS</b>		
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
<b>MOSQUITO ABATEMENT</b>		
Colusa Mosquito Abatement District	Resolution 2008-13 Oct 2, 2008	Resolution 2008-0014 Oct 2, 2008
<b>CEMETERY DISTRICTS</b>		
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
<b>WATER DISTRICTS</b>		
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 2009-0013 Dec 3, 2009	Reso 2009-0014 December 3, 2009
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
<b>CITIES</b>		
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
<b>RECLAMATION &amp; FLOOD CONTROL DISTRICTS</b>		
Reclamation District 108	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010
Reclamation District 479	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010
Reclamation District 1004	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010
Reclamation District 2047	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010
Sacramento River Westside Levee District	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010
Cortina Creek Flood Control and Floodwater Conservation District	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010
Knights Landing Ridge Drainage District	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010
Colusa County Flood Control and Water Conservation District	Resolution 2010-0008 Sept 2, 2010	Resolution 2010-0009 September 10, 2010
<b>PARK AND RECREATION DISTRICTS</b>		
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
<b>COUNTY SERVICE AREAS</b>		
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
<b>RESOURCE CONSERVATION</b>		
Colusa RCD	Resolution 2014-0008 Dec 4, 2014	Resolution 2014-0009 December 4, 2014
<b>POLICY UPDATE</b>		
BYLAWS	Resolution 2009-0009 5.7.09 Resolution 03-04 11.6.2003	Amended 1 time since 2009 update Amended 4 times since 2003

Pending

#9

COLUSA LAFCO  
REPORT OF PERFORMANCE EVALUATION

Date: March 2, 2017

Position: LAFCO Executive Officer

Name : John Benoit

Rating Period: March 2016 through March 2017

A= Superior B = Very Good C = Satisfactory D = Needs Improvement F = Unacceptable

Item	Rating	Comments
Accuracy of Work	_____	_____
Knowledge of LAFCO	_____	_____
Adaptability	_____	_____
Resourcefulness	_____	_____
Organization of Work	_____	_____
Leadership	_____	_____
Professional Interest	_____	_____
Knowledge of County	_____	_____
Other	_____	_____

**In light of fiscal constraints, what would the Commission desire staff to do during the upcoming year?**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Signature (Chair) \_\_\_\_\_

Signature of person being evaluated \_\_\_\_\_