

Colusa Local Agency Formation Commission

Regular Meeting Agenda

Thursday – May 5, 2022

Board of Supervisors Chambers
546 Jay Street
Colusa, CA.

3:00 PM

This will be a Physical Meeting
(A Zoom option is available for the public)

(All meeting materials are available on LAFCo's Website: www.colusalafco.org)

In person meeting: Required for all Commissioners. The Colusa LAFCO meeting will be open to in-person attendance. To remain in compliance with the state's public health guidance and CalOSHA COVID-19 Emergency Temporary Regulations [8 CCR §3205], masks will be encouraged to be worn by individuals who are not fully vaccinated while inside the County Administration building and while in the Board Chambers.

Zoom meeting: The Commission proceedings are available via Zoom. Pursuant to Government Code section 54953, local legislative bodies may hold public meetings via teleconference. Additionally, even when members of the local legislative body are attending meeting in person the local legislative body may make public meetings accessible telephonically or otherwise electronically to all members of the public. Members of the public are encouraged to observe and participate in the teleconference.

Public comment will also be accepted by email at j.benoit4@icloud.com. Please list the item number you wish to comment on and submit your written comments 24 hours prior to the start of the meeting. Written comments will be distributed to the Commission prior to the meeting but not read at the meeting and are limited to 500 words.

Oral public comments will be subject to a three-minute time limitation indicated below.

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

ZOOM INFORMATION

Topic: Colusa LAFCo

Time: May 5, 2022 03:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89206526471?pwd=cVF1K0N0S0QrZWx6alo3cldkQ0Ridz09>

Meeting ID: 892 0652 6471
Passcode: 423332

One tap mobile
+16699006833,,89206526471#,,, *423332# US (San Jose)

Dial by your location
+1 669 900 6833 US (San Jose)

Meeting ID: 892 0652 6471
Passcode: 423332
Find your local number: <https://us02web.zoom.us/j/kdWo1HJZGI>

1. Call to Order/Roll Call

Commissioners

Sajit Singh, (Williams, City)

Denise Carter (Chair, County)

Merced Corona (Vice-Chair County)

Brandon Ash (Public)

Greg Ponciano (Colusa, City)

Alternates

Kent Boes (County Alternate)

Tom Reische (City Alternate)

John Loudon, (Public Member Alternate)

Staff

John Benoit, Executive Officer

P. Scott Browne, Legal Counsel

Lora Ceccon Clerk

2. Consider Minutes from March 3, 2022

a. *Consider approving the March 3, 2022 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 (two items)

a. *Payment of claims for the months of March and April 2022*

b. *Consider Resolution 2022-0005 regarding remote teleconferencing meetings.*

5. Correspondence:

Workshop

6. Workshop regarding a MSR and Sphere report prepared for the Cemetery Districts in Colusa County including the Arbuckle, Colusa, Cypress Hill, Grand Island, Maxwell, Princeton, Stonyford-Indian Valley and the Williams Cemetery Districts.

- a) *Review Report and Schedule Public Hearing at the next available LAFCo meeting*

Public Hearing

7. Conduct Public Hearing regarding the Final 2022-2023 Colusa LAFCo Budget

- a. *Discuss the final Colusa LAFCo Budget*
- b. *Consider Resolution 2022-0006 adopting a Final 2022-2023 Colusa LAFCo Budget*

8. Executive Officer's Report:

SB – 938 Support Letter

9. Commissioner Reports - Discussion

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

10. Next Colusa LAFCo meeting: June 2, 2022

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

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

Public Comment

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

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

Public Hearings

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

Agenda Materials

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda 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) 619-5128 or by mail at Colusa LAFCO P.O. Box 2694, Granite Bay Ca 95746 or by email at lafo@countyofcolusa.com or j.benoit4@icloud.com

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

#2

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
March 3, 2022

PRESENT:

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

ALSO PRESENT:

JOHN BENOIT, Ex. Officer
MARSHA BURCH, Legal Counsel
LORA CECCON, Clerk
JOHN LOUDON, Public 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 from January 6, 2022

On motion of G. Ponciano, second by M. Corona, the commission approved minutes for January 6, 2022; motion carried by roll call vote.

3. Public Comment - None

4. Consent Agenda

- a. **Payment of claims for the months of January and February 2022**
- b. **Consider Resolution 2022-0002 regarding remote teleconferencing meetings**

On motion of M. Corona, second by B. Ash, the commission approved claims for the months of January and February 2022 and Resolution 2022-0002 regarding remote teleconferencing meetings; motion carried by roll call vote.

