

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

PRESENT:

DENISE CARTER, County Member  
MERCED CORONA, County Member  
GREG PONCIANO, City Member  
BRANDON ASH, Public Member

ALSO PRESENT:

JOHN BENOIT, Ex. Officer  
SCOTT BROWNE, Legal Counsel  
JOHN LOUDON, Public Member Alt.

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

The meeting was called to order at 3:00 p.m. There was a quorum present.

**2. Minute of Silence for Commissioner Sajit Singh who recently passed away**

**3. Consider Minutes from September 1, 2022**

**On motion by D. Carter, second by B. Ash, the commission approved minutes for September 1, 2022, motion carried by roll call vote.**

**4. Public Comment - None**

**5. Consent Agenda**

- a. **Payment of claims for the months of September and October 2022**
- b. **Consider Resolution 2022-0011 regarding remote teleconferencing meetings**

**On motion of D. Carter, second by G. Ponciano, the commission approved the consent agenda as presented; motion carried by roll call vote.**

**6. Correspondence – None**

**7. Public Hearing: Consider a revision to LAFCo’s fee deposit schedule and application of a cost escalator to the Colusa LAFCo single flat hourly rate for all billable projects based upon the Employment Cost Index for State and Local Governments as published by the United States Department of Labor, Bureau of Labor Statistics or Consumer Price Index (CPI)**

**3:05 Opened Public Hearing**

John advised the commission that there are three things to consider. First, the cost escalator for the hourly charge rates based on the Employment Cost Index. The new rates come out at the end of March and take effect July 1. Second, Colusa Lafco approved a fee schedule in 2010, twelve years ago. At that time, the Executive Officer rate was \$177.91 and legal counsel was \$260.00 an hour. Based on the analysis, the maximum Executive Officer rate is \$291.85 and legal counsel is \$436.83 per hour. The maximum amount can be charged, or less if the commission so chooses. Administrative overhead is

a good portion of the budget. Third, John reviewed the cost matrix to give the commission an idea of the costs involved. John asked the commissioner to let him know if they think the rates are too high. What charge out rates would the commission like implemented? A lengthy discussion followed.

S. Browne advised the commission that once they determine a charge out rate and any changes to the deposit schedule, he will provide language for the annual adjustment. The suggestion was made to add in the clerk charges. The commission was comfortable with charge out rates of \$290 for the Executive Officer and \$430 for legal counsel.

Due to the changes, Scott will rewrite the resolution for clarity and bring back for approval at the next Lafco meeting.

Table until the next Lafco meeting. Public Hearing closed at 3:35.

**8. Comprehensive bylaw Update**

**a) Conduct workshop and schedule for adoption for the next available meeting.**

John reviewed the changes to the bylaws stating that they were primarily “wordsmithing”. Special meetings may be called by the Chair, not the Executive Officer.

Discussion was held regarding making everything electronic and records retention. S. Browne feels that two years is a good amount of time before deleting recordings, but not necessarily right after the written minutes are approved. Some discussion followed. It was agreed that two years is a reasonable time for records retention.

John will provide a draft for review at the next Lafco meeting.

**9. Discussion regarding the Calafco Annual Conference held on October 19, 20 and 21, in Orange County California.**

John advised the commission that he sat on the panel for SB 938. He provided information on how SB 938 will change Lafco. S. Browne provided information on dissolving a district. He feels that SB 938 will be a helpful tool for Lafcos. Some discussion followed.

J. Loudon discussed the feasibility of fire district consolidations and possible benefits. A lengthy discussion followed.

**10. Executive Officer’s Report**

**GCID MSR and SOI** – For a future meeting.

**11. Commissioner Reports – Discussion – None**

**12. Next Colusa LAFCo meeting: December 1, 2022**

**Meeting adjourned 4:15 p.m.**