

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.colusalaftco.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.colusalaftco.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

Colusa LAFCO

Sept 1, 2022

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

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

Acct 520-500

City Expenditure Titles	Ex Officer Cont	Clerical Support	Workers Co	Contactural	Liability	Office Exp	Postage and	Copies	Dues-Subs	Travel
Expenditure Category	Executive Off. Co	Clerical Supp	Workers Com	Lgl Services	Insurance	Office Suppl	Postage	Copies	Memberships	Trans Travel
City Coding	7338	7320	7016	7321	7315	7339	7322	7322	7319	7333
	\$51,072.00	\$3,657.00	\$50.00	\$25,536.00	\$2,847.00	\$375.00	\$500.00	\$750.00	\$1,872.00	\$4,000.00

Calafco Dues 2022-2023 (2022-06)

-\$1,372.00

SDRMA Insurance 22-23 #72123

-\$2,824.92

REVENUE OASA William Sealing Center

Browne ending 7.15.22

-\$2,000.00

Staff Svcs July 2022

-\$4,000.00

-\$175.00

-\$58.30

-\$10.00

-\$100.00

Staff Svcs Aug 2022

-\$4,000.00

-\$15.00

Browne ending 8.15.22

-\$2,000.00

Calafco Conf. GPoncianoS Singh

-\$1,190.00

Total Expended in FY 21-22

-\$10,000.00

-\$175.00

\$0.00

-\$2,000.00

-\$2,824.92

-\$58.30

\$0.00

-\$25.00

-\$1,372.00

-\$1,290.00

Total Remaining in FY 21-22

\$41,072.00

\$3,482.00

\$50.00

\$23,536.00

\$22.08

\$316.70

\$500.00

\$725.00

\$500.00

\$2,710.00

Staff Devp	Legal Notic	Comm	SpecProjExp	Sol	MSR	Publications-Ma	Fin Admin	
Training	Legal Notic	Comm	Sp Proj.FileScr	SOI	MSR	Mapping	A-87/Admin	TOTAL
7332	7316	7306	7331	7340	7324	7318	7703	EXPENDED
\$2,500.00	\$750.00	\$800.00	\$5,000.00	\$16,000.00	\$16,000.00	\$5,000.00	\$3,000.00	\$139,709.00

	\$0.00
	-\$1,372.00
	-\$2,824.92

[illegible][illegible]

\$0.00	\$0.00	-\$134.38	\$0.00	\$0.00	-\$820.00	\$0.00	\$0.00	-\$18,699.60
\$2,500.00	\$750.00	\$665.62	\$5,000.00	\$16,000.00	\$15,180.00	\$5,000.00	\$3,000.00	\$121,009.40

Final	Carry forward fr 2022-23	\$134,773.70
	Prepaid Exp pd by County	
	TOTAL Project Revenue	\$1,000.00
	Total Interest Deposits	\$0.00
2022-2023	Total City/Co Contributions	\$98,109.00
2022-2023	total 22-23 expenditures	-\$18,699.60
PAID city/county contributions		
	TOTAL Cash Balance	\$215,183.10
	TOTAL Budget Balance	
	TOTAL Contingency Balance	\$10,000.00
	TOTAL RESERVE	\$80,000.00

RESOLUTION NO. 2022-0009

**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 1st day of September 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Merced Corona, Chair

Colusa Local Agency Formation Commission

ATTEST:

John Benoit, Executive Officer

COLUSA LOCAL AGENCY FORMATION COMMISSION,

Resolution 2022-0007 of the
Colusa Local Agency Formation Commission

*Approving a Municipal Service Review of Cemetery Services Provided within Colusa County and
Adopting Written Determinations Thereon*

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission ("LAFCO") adopt and periodically review Sphere of Influence Plans for all agencies in its jurisdiction; and,

WHEREAS, California Government Code Section 56430 requires that a LAFCO conduct a review of the municipal services provided by and within an agency prior to updating or adopting its Sphere of Influence Plan; and,

WHEREAS, the Sphere of Influence Plan is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO; and,

