

Colusa Local Agency Formation Commission

Meeting Agenda

Thursday – March 4, 2021

3:00 PM

Welcome to the Colusa LAFCo special meeting. This meeting will be via Zoom (conference call) only due to the COVID-19 virus. A roll call vote is required for all items on the agenda.

You may use your phone for this meeting and no computer is required. There will be video if you choose to use it.

The complete agenda, including backup materials and materials related to items on this Agenda submitted to the Commission after distribution of the Agenda Packet, is available for public inspection on the Colusa LAFCo website. www.colusalafco.org

Colusa LAFCo is inviting you to a scheduled Zoom meeting.

Topic: Colusa LAFCo

Time: Mar 4, 2021 03:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82286932256?pwd=ejNiSWpEK3IPbHN6UXNsMHA2SXJmUT09>

Meeting ID: 822 8693 2256

Passcode: 888659

One tap mobile

+16699006833,,82286932256#,,,,*888659# US (San Jose)

+12532158782,,82286932256#,,,,*888659# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

Meeting ID: 822 8693 2256

Passcode: 888659

Find your local number: <https://us02web.zoom.us/j/kc30LFpo5Q>

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

Sajit Singh, (Chair, Williams, City)
Denise Carter (Vice Chair, County)
Merced Corona (County)
Brandon Ash (Public)
Greg Ponciano (Colusa, City)

Alternates

Kent Boes (County Alternate)
Tom Reische (City Alternate)
_____, (Public Member Alternate)

Staff

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

2. **LAFCo Minutes for November 5, 2020, January 7, 2021 and February 4, 2021**
 - a. *Consider approval of the November 5, 2020, January 7, 2021 and February 4, 2021 LAFCo minutes*

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 2021*

5. **Correspondence:**

6. **Workshop regarding the City of Colusa Draft Service Review (MSR) and Sphere of Influence (SOI) Update.** *(MSR and SOI to be posted on LAFCo's Website www.colusalafco.org when available)*

- a) *Presentation regarding the Draft MSR and SOI update for the City of Colusa.*
- b) *Discussion and workshop*

7. **Workshop regarding the CIP Annexation**

- a) *Discussion and workshop*

8. **Discussion and Introduction for a Colusa LAFCo policy amendment**

This is a policy amendment amending the wording of Section 3.2b ii as follows: replace "...within a 20-year timeframe" with "...specified within the applicable jurisdiction's general plan"

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

- a) *Public Member and Public Member Alternate recruitment*
- b) *Policy Amendment, City of Colusa MSR and SOI, CIP Annexation and upcoming 2021-2022 proposed budget hearings – April 1st, 2021*
- c) *700 Forms due April 1, 2021 to Colusa County Clerk's office.*

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. **Next Colusa LAFCo meeting: April 1, 2021 3:00 PM**

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

Accessibility

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

Disclosure & Disqualification Requirements

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

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

Contact LAFCO Staff LAFCO staff may be contacted at (530) 458-0593 or by mail at Colusa LAFCO P.O. Box 2694, Granite Bay Ca 95746 or by email at j.benoit4@icloud.com

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

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
February 4, 2021

PRESENT:

MERCED CORONA, County Member Alt.
DENISE CARTER, County Member
SAJIT SINGH, Chair, City Member
BRANDON ASH, Public Member
GREG PONCIANO, City Member

ALSO PRESENT:

JOHN BENOIT, Ex. Officer
SCOTT BROWNE, Legal Counsel
LORA CECCON, Clerk
ED HULBERT, CIP
BEVERLY BURR

1. Call to Order/Roll Call

The meeting was called to order at 3:01 p.m. There was a quorum present.

2. Public Comment - None

3. Consent Agenda

On motion of B. Ash, second by D. Carter, the commission approved claims for the month of January 2021; motion carried by roll call vote.

4. Correspondence – None

5. Continued Workshop regarding the City of Colusa CIP Annexation and Sphere of Influence Amendment

John mentioned that all commissioners are aware of this project as it was discussed during last months meeting. B. Burr reported that she has met with CIP and City of Colusa staff to review this and future annexations. She also had a productive meeting with the Sacramento River Fire District Chief. CIP is eager to move forward.

