

Colusa Local Agency Formation Commission

Regular Meeting Agenda

Thursday – September 1, 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.

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 meeting

Time: Sep 1, 2022 03:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83263308341?pwd=aUIETjdKMVJ0ZStFSTViZDJ0bFNDUT09>

Meeting ID: 832 6330 8341

Passcode: 481152

One tap mobile

+16699006833,,83263308341#,,,,*481152# US (San Jose)

+16694449171,,83263308341#,,,,*481152# US

Dial by your location

+1 669 900 6833 US (San Jose)

+1 669 444 9171 US

Meeting ID: 832 6330 8341

Passcode: 481152

Find your local number: <https://us02web.zoom.us/j/kAD44ubuo>

1. Call to Order/Roll Call

Commissioners

Sajit Singh, (Williams, City)

Denise Carter (County)

Merced Corona (Chair, County)

Brandon Ash (Public)

Greg Ponciano (Vice-Chair, 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 May 5, 2022 and July 7, 2022

a. *Consider the May 5th, 2022 LAFCo minutes*

b. *Consider the July 7, 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 July and August 2022*

b. *Consider Resolution 2022-0009 regarding remote teleconferencing meetings.*

5. Correspondence:

6: Discussion requested from the Assessor's Office:

A request from the Assessor's office to discuss the Colusa County / City of Colusa Annexation [CIP] that was approved on June 15th 2021 and recorded June 16th 2021.

LAFCO (File 2019-0001 Colusa Industrial Park (CIP) ANNEX) executed the Certificate of Completion (COC) June 15, 2021 and recorded same on June 16, 2021.

Public Hearing:

7. Continued Public Hearing 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) Open Public Hearing and receive comment and close public hearing*
- b) Consider Resolution 2022-0007 adopting a Municipal Service Review for Cemetery Districts in Colusa County*
- c) Consider Resolution 2022-0008 adopting a Sphere of Influence for Cemetery Districts in Colusa County.*

8. Biennial Review of LAFCo's Conflict of Interest Code.

- a) Review LAFCo's Conflict of Interest Code*
- b) Authorize the Executive Officer to sign the Biennial Conflict of Interest Code review form and transmit to the Code Reviewing Body.*

9. Contract Amendment for LAFCo Counsel and LAFCo Executive Officer as approved in the 2022-2023 LAFCo Budget

- a) Approve 3rd amended Contract for Legal Services.*
- b) Approved 4th amended Contract for Executive Officer Services*

10. Executive Officer's Report:

*Comprehensive Bylaw Update
SB 938 Signed by the Governor
GCID MSR and SOI
Out of Area Service Agreement for wastewater – Williams Soaring
City of Williams MSR and SOI
Calafco Conference – G. Ponciano and S. Singh attending*

11. 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

12. Next Colusa LAFCo meeting: October 6, 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 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) 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

2a

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
May 5,2022

PRESENT:

DENISE CARTER, County Member
SAJIT SINGH, City Member
BRANDON ASH, Public Member
KENT BOES, County Alternate

ALSO PRESENT:

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

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

The meeting was called to order at 3:16 p.m. There was a quorum present.

2. **Consider Minutes from March 3, 2022**

On motion of B. Ash, second by S. Singh, the commission approved minutes for March 3, 2022; motion carried by roll call vote with K. Boes abstaining.

3. **Public Comment - None**

4. **Consent Agenda**

- a. **Payment of claims for the months of March and April 2022**
- b. **Consider Resolution 2022-0005 regarding remote teleconferencing meetings**

On motion of S. Singh, second by K. Boes, the commission approved the consent agenda; motion carried by roll call vote.

5. **Correspondence - None**

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

John stated that the last MSR was approximately ten years ago, and this is an update. There are two cemetery districts represented at today's meeting, Daniell Hendrix, Colusa Cemetery District and Dawn Niessen, Williams Cemetery District. There remains an outstanding issue with the Williams Cemetery District boundary map, and Dawn suggested that John email the districts to find out what activities and issues they are facing. John is doing research with the departments regarding the map issue. The County Assessor will be providing recommendations.

John stated that all of Colusa's Cemetery Districts have annual audits and budgets provided by the county. They have many dedicated volunteers. Ideally, it would be nice to have just one district; however, functionally, it would not work. John's recommendation is to stay with the status quo with the exception of the boundary map.

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

John presented his recommended final budget for FY 2022-2023. Discussion was held regarding a 6.4% pay increase for the Executive Office and Legal Counsel due to inflation.