WHEREAS, on June 3rd, 2004, the Commission adopted its Work Plan and included a schedule for initiation of Municipal Service Reviews (MSRs) and Spheres of Influence; and

WHEREAS, the Commission adopted Resolution 2004-03 on March 4th, 2004 establishing guidelines for conducting MSRs, which applies to this MSR for services provided by Cemetery Districts within Colusa County; and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission for Cemetery services provided within Colusa County, including approval of the report and adoption of the written determinations contained therein; and,

WHEREAS, the Commission hereby determines that the hearing draft of the Municipal Service Review for Cemetery services provided within Colusa County and written determinations contained therein will provide information for updating the Sphere of Influence for Cemetery Districts within Colusa County, and is otherwise consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities; and,

WHEREAS, in making this determination, the Commission has considered the documentation on file in this matter; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Colusa Local Agency Formation Commission hereby resolves, orders and determines the following:

- 1) The Municipal Service Review for Cemetery Services provided in Colusa County, attached hereto as Exhibit A, is approved and the written determinations presented in the Municipal Service Review report are hereby adopted.

- 2) LAFCO staff is further ordered to proceed as appropriate with update to the Sphere of Influence Plan for Cemetery services.
- 3) LAFCO staff is further ordered to forward copies of this resolution containing the adopted Municipal Service Review to all cemetery agencies within Colusa County and specifically the following:
 - Arbuckle Cemetery District
 - College City Cemetery District
 - Colusa Cemetery District
 - Cypress Hill Cemetery District
 - Grand Island Cemetery District
 - Maxwell Cemetery District
 - Princeton Cemetery District
 - Stonyford-Indian Valley Cemetery District
 - Williams Cemetery District

The foregoing resolution was duly passed by the Local Agency Formation Commission of Colusa County at a regular meeting held on September 1, 2022, by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this first day of September 2022.

Merced Corona, Chair
Colusa LAFCO

Attest:

John Benoit, Executive Officer
Colusa LOCAL AGENCY FORMATION COMMISSION,

Resolution No. 2022-0008

LOCAL AGENCY FORMATION COMMISSION OF COLUSA COUNTY

A Resolution Making Determinations and Approving A Sphere of Influence Update for the Arbuckle Cemetery District, the College City Cemetery District, the Colusa Cemetery District, the Cypress Hill Cemetery District, the Grand Island Cemetery District, the Maxwell Cemetery District, the Princeton Cemetery District, the Stonyford-Indian Valley Cemetery District, and the Williams Cemetery District

WHEREAS, Government Code Section 56425 requires each Local Agency Formation Commission to adopt and periodically review and update a sphere of influence for each local governmental agency within its jurisdiction; and

WHEREAS, the Local Agency Formation Commission of the County of Colusa, in compliance with the aforementioned requirement, is providing a “plan for the probable physical boundaries and service area” for the Arbuckle Cemetery District, the College City Cemetery District, the Colusa Cemetery District, the Cypress Hill Cemetery District, the Grand Island Cemetery District, the Maxwell Cemetery District, the Princeton Cemetery District, the Stonyford-Indian Valley Cemetery District, and the Williams Cemetery District; and

WHEREAS, the Commission has set the hearing date of July 7, 2022 and September 1, 2022, for the update of the sphere of influence for the Arbuckle Cemetery District, the College City Cemetery District, the Colusa Cemetery District, the Cypress Hill Cemetery District, the Grand Island Cemetery District, the Maxwell Cemetery District, the Princeton Cemetery District, the Stonyford-Indian Valley Cemetery District, and the Williams Cemetery District and has noticed this hearing at the times and as otherwise prescribed by Government Code Section 56150, *et seq.*; and

WHEREAS, the Commission has heard and adopted a Municipal Services Review of cemetery services provided by the Arbuckle Cemetery District, the College City Cemetery District, the Colusa Cemetery District, the Cypress Hill Cemetery District, the Grand Island Cemetery District, the Maxwell Cemetery District, the Princeton Cemetery District, the Stonyford-Indian Valley Cemetery District, and the Williams Cemetery District in accordance with Gov. Code section 56430; and