The planned timeline is to hold a workshop during the March meeting for review of the draft MSR and SOI update. The public hearing would then be scheduled for the April meeting and would include the MSR, SOI update and proposed annexation.

Ed Hulbert stated that he has talked with Beverly and they are good with the timeline. They would like to see any draft documents as soon as they are available.

B. Burr explained the standard process for MSRs and SOIs. The first draft is an internal review with Lafco staff, the second review is with affected agencies and the third draft goes to the commission and public for review.

6. Discussion regarding FY 2021-2022 LAFCo Work Program

John stated that the City of Williams MSR and SOI updates and the Cemetery Districts MSR and SOI updates are both included in LAFCo's 2021-2022 work

program. The City of Williams was last updated in 2014 and the Cemetery Districts was last updated in 2007. Any applications that come in will be processed. John will send out a list of all the MSRs and SOIs that have been done in the county.

7. Executive Officer's Report

- a.) **Public Member and Public Member Alternate recruitment** – in process. This is required every 4 years. A copy of the recruitment letter was included in today's packet. If you know of anyone that may be interested, please get the information to them.
- b.) **City of Colusa MSR and SOI Update** – previously discussed.
- c.) **Upcoming Projects** – several projects with the City of Colusa in the next several months.
- d.) **700 Forms due April 1, 2021**

8. Commissioner Reports - Discussion

G. Ponciano stated that he had been assigned to the LAFCo Commission by the council at Tuesday's meeting.

S. Singh stated that he has met with the City of Williams Planner to start discussing the MSR and SOI update so that they will be prepared.

9. Next Colusa LAFCo meeting: March 4, 2021

Meeting adjourned 3:19 p.m.

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
January 7, 2021

PRESENT:

MERCED CORONA, County Member Alt.
DENISE CARTER, County Member
SAJIT SINGH, Chair, City Member
BRANDON ASH, Public Member
GREG PONCIANO, City Member

ALSO PRESENT:

JOHN BENOIT, Ex. Officer
SCOTT BROWNE, Legal Counsel
LORA CECCON, Clerk
JACOB KLEY, CIP
BEVERLY BURR
JESSE CAIN, City of Colusa
BRYAN STICE, City of Colusa

1. Call to Order/Roll Call

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

2. Public Comment - None

3. Consent Agenda

Denise asked about the charge for the sphere. John explained that it is for the City of Colusa sphere which has not been done in ten years. The City of Williams sphere will be next and will be included in next years costs.

John introduced Beverly Burr mentioning the many MSR's she has completed.

On motion of D. Carter, second by B. Ash, the commission approved claims for the months of November and December 2020; motion carried by roll call vote.

4. Correspondence – 2021 Calendar of Events

John wanted the commission to have the calendar so that they will know what is going on. John will not be attending the staff workshop. In October, the annual conference is in Newport Beach and he will not be attending that conference either. However, he thought some of the commissioners might be interested in attending.

Sajit asked about the May 11th California water agency conference. John explained that it is a very large conference focused on urban and agricultural water. Denise mentioned that it is a very good conference. S. Browne mentioned that it will be important because of the sustainable groundwater management act.

5. Workshop regarding the City of Colusa CIP Annexation and Sphere of Influence Amendment

Bryan Stice, City of Colusa, explained that this project is a proposal for annexation of 684 acres and a larger amended sphere of influence application that encompasses the proposed annexation area as well as all the city's wastewater treatment plant property

Northwest of the CIP area. The city is trying to achieve larger-scale comprehensive planning within this action.

Environmental work was done by the CIP around 2008 and the City of Colusa master EIR was done in 2007. The City of Colusa CEQA attorney prepared a CEQA staff report that is intended to provide the justification from a CEQA standpoint in support of the annexation and SOI amendment.

B. Stice stated that the City of Colusa Planning Commission and City Council unanimously approved the proposal, and the Airport Land Use Commission has also approved it.

John would like some direction from the commission on how they would like to proceed with this project because it is a large project with many components. The chief environmental issue is flooding. The city has prepared a service plan for this area.

A lengthy discussion followed.

John stated that this project has been designated a special project and explained what that means. He also explained the noticing requirements for public hearings and the timeline involved.