On motion by B. Ash, second by S. Singh, the commission approved Resolution 2022-0006 adopting a final 2022-2023 Colusa LAFCo budget; motion carried by roll call vote.

8. Executive Officer's Report

SB – 938 Support Letter

9. Commissioner Reports - Discussion

10. Next Colusa LAFCo meeting: June 2, 2022

There will be no meeting in June. Next Colusa LAFCo meeting: July 7, 2022

Meeting adjourned 4:21 p.m.

2 b

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
July 7, 2022

PRESENT:

DENISE CARTER, County Member
MERCED CORONA, County Member
GREG PONCIANO, City Member

ALSO PRESENT:

JOHN BENOIT, Ex. Officer
SCOTT BROWNE, Legal Counsel

1. Call to Order/Roll Call

The meeting was called to order at 3:05 p.m. There was a quorum present.

2. Election of Chair and Vice-Chair for Fiscal Year 2022-2023

- a. Election of Chair – D. Carter moved to elect M. Corona as Chair for Fiscal Year 2022-2023, second by G. Ponciano; motion carried by roll call vote.
- b. Election of Vice-Chair – D. Carter moved to elect G. Ponciano as Vice-Chair for Fiscal Year 2022-2023, second by M. Corona; motion carried by roll call vote.

3. Consider Minutes from May 5, 2022

The May minutes will be presented for approval at the next Lafco meeting.

4. Public Comment - None

5. Consent Agenda

- a. Payment of claims for the months of May and June 2022
- b. Consider Resolution 2022-0006 regarding remote teleconferencing meetings

On motion of M. Corona, second by G. Ponciano, the commission approved the consent agenda; motion carried by roll call vote.

6. Correspondence – No correspondence other than Calafco items on today’s agenda.

7. Public Hearing 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) Open Public hearing and receive comment and close public hearing
- b) Consider Resolution 2022-0007 adopting a Municipal Service Review for Cemetery Districts in Colusa County
- c) Consider Resolution 2022-0008 adopting a Sphere of Influence for Cemetery District in Colusa County

John stated that the cemetery districts were invited to today's meeting. This agenda item can be continued until the next meeting if the commission would prefer. John will be requesting information from the districts again. The Williams Cemetery District is the only district that has submitted information. John is still waiting for clarification of the Williams Cemetery boundaries.

Item continued to September 1, 2022.

8. Calafco Conference Matters

- a) **Consider nomination of a City Member or a Public Member for the Calafco Board of Directors.** – None. John stated that there are two good people running.
- b) **Consider Attendance at the Calafco Annual conference in Santa Ana – October 19 – 21, 2022** – John reminded the commission that last year's conference was cancelled. Commissioners S. Singh and G. Ponciano would like to attend this year. John will forward conference information.
- c) **Designate voting delegate and alternate to represent and vote on behalf of LAFCo at the Calafco Annual Conference** – S. Singh will serve as delegate and G. Ponciano as alternate.
- d) **Authorize the expenditure of funds to attend the Calafco Annual Conference** – included in the final budget.
- e) **Calafco Achievement Awards Nominations - None**

9. Executive Officer's Report

Comprehensive Bylaw Update – John stated that the bylaws have not been updated since around 2003. This item will be included on the next meeting agenda.

SB 938 Action for Governor's Signature – The governor has already signed this bill.

- 10. Commissioner Reports – Discussion** – D. Carter advised the commission that FEMA has proposed a draft flood map for Colusa County. Some discussion followed. D. Carter will forward the link for the report to John.

- 11. Next Colusa LAFCo meeting: August 4, 2022**

There will be no meeting in August. Next Colusa LAFCo meeting: September 1, 2022.

Meeting adjourned 3:32 p.m.

Colusa Local Agency Formation Commission

4a

CLAIMS

June and July 2022

Authorize payment of the following claims:

FY 2022-2023 EXPENSES:

FY 22-23 Claims for June and July 2022:

6.16.22-7.15.22	Legal Svcs. P. Scott Browne	\$ 2,000.00
Aug 1, 2022	Staff Svcs and Exp July 22	\$ 4,680.49
Sept 1, 2022	Staff Svcs and Exp. Aug 2022	\$ 4,632.19
7.16-22-8-15.22	Legal Svcs. P. Scott Browne	\$ 2,000.00
July 25, 2022	Calafco Conf. Regis G Ponciano and S. Singh	\$ 1,190.00
TOTAL:		\$ 14,502.68

DATED: Sept 1, 2022

APPROVED: Sept 1, 2022

Merced Corona, Chair
Colusa Local Agency Formation Commission

Attest:

John Benoit
Executive Officer