WHEREAS, the Commission has reviewed and considered the proposed Sphere of Influence update report and the proposed Sphere of Influence Update Map which are attached hereto and incorporated herein; and

WHEREAS, Colusa LAFCO prepared and a notice of exemption for such action since there is no change in the proposed boundaries; and

WHEREAS, the Commission has considered those factors determined by it to be relevant to the proposed sphere of influence update, including, but not limited to, those factors specified in Government Code Section 56425, *et seq.*, and has heard from interested parties and considered requests for amendment and/or revision of the proposed updated sphere boundary, if any;

NOW, THEREFORE, BE IT RESOLVED that the Colusa Local Agency Formation Commission does hereby find and determine as follows:

1. That the proposed sphere of influence update with respect to the, the Arbuckle Cemetery District, the College City Cemetery District, the Colusa Cemetery District, the Cypress Hill Cemetery District, the Grand Island Cemetery District, the Maxwell Cemetery District, the Princeton Cemetery District, the Stonyford-Indian Valley Cemetery District, and the Williams Cemetery District complies with the provisions of Government Code Section 56000, *et seq.*
2. That no significant protests have been received regarding the establishment of this Sphere of Influence update.
3. That, pursuant to Government Code Section 56425, the Commission makes and adopts those determinations set forth in the Sphere of Influence Study are attached hereto and incorporated herein.
4. That the Sphere of Influence Update Report, Executive Officer's Report, and Map for the Cemetery Districts updated Sphere of Influence is hereby adopted and approved as set forth in Attachment "A".

PASSED AND ADOPTED at a regular meeting of the Colusa Local Agency Formation Commission, on the 1st day of September 2022, by the following vote:

AYES:

NOES:

ABSENT

ABSTAIN:

Merced Corona, Chair
Colusa Local Agency Formation
Commission

Attest:

John Benoit, Executive Officer, Colusa LAFCo

Colusa Local Agency Formation Commission

Item # 8

Memorandum September 1, 2022

TO: LAFCo Commissioners

FROM: John Benoit, Executive Officer

SUBJECT: Conflict of Interest Code Biennial Review.

Attachments: Colusa LAFCO's Conflict of Interest Code
2022 Local Agency Biennial Notice

Government code section 87300 et. seq. (the Political Reform Act) requires each local government agency to keep a conflict of interest code and update it to reflect changes that occur in the organization of an entity. The Local Agency Formation Commission (as well as other local agencies) is required to review and amend its Conflict of Interest code on even-numbered years. A biennial notice is normally sent out by the County Clerk or other official designated by the Board of Supervisors during the summer of even numbered years to each agency required to review its Conflict of Interest Code. After review or approval of the Conflict of Interest Code, LAFCO is required to submit any proposed changes to the Board of Supervisors acting as the code reviewing body.

Government code section 87311 requires review of a conflict of interest code to be carried out under procedures which guarantee to officers, employees, members and consultants of the agency and to residents of the County adequate notice and a fair opportunity to present their views. A conflict of interest code was adopted on November 6, 2003. To engage the public, a notice of Public Hearing was published prior to LAFCO adopting amending its conflict of interest code (which was included in LAFCo's Bylaws on November 6, 2003 (Resolution 2003-04)). Since that time LAFCO has found no amendments to that code necessary.

Recommendation:

Direct the Executive Officer to sign and transmit the 2022 Local Agency Biennial Notice to the County Clerk (or person designated by the Board of Supervisors) declaring LAFCO has reviewed its Conflict of Interest code and no amendment is required at this time.

John Benoit, Executive Officer
P.O. Box 2694 Granite Bay, CA 95746
(530) 619-5128 ph.

www.colusalafco.org

Colusa County
Local Agency Formation Commission

Conflict of Interest Code

The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted Title 2, California Code of Regulations, Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings conducted by the Fair Political Practices Commission. Therefore, the terms of Title 2 California Administrative Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the following list of designated and disclosure requirements constitute the Conflict of Interest Code of the Local Agency Formation Commission of Colusa County.