John has received an application and the tax-sharing agreement. The maps will be done soon.

Some discussion was held regarding the public hearing, timeline and how to tackle the project; possibly in two parts.

A discussion was held regarding the capacity of the two sewer plants.

John is concerned about trying to make the February meeting. He feels March would be better as the MSR would be complete and information would be available on all services. The MSR and sphere update could be considered at the same time.

The commission agreed that the public hearing for this project should be scheduled for the March 4th meeting.

6. Colusa County Waterworks District #1 MSR and SOI (Grimes)

John stated that this item was discussed at the last meeting. He has updated the demographic figures. The state has sent information; they are moving forward to remedy the water quality issue. They have a small budget and not many resources. The MSR and SOI are complete and John is recommending approval.

4:08 – Opened Public Hearing

John stated that there were few changes made; some to the demographics data. Because they are such a small district, it is difficult for them to be viable. They are providing water and are in the pipeline to receive funding. He recommends keeping the sphere coterminous with the district boundaries.

On motion by D. Carter, second by B. Ash, the commission moved to approve Resolution 2021-0001 adopting a Service Review for the Colusa County Waterworks District #1; motion carried by roll call vote.

On motion by D. Carter, second by S. Singh, the commission moved to approve Resolution 2021-0002 adopting a Sphere of Influence for the Colusa County Waterworks District #1; motion carried by roll call vote.

7. Approve Budget Committee for 2021-2022 Budget

John stated that the purpose of the budget committee is to review the budget and make recommendations. The budget will be approved at the June meeting. D. Carter and S. Singh agreed to serve on the budget committee for the 2021-2022 budget.

8. Executive Officer's Report

- a. **Pay as you go membership for the California Special Districts Association** – Actually “pay what you can”. The Special Districts Association’s dues are expensive, so they do not get many small districts. The advantage for a small district to join is that they get help complying with laws, education, and training. There are 22 districts in Colusa County that meet the criteria. It would be good to get the information to the small districts and get them involved with CSDA.
- b. **California Special Districts Association – Special District Laws Publication** – The publication on special district laws was sent out to the commissioners. There are several laws that special districts need to comply with.
- c. **Public Member and Public Member Alternate recruitment** – will be published in the local paper soon.
- d. **City of Colusa MSR and SOI update** – discussion will be held in February.
- e. **Upcoming projects** – one was discussed previously.
- f. **700 Forms due April 1, 2021**

9. Commissioner Reports – Discussion – None

10. Next Colusa LAFCo meeting: February 4, 2021

Meeting adjourned 4:20 p.m.

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
November 5, 2020

PRESENT:

JOHN LOUDON, County Member
DENISE CARTER, County Member
SAJIT SINGH, Chair, City Member
BRANDON ASH, Public Member
GREG PONCIANO, City Member

ALSO PRESENT:

JOHN BENOIT, Ex. Officer
SCOTT BROWNE, Legal Counsel
LORA CECCON, Clerk

1. Call to Order/Roll Call

The meeting was called to order at 3:02 p.m. There was a quorum present.

2. Consider Minutes from September 3, 2020 and October 1, 2020

On motion of B. Ash, second by S. Singh, the commission approved the September 3, 2020 minutes; motion carried by roll call vote.

On motion of D. Carter, second by S. Singh, the commission approved the October 1, 2020 minutes; motion carried by roll call vote with G. Ponciano abstaining.

3. Public Comment – None

4. Consent Agenda

On motion of D. Carter, second by B. Ash, the commission approved claims for the month of October 2020; motion carried by roll call vote.

5. Correspondence – John advised the commission that information is included in the agenda packet regarding the Calafco Regional Roundtable.

3:08 - Continued Public Hearing:

6. Fire and EMS Service Review and Sphere Update

John stated that he was asked to include updated budget and demographic data and he has done that. The copy they have includes updated information. The fire districts were informed throughout the process, and they were very cooperative.

D. Carter stated that on page 13; the 2017 crop report was used, and there is a more recent report available. Also, on page 102; the disadvantaged communities state average number was not updated. In general, it does not talk about what year these disadvantaged communities' numbers are from.