5. Correspondence: RCRC Telecommunications JPA

John informed commissioners that the Board of Directors of RCRC (Rural County Representatives of California) voted to approve the formation of Golden State Connect Authority JPA for the purpose of expanding broadband access and quality in rural counties. D Carter provided information on RCRC and advised members that more information is to come.

6. Conduct Public Hearing regarding the Proposed 2022-2023 Colusa LAFco Budget

3:11 – Opened Public Hearing

John reported that the Budget Committee met and reviewed the budget. A couple minor adjustments were made due to pandemic expenses. The Calafco membership has increased by \$64; from \$1,808 to \$1,872. Communications expenses has decreased by \$600 to \$800. There are no other changes. The reserve will remain at \$60,000.

3:19 – Closed Public Hearing

On motion by M. Corona, second by G. Ponciano, the commission approved Resolution 2022-0003 adopting a proposed 2022-2023 Colusa LAFCo Budget; motion carried by roll call vote.

7. Policies, Standards and Procedures Amendment regarding Municipal Service Review follow-up

a) Receive Executive Officer's Report

b) Consider Resolution 2022-0004 adopting an amendment regarding Municipal Service Review follow-up

John stated that once a service review is complete, some follow-up should be provided. The majority of districts do a good job; however, some are under performing and require some follow-up and encouragement to get with the program. This resolution will make follow-up part of the MSR procedure.

On motion of B. Ash, second by G. Ponciano, the commission approved Resolution 2022-0004 adopting an amendment regarding Municipal Service Review follow-up; motion carried by roll call vote.

8. LAFCo 101 Follow Up

John stated that the only follow-up is that Calafco is proposing legislation, carried by Senator Hertzberg, for a 25% protest threshold in order to cause an election or terminate a proposal. Calafco is initiating a letter campaign. John will provide a copy at the next LAFCo meeting.

9. Executive Officer's Report

a) Cemetery District MSR and SOI – Need to act on soon

b) 700 Forms due April 1, 2022 – trying to get electronic filing (not yet)

10. Commissioner Reports –

S. Singh informed the commission that the City Planner for the City of Williams is leaving, and they are in the process of recruiting for a new Planner.

11. Next Colusa LAFCo meeting: April 7, 2022

Meeting adjourned 3:43 p.m.

Colusa Local Agency Formation Commission

4a

CLAIMS

March and April 2022

Authorize payment of the following claims:

FY 2021-2022 Expenses

Claims for January and February:

| | | |
|-----------------|----------------------------------|--------------|
| April 1, 2021 | Staff Svcs and Exp. – March 2022 | \$ 5,495.99 |
| 2.16.22-3.15.22 | Legal Svcs. P. Scott Browne | \$ 2,000.00 |
| May 1, 2022 | Staff Svcs April 2022 | \$ 4,654.02 |
| 3.16.22-4.15.22 | Legal Svcs. P. Scott Browne | \$ 2,000.00 |
| TOTAL: | | \$ 13,850.01 |

DATED: May 5, 2022

APPROVED: May 5, 2022

**Denise Carter , Chair or Merced Corona , Vice-Chair
Colusa Local Agency Formation Commission**

Attest:

John Benoit
Executive Officer

| Expenditure Category City Coding | Executive Off. 7338 | Co Clerical Supp 7320 | Workers Com 7016 | Lgl Services 7321 | Insurance 7315 | Office Suppl 7339 | Postage 7322 | Copies 7322 | Memberships 7319 |
|---|------------------------|--------------------------|---------------------|----------------------|-------------------|----------------------|-----------------|----------------|---------------------|
| | \$48,000.00 | \$3,657.00 | \$50.00 | \$24,000.00 | \$2,497.22 | \$375.00 | \$500.00 | \$750.00 | \$1,808.00 |
| SDRMA Insurance 21-22 | | | | | -\$2,573.06 | | | | |
| CALAFCo Dues 21-22 | | | | | | | | | -\$1,308.00 |
| Staff Svcs July 2021 | -\$4,000.00 | | | | | -\$24.95 | | | |
| Frontier phone forwarding | | | | | | | | | |
| Browne ending 7.15.21 #940 | | | | -\$2,000.00 | | | | | |
| Calafco Conf. Regist 2021 Corona and Ponciano | | | | | | | | | |
| Staff Svcs August 2021 | -\$4,000.00 | -\$175.00 | | | | | | -\$25.00 | |
| Browne ending 8.15.2021 | | | | -\$2,000.00 | | | | | |
| Frontier phone July 7, 2021 | | | | | | | | | |
| Staff Svcs September 2021 | -\$4,000.00 | -\$175.00 | | | | | | -\$10.00 | |
| Browne ending 9.15.21 | | | | -\$2,000.00 | | | | | |
| Staff Svcs October 2021 | -\$4,000.00 | | | | | | | -\$10.00 | |
| Browne ending 10.15.2021 | | | | -\$2,000.00 | | | | | |
| 2022 CSDA Membership Renewal | | | | | | | | | -\$500.00 |
| Reimbursement from Front Phone | | | | | | | | | |
| Browne ending 11.15.21 | | | | -\$2,000.00 | | | | | |
| Staff Svcs Nov 2021 | -\$4,000.00 | -\$175.00 | | | | | -\$1.80 | -\$50.00 | |
| Staff Svcs December 2021 | -\$4,000.00 | | | | | | -\$2.56 | -\$10.00 | |
| Browne ending 12.15.21 | | | | -\$2,000.00 | | | | | |
| REVENUE Cheney Annex | | | | | | | | | |
| Staff Svcs January 2022 22-013 | -\$4,000.00 | -\$175.00 | | | | -\$66.04 | | | |
| Browne ending 1.15.22 | | | | -\$2,000.00 | | | | | |
| Browne ending 2.15.2022 | | | | -\$2,000.00 | | | | | |
| Staff Svcs Feb 2022 22-0017 | -\$4,000.00 | | | | | | | | |
| Pioneer Review Prop 22-23 budget | | | | | | | | | |
| Staff Svcs March 2022 | -\$4,000.00 | -\$175.00 | | | | -\$83.33 | | -\$9.20 | |
| Browne ending 3.15.22 | | | | -\$2,000.00 | | | | | |
| Staff Svcs April 2022 | -\$4,000.00 | | | | | | | | |
| Browne ending 4.15.2022 | | | | -\$2,000.00 | | | | | |
| Total Expended in FY 21-22 | -\$40,000.00 | -\$875.00 | \$0.00 | -\$20,000.00 | -\$2,573.06 | -\$174.32 | -\$4.36 | -\$114.20 | -\$1,808.00 |
| Total Remaining in FY 21-22 | \$8,000.00 | \$2,782.00 | \$50.00 | \$4,000.00 | -\$75.84 | \$200.68 | \$495.64 | \$635.80 | \$0.00 |

4/28/22

RESOLUTION NO. 2022-0005

**A RESOLUTION OF THE COLUSA LAFCO OF THE AUTHORIZING REMOTE
TELECONFERENCE MEETINGS OF THE COMMISSION PURSUANT TO
GOVERNMENT CODE SECTION 54953(e)**

WHEREAS, Government Code section 54953(e), as amended by Assembly Bill No. 361, allows legislative bodies to hold open meetings by teleconference without reference to otherwise applicable requirements in Government Code section 54953(b)(3), so long as the legislative body complies with certain requirements, there exists a declared state of emergency, and one of the following circumstances is met:

1. State or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body is holding the meeting for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body has determined, by majority vote, pursuant to option 2, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

WHEREAS, the Governor of California proclaimed a state of emergency pursuant to Government Code section 8625 on March 4, 2020; and

WHEREAS, the COLUSA LAFCO desires to hold its public meetings by teleconference consistent with Government Code section 54953(e).

NOW, THEREFORE, THE COLUSA LAFCO DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Conditions are Met. The COLUSA LAFCO hereby finds and declares the following, as required by Government Code section 54953(e)(3):

1. The Governor of California proclaimed a state of emergency on March 4, 2020, pursuant to Government Code section 8625, which remains in effect.
2. The reasons for adopting this resolution are one or more of the following:
 - a. State or local officials have imposed or recommended measures to promote social distancing.

- b. The legislative body is holding the meeting for the purpose of determining whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- c. The legislative body has determined that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

PASSED AND ADOPTED by the Colusa LAFCo, this 5th day of May 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Denise Carter, Chair

Colusa Local Agency Formation Commission

ATTEST:

John Benoit, Executive Officer

COLUSA LOCAL AGENCY FORMATION COMMISSION,

COLUSA LAFCO**EXECUTIVE OFFICER'S REPORT**

May 5, 2022

TO: Local Agency Formation Commission
FROM: John Benoit, Executive Officer
RE: Recommended Final Budget for FY 2022-2023

Since the passage of AB-2838 in 2000, LAFCO has become independent from the County. Costs for the operation of LAFCO were entirely paid by the County including costs for staff time, legal services, miscellaneous office expenses, and insurance.

I provided a "recommended" budget of \$135,398.00 which was adopted at the March 3, 2022 meeting. Slight modifications are required due to increased liability insurance costs. A Budget Justification Report was prepared for the Proposed Budget Hearing. One major item I failed to discuss was inflation and its impact upon LAFCo going forward.

Inflation for last calendar year was 6.4% and current year over year is now 7.9% and increasing daily. Over the past 20 years the LAFCo Budget has been rather consistent but going into the future unless inflation is addressed substantial increases in the LAFCo budget will occur. The Commission should consider rethinking the funds allocated to staff services since this is a major cost. For review purposes in 2017 (5 years ago) the Commission established a rate of \$2,000.00 for LAFCo Counsel and in 2003 (19 years ago) established a rate of \$4,000.00 per month for Executive Officer Services. A recommendation would be a 6.4% increase. Many of the other items in the budget remain adequate this time.

SUMMARY OF EXPENSES as recommended in the Proposed Budget:

Executive Officer Services The Commission recommended in its proposed budget \$48,000 for this item. This translates into an average of \$4,000.00 per month for LAFCO administration. Notwithstanding a very complex reorganization or incorporation project for Colusa LAFCO, this amount should cover LAFCO administration. Complex projects would be fee supported thereby increasing revenue to LAFCO. With a 6.4% increase this amount would be \$4,256 per month.

Clerk Support The Commission recommended in its proposed budget \$3,657 for this item.

Legal Services The Commission recommended in its proposed budget \$24,000 for this item. LAFCO Counsel attends all LAFCO meetings. With a 6.4% increase this amount would be \$2,128 per month.

Liability Insurance The Commission recommended in its proposed budget \$3,144.00. The Special Districts Risk Management Authority (SDRMA) issued an amended indication letter on March 25, 2022. This letter indicates a reduction from \$3,144.00 to \$2,847.00, a reduction of \$247.00. The entire insurance pool is being impacted by the reinsurer rate increases and inflation. In addition, there are different variables per each member such as; increased exposure from changes to the policy through out the current program year and submitted renewal questionnaire, loss ratio, and if an agency is a minimum contribution member. Reinsurers across the State are raising rates, which results in a rate increase to the SDRMA Property/Liability Program membership. Specifically, for the 2022-23 renewal the reinsurer minimum premium amounts are increasing above what the SDRMA minimum premium have been in the past. Therefore, SDRMA is forced to raise program minimum premium to members that fall within that category. SMARA reported "If we did not raise the rates, we would not be able to maintain the financial stability of the program. SDRMA understands this increase can be devastating to some of its members and LAFCO's that may be impacted by this increase".

Therefore, the final liability insurance budget needs to be \$2,847.00 a decrease of \$297 from the proposed budget.

Office Supplies The Commission recommended in its proposed budget \$2,875.00 for this item combined with copies and postage. This budget includes \$375.00 for Office Supplies, \$500.00 for Postage and \$750.00 for copies.

Memberships The Commission recommended in its proposed budget \$1,872.00, which includes \$500 for CSDA membership and 1,372.00 for the 21-22 Calafco membership.

Transportation and Travel and Training The Commission recommended in its proposed budget \$6,500 for this item. This includes miscellaneous mileage and lodging for the Calafco Annual Conference in Orange County, October 19-21, 2022 and the annual Staff Workshop to be in Calaveras County in April 2023.

Legal Notices/Publications The Commission recommended in its proposed budget \$750.00. for legal notices. This has been reduced due to decreasing costs.

Communications The Commission recommended in its proposed budget \$800.00 for this item.

Special Projects:

File Scanning and Mapping The proposed budget includes an allocation to electronically scan and index LAFCo's old files in accordance with LAFCo's records retention policy and prepare maps for LAFCo. \$5,000.00 has been budgeted for this effort.

Service Reviews The Commission recommended in its proposed budget \$16,000.00 for this effort. This would cover costs of preparing reviews as required by the LAFCO Act including some carryover from this fiscal year and initiating the reviews in the work program for next fiscal year .

Sphere of Influence Updates The Commission recommended in its proposed budget \$16,000.00 to cover the costs of updating Spheres of Influence as required by the LAFCO Act.

Other Charges A-87 While LAFCO is an independent agency, claims processing and other functions are performed by the City of Williams. In theory, A-87 reflects the reasonable and necessary cost of various county services used by LAFCO. A budget of \$3,000 is needed for the City Finance services.

Contingency The Commission recommended in its proposed budget a contingency of \$10,000.

Reserve Fund The commission has budgeted for a general reserve of \$60,000.00.

CARRYOVER

This year LAFCO will expend nearly its entire budget. Therefore, an anticipated rollover is estimated to be 106,200.00. Most of this amount will be needed to fund a portion of the ongoing Municipal Service Reviews and Sphere of Influence Updates as well as the entire reserve and contingency fund.

APPORTIONMENT TO AGENCIES

The amount to be apportioned to the Cities and the County will be 93,501.00, if a 6.4% increase in staff services this amount would be \$98,109.00, a decrease from the \$101,087.22 for this year.

Recommendation:

- a. Review, discuss, amend, and consider the Final Budget. A budget justification report was prepared by staff prior to the adopted proposed budget.
- b. Adopt LAFCO Resolution 2022-0006 approving a final budget for FY 2022-2023.

Resolution 2022-0006
of the
Colusa Local Agency Formation Commission

*Resolution of the Colusa Local Agency Formation Commission Adopting a
Final Budget for 2022-2023*

WHEREAS, Colusa LAFCO is required by Government Code Section 56381(a) to adopt annually, following a noticed public hearing, a proposed budget by May 1st and a final budget by June 15th ; and,

WHEREAS, the Commission has prepared a final budget for public review; and,

WHEREAS, the Executive Officer has given notice of hearing in the form and manner specified by law for adoption of the final budget and upon the date, time and place specified in said notice of hearing, the Commission heard, discussed and considered all oral and written testimony submitted including, but not limited to, the approved budget priorities for Fiscal Year 2022-2023 and the Executive Officer's report and recommendations; and

WHEREAS, the Commission has considered the attached final Budget in light of the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

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

1. That Colusa LAFCO hereby adopts the attached final 2022-2023 budget shown as Exhibit A.
2. Directs the Executive Officer to transmit the final budget to the Auditor and all parties specified in Government Code Section 56381 (a) as promptly as possible.
3. The Commission hereby requests the Auditor to collect the funds, in accordance with Government Code Section 56381 (c). In the event of non-payment of LAFCO funds by any entity subject to the LAFCO's apportionment, the Commission hereby requests and

authorizes the Auditor to collect the funds from property tax revenues or any other revenue source and deposit the funds into the LAFCO account.

4. Any unexpended funds not otherwise re-budgeted into the 2022-2023 budget shall be retained by LAFCO and be either re-budgeted or placed into LAFCO's general reserve fund.

PASSED AND ADOPTED by the Colusa Local Agency Formation Commission at a regular meeting of said Commission held on May 5, 2022 by the following roll call vote:

AYES: -

NOES: -

ABSTAINS: -

ABSENT: -

Signed and approved by me after its passage this 5th day of May 2022.

Denise Carter, Chair or, Merced Corona, Vice-Chair
Colusa LAFCO

Attest:

John Benoit
Colusa LAFCO

EXHIBIT "A"
FINAL 2022-2023 Budget 04060

REV, CATEGORICAL and CARRYOVER ESTIMATES

| | FINAL 2019-2020 Budget | FINAL 2020-2021 Budget | Actual Exp FY 20-21 | FINAL 2021-2022 Budget | Proposed 2022-2023 Budget | FINAL 2022-2023 Budget |
|---|---------------------------|---------------------------|------------------------|---------------------------|------------------------------|---------------------------|
| 466920 City and County Contributions | | \$ 115,745.00 | | \$ 101,087.22 | \$ 93,798.00 | \$ 93,798.00 |
| 10100 Carryover Prior-Year | \$ 100,000.00 | \$ 93,181.00 | | \$ 100,000.00 | \$ 106,200.00 | \$ 106,200.00 |
| Categoricals | | | | | | |
| 466920 Processing Fees | \$ (5,000.00) | \$ (5,000.00) | | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 |
| 441900 Interest | \$ 1,200.00 | \$ 1,200.00 | | \$ 1,200.00 | \$ 400.00 | \$ 400.00 |
| TOTAL REVENUE AND CARRYOVER EST. | \$ 96,200.00 | \$ 205,126.00 | | \$ 207,287.22 | \$ 205,398.00 | \$ 205,398.00 |

EXPENDITURES

| | | | | | | |
|--|---------------|---------------|--------------|---------------|---------------|---------------|
| 51035 Workers Comp. | \$ 50.00 | \$ 50.00 | \$ - | \$ 50.00 | \$ 50.00 | \$ 50.00 |
| 53180 Executive Officer Contract | \$ 48,000.00 | \$ 48,000.00 | \$ 52,000.00 | \$ 48,000.00 | \$ 48,000.00 | \$ 48,000.00 |
| 53180 Clerical Support | \$ 3,657.00 | \$ 3,657.00 | \$ 1,750.00 | \$ 3,657.00 | \$ 3,657.00 | \$ 3,657.00 |
| 53180 Legal Services (attorney contract) | \$ 24,000.00 | \$ 24,000.00 | \$ 26,000.00 | \$ 24,000.00 | \$ 24,000.00 | \$ 24,000.00 |
| 53100 Liability Insurance | \$ 1,783.00 | \$ 2,325.00 | \$ 2,325.00 | \$ 2,497.22 | \$ 3,144.00 | \$ 2,847.00 |
| 53170 Office Supplies | \$ 375.00 | \$ 375.00 | \$ 114.00 | \$ 375.00 | \$ 375.00 | \$ 375.00 |
| 53171 Postage | \$ 500.00 | \$ 500.00 | \$ 62.85 | \$ 500.00 | \$ 500.00 | \$ 500.00 |
| 53170 Copies | \$ 750.00 | \$ 750.00 | \$ 247.00 | \$ 750.00 | \$ 750.00 | \$ 750.00 |
| 53150 Memberships | \$ 1,712.00 | \$ 1,819.00 | \$ 1,819.00 | \$ 1,808.00 | \$ 1,872.00 | \$ 1,872.00 |
| 53250 Transportation and Travel | \$ 4,000.00 | \$ 4,000.00 | \$ 181.50 | \$ 4,000.00 | \$ 4,000.00 | \$ 4,000.00 |
| 53251 Training | \$ 2,500.00 | \$ 2,500.00 | \$ - | \$ 2,500.00 | \$ 2,500.00 | \$ 2,500.00 |
| 53190 Legal Notices and Publications | \$ 750.00 | \$ 750.00 | \$ 357.75 | \$ 750.00 | \$ 750.00 | \$ 750.00 |
| 53060 Communications | \$ 1,400.00 | \$ 1,400.00 | \$ 1,231.02 | \$ 1,400.00 | \$ 800.00 | \$ 800.00 |
| 53180 Special Projects -File Scanning/Complex projects | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 |
| 53180 Sphere of Influence Updates | \$ 16,000.00 | \$ 16,000.00 | \$ 15,985.00 | \$ 16,000.00 | \$ 16,000.00 | \$ 16,000.00 |
| 53180 Municipal Service Reviews | \$ 16,000.00 | \$ 16,000.00 | \$ 17,495.00 | \$ 16,000.00 | \$ 16,000.00 | \$ 16,000.00 |
| 53180 Mapping and Scanning | \$ 5,000.00 | \$ 5,000.00 | \$ 5,775.00 | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 |
| 53229 A-87/Administration Fees | \$ 2,666.00 | \$ 3,000.00 | \$ 4,734.00 | \$ 5,000.00 | \$ 3,000.00 | \$ 3,000.00 |
| TOTAL EXPENDITURE BUDGET | \$ 134,143.00 | \$ 135,126.00 | \$ - | \$ 137,287.22 | \$ 135,398.00 | \$ 135,101.00 |
| 59400 CONTINGENCY | \$ 10,000.00 | \$ 10,000.00 | \$ - | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 |
| RESERVE FUND | \$ 60,000.00 | \$ 60,000.00 | \$ - | \$ 60,000.00 | \$ 60,000.00 | \$ 60,000.00 |
| Expenditure total Expenditure Budget | \$ 134,143.00 | \$ 135,126.00 | \$ - | \$ 137,287.22 | \$ 135,398.00 | \$ 135,101.00 |
| TOTAL Funds needed for expenditures-Cont and Reserv | \$ 204,143.00 | \$ 205,126.00 | \$ - | \$ 207,287.22 | \$ 205,398.00 | \$ 205,101.00 |
| Estimated Revenue, Interest & Carryover | \$ 96,200.00 | \$ 89,381.00 | \$ - | \$ 106,200.00 | \$ 111,600.00 | \$ 111,600.00 |
| Amount to be apportioned to the Cities and the County | \$ 107,943.00 | \$ 115,745.00 | \$ - | \$ 101,087.22 | \$ 93,798.00 | \$ 93,501.00 |

#8

**Colusa Local Agency Formation Commission
P.O.Box 2694
Granite Bay, CA 96746**

March 2, 2022

Honorable Robert Hertzberg
California State Senate
1021 O Street, Room 8610
Sacramento, CA 95814

RE: *SUPPORT of SB 938: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: protest proceedings; procedural consolidation.*

Dear Senator Hertzberg:

The Colusa Local Agency Formation Commission (LAFCo) is pleased to join the California Association of Local Agency Formation Commissions (CALAFCO) in support of your bill, SB 938, which makes changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (The Act). SB 938 represents a collaborative three-year effort led by CALAFCO to clean up, consolidate, and clarify existing statutory provisions associated with consolidations and dissolutions, as well as codify the conditions under which LAFCo may initiate dissolution of a district at the 25% protest threshold (the latter of which are proposed and pending amendments).

The statutes related to protest provisions and the disparate protest thresholds established for LAFCo-initiated actions (10%) and all other initiated actions (25%) make addressing necessary and appropriate special district consolidations and dissolutions considerably more difficult when initiated by a LAFCo. Further, they serve as a deterrent for LAFCo to initiate action, even if meaningful efficiencies in the provision of public services could be achieved or if a district is failing to meet its statutory requirements.

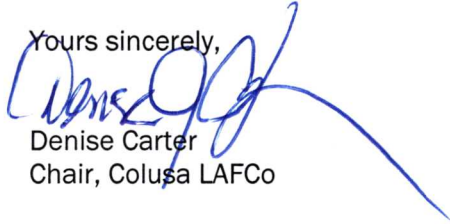
As introduced, the bill represents the redraft of existing protest statutes with some minor technical clarifications added. The pending proposed amendments from CALAFCO allow LAFCos to initiate dissolution of a district at the 25% protest threshold under specific circumstances. All of this work is in response to a recommendation made in the 2017 Little Hoover Commission report after a year-long study (*Special Districts: Improving Oversight and Transparency*) and the formation of a working group by CALAFCO of stakeholders in early 2019. The intent was to examine the protest process for consolidations and dissolutions of special districts, and after three years of work (delayed due to the pandemic), the working group came to consensus on the redraft of existing protest statutes (representative of SB 938 as introduced) and a new process that allows LAFCos to initiate dissolution of a district at the 25% protest threshold under specific circumstances (pending amendment into SB 938).

The overarching goal of these changes is to ensure that LAFCos have the tools we need to carry out our statutory obligations to ensure orderly and functioning local government services and to create greater consistency in the statute. The specific circumstances under which a dissolution may be initiated are more than reasonable and the subsequent process includes three noticed public hearings, a minimum 12-month remediation period, and a 60-day protest period, all of which are extremely practical. Additionally, the proposed process for LAFCo-initiated actions at the 25% protest threshold applies only to dissolutions, making the scope of use exceptionally narrow.

SB 938 makes much needed and long-awaited improvements to The Act through the restructure and clarification of existing protest provisions, and addition of a fair and appropriate process that offers LAFCos additional tools necessary to effectively fulfill their statutory obligations.

We thank you for your authorship of this critical legislation and for continuing your long support of the work of LAFCos. For all these reasons, we are pleased to support your bill SB 938.

Yours sincerely,



Denise Carter
Chair, Colusa LAFCo

cc: Members, Senate Governance and Finance Committee
Anton Favorini-Csorba, Consultant, Senate Governance and Finance Committee
Ryan Eisberg, Consultant, Senate Republican Caucus
Rene LaRoche, Executive Director, California Association of Local Agency Formation Commissions