Designated officers and employees shall file Statements of Economic Interest (Form 730) with LAFCO, who will retain copies, and forward the original Statements for all Commissioners and the Executive Officer to the Colusa County Clerk. The original statements for all other designated employees will be retained by LAFCO.

Designated Employees and Disclosure Requirements

Designated officers and employees include the following:

- A) All members and alternate members of this Commission
- B) The Executive Officer
- C) Legal Counsel to the Commission
- D) Consultants employed by the Commission. The Chair of the Commission may determine in writing that a particular consultant, although a "designated employee," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this Code. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. Such determination shall be a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Designated employees and officers shall disclose the following:

All investments, sources of income or interests in real property within the Colusa Local Agency Formation Commission jurisdiction and business positions in which the designated employee or officer is a director, officer, partner, trustee, employee or holds any position of management, and which business does any contracting with the Local Agency Formation Commission, or which is located within the Local Agency Formation Commission jurisdiction.

2022 Local Agency Biennial Notice

Name of Agency: Colusa LAFCo

Mailing Address: P.O. Box 2694, Granite Bay, Ca 95746

Contact Person: John Benoit Phone No. 530.619.5128

Email: J.benoit4@icloud.com Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

☐ An amendment is required. The following amendments are necessary:

(Check all that apply.)

- ☐ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☐ Other (describe) _____

☐ The code is currently under review by the code reviewing body.

☒ No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Sept 1, 2022
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than October 3, 2022, or by the date specified by your agency, if earlier, to:

Colusa County Board of Supervisors
547 Market Street
Colusa, CA 95932

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

9a

COLUSA LAFCO
THIRD AMENDMENT TO AGREEMENT FOR
LEGAL SERVICES

This is the Third Amendment to the Agreement for Legal Services between the COLUSA Local Agency Formation Commission, a public agency, and P. Scott Browne, Attorney at Law, dated JULY 3RD, 2003, amended on JULY 5th 2007, and July 1, 2017.

Section II – Paragraphs A and B are amended to read in their entirety as follows:

A. Compensation

LAFCo shall pay Contractor Two-Thousand One Hundred and Twenty Eight dollars per month (\$2,128.00) effective July 1, 2022 for legal services rendered pursuant to this Agreement. Funding for the Agreement is included in the LAFCo budget and payment shall be made upon monthly submission of an itemized statement effective July 1, 2022.

B. Compensation for Litigation

Contractor shall be paid at a rate of Two Hundred Sixty Six Dollars (\$266.00) per hour for litigation, effective July 1, 2022.

Except as specifically set forth herein, all remaining terms and conditions of the agreement for Professional Services dated July 3rd, 2003, and the hereinabove referenced amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on September 1, 2022.

LAFCo

CONTRACTOR

Merced Corona, Chair

P. Scott Browne, Contractor

APPROVED AS TO FORM:
P. Scott Browne, LAFCO Counsel

96

COLUSA LAFCO
FOURTH AMENDMENT TO AGREEMENT FOR
THE PROVISION OF LAFCO STAFF SERVICES

This is the fourth Amendment to the Agreement for the Provision of LAFCo Staff Services between the Colusa Local Agency Formation Commission, a public agency, and John Benoit, Contractor, dated March 6th, 2003, first amended on July 5th, 2007 and second amended on July 1, 2017 and third amended on July 1, 2021.

Article 2, Section 2.1.1 is amended to read in its entirety as follows:

2.1.1 LAFCo shall pay Contractor the monthly amount of \$4,256.00 for general services effective July 1, 2022. Funding for this Agreement is included in the adopted 22-23 LAFCo Budget and payment shall be made upon monthly submission of an invoice. General services do not include the items specified as special projects or office expenses as set forth in Section 2.1.2 nor monthly hosting costs and other out of pocket costs, if any, of maintaining the LAFCo website effective July 1, 2022.

Exhibit "A", which references Contractor's hourly rate for special projects is amended to read effective July 1, 2022:

Exhibit "A"

Hourly rate for special projects

John Benoit

Hourly