John stated that he will make the updates.

On motion by D. Carter, second by G. Ponciano, the commission moved to approve Resolution 2020-0004 adopting a fire and EMS service review; motion carried by roll call vote.

On motion by B. Ash, second by S. Singh, the commission moved to approve Resolution 2020-0005 adopting a sphere of influence update for the Williams Rural Fire Protection District, the Arbuckle-College City Fire Protection District, the Bear Valley-Indian Valley Fire Protection District, the Sacramento River Fire Protection District, the Princeton Fire Protection District and the Maxwell Fire Protection District; motion carried roll vote.

7. Workshop: Colusa County Waterworks District #1 (Grimes) MSR and SOI

John stated that the Grimes MSR was done years ago and needs to be updated. The community does not have quality water; the arsenic level exceeds acceptable levels, and the community members are drinking bottled water. They are a disadvantaged community and eligible for all kinds of grants; however, they do not have the staff capacity to apply.

S. Browne suggested that Lafco may want to look at what can be done to assist them in accessing needed services. Is consolidation an option?

More discussion followed. John stated that more research needs to be done and this item will be continued to the next meeting for further discussion.

8. Approve Meeting Schedule for 2021

On motion by D. Carter, second by S. Singh, the commission approved the 2021 meeting schedule; motion carried by roll call vote.

9. Brief review of the LAFCo process

John presented a review of the LAFCo process so that everyone would understand the time involved. LAFCo has a process and it takes six months, not 30 days. When an application is submitted, it needs to be signed, the maps need to be stamped and they need to be prepared by a surveyor. A 21-day notice is required before a hearing can be held. John provided information on the issues with the City of Colusa's project. John likes to receive application packets that are complete, not piecemeal. There are a lot of nuances with LAFCo. Once a complete application is received, it takes six months because of mandated timelines. John does not want to schedule hearings until everything is provided.

G. Ponciano stated that he would try and bird dog the city's application. More discussion followed.

10. Executive Officer's Report

- a.) **LAFCo's record's retention policy – 2013** – Included with bylaws. Bylaws need to be reviewed for possible updates.
- b.) **LAFCo's fee schedule – 2010** – There are few cleanup items to discuss; not necessarily raising fees but need to make sure LAFCo is covered when a project takes a lot of time.
- c.) **LAFCo's application forms – 2015**
- d.) **City of Colusa applications for changes of organization**

11. Commissioner Reports – Discussion

None

12. Next Colusa LAFCo meeting: January 7, 2021

Meeting adjourned 4:24 p.m.

Colusa Local Agency Formation Commission

CLAIMS

February 2021

Authorize payment of the following claims:

FY 2020-2021 EXPENSES:

Claims for October 2020:

Mar 1, 2021	Staff Svcs and Exp. -Feb 2021	\$ 5,454.53
1.16-21-2.15.21	Legal Svcs. P. Scott Browne	\$ 2,000.00
Feb 7, 2021	Frontier Phone Feb 2021	\$ 47.10
Feb 17, 2021	Pioneer Review	\$ 70.00

TOTAL: \$ 7,571.63

DATED: Mar 4, 2021

APPROVED: Mar 4, 2021

Sagit Singh , Chair or Denise Carter , Vice-Chair
Colusa Local Agency Formation Commission

Attest:



John Benoit
Executive Officer

Expenditure Category	Executive Off. Cont	Clerical Support	Workers Comp	Lgl Services	Insurance	Office Supplies	Postage	Copies
City Coding	7338	7320	7016	7321	7315	7339	7322	7322
	\$48,000.00	\$3,657.00	\$50.00	\$24,000.00	\$2,325.00	\$375.00	\$500.00	\$750.00
SDRMA Insurance 20-21 pre-paid					-\$2,325.00			
CALAFCo Dues 20-21								
Staff SVCS June 2020	-\$4,000.00	-\$175.00					-\$4.26	-\$50.80
Browne Ending 6.15.20				-\$2,000.00				
Frontier Phone June 7, 2020								
Staff SVCS July 2020	-\$4,000.00							-\$10.00
Browne Ending 7.15.20				-\$2,000.00				
Frontier Phone July 7, 2020								
Browne Ending 8.15.20				-\$2,000.00				
Staff Svcs Aug 2020	-\$4,000.00	-\$175.00					-\$1.84	-\$15.00
Frontier Ph. August 2020								
Staff Svcs September 2020	-\$4,000.00	-\$175.00						-\$10.00
Browne ending 9.15.2020				-\$2,000.00				
Frontier Ph Sept 2020								
Pioneer Rev Lgl Fire MSR and SOI								
Staff Svcs October 2020	-\$4,000.00	-\$175.00						-\$15.00
Browne Ending 10.15.2020				-\$2,000.00				
CSDA Dues 2020-2021								
Frontier Ph Oct, 2020								
Colusa County A-87 costs 20-21								
Browne Ending 11.15.2020				-\$2,000.00				
Staff Svcs November 2020	-\$4,000.00	-\$175.00						-\$5.00
Frontier Ph Nov 2020								
Staff Svcs Dec 2020	-\$4,000.00					-\$64.00		-\$20.00
Browne Ending 12.15.2020				-\$2,000.00				
Frontier Ph Dec 2020								
Staff Svcs for January 2021	-\$4,000.00	-\$175.00						-\$17.50
Frontier phone Jan 7, 2020								
Browne Ending 1.15.21				-\$2,000.00				
Browne Ending 2.15.21				-\$2,000.00				
Pioneer review Pub Member recruit								
Staff Svcs Feb 2021	-\$4,000.00	-\$175.00						-\$10.00
Frontier PH Feb 7,2021								
Total Expended in FY 18-19	-\$36,000.00	-\$1,225.00	\$0.00	-\$18,000.00	-\$2,325.00	-\$64.00	-\$6.10	-\$153.30
Total Remaining in FY 18-19	\$12,000.00	\$2,432.00	\$50.00	\$6,000.00	\$0.00	\$311.00	\$493.90	\$596.70

Membership: 7319	Trans 7333	Trave 7332	Training 7316	Legal Notices 7306	Comm 7331	Sp Proj. 7340	FileScan 7340	SOI 7324	MSR 7318	Mapping 7703	A-87/Admin	TOTAL EXPENDED
\$1,819.00	\$4,000.00	\$2,500.00	\$750.00	\$1,400.00	\$5,000.00	\$16,000.00	\$16,000.00	\$5,000.00	\$3,000.00			\$135,126.00
												-\$2,325.00
-\$1,319.00												-\$1,319.00
	-\$92.00											-\$5,298.80
												-\$2,000.00
												-\$46.26
												-\$41.77
												-\$2,000.00
												-\$46.40
												-\$2,000.00
												-\$5,388.72
												-\$47.46
												-\$5,161.25
												-\$2,000.00
												-\$48.25
												-\$71.25
												-\$41.88
												-\$7,036.88
												-\$2,000.00
-\$500.00												-\$500.00
												-\$48.86
												-\$1,734.00
												-\$2,000.00
												-\$9,701.49
												-\$56.96
												-\$5,228.57
												-\$2,000.00
												-\$60.47
												-\$5,928.08
												-\$48.35
												-\$2,100.00
												-\$2,000.00
												-\$70.00
												-\$5,454.53
												-\$47.10

-\$1,819.00	-\$92.00	\$0.00	-\$141.25	-\$879.80	\$0.00	-\$11,805.00	-\$5,445.00	\$0.00	-\$1,734.00	-\$79,689.45
\$0.00	\$3,908.00	\$2,500.00	\$608.75	\$520.20	\$5,000.00	\$4,195.00	\$10,555.00	\$5,000.00	\$1,266.00	\$55,436.55

Prepaid Final	Total Expenses 2020-2021	-\$79,689.45
	Carry forward from 2019-2020	\$107,694.84
	Prepaid Exp pd by County	\$3,644.00
	TOTAL Project Revenue	\$0.00
	Total Interest Deposits	\$470.67
	Total City/Co Contributions	\$105,745.00
PAID city/county contributions	TOTAL Cash Balance	\$141,509.06
	TOTAL Budget Balance	\$55,436.55
	TOTAL Contingency Balance	-\$81,447.90
	TOTAL RESERVE	\$60,000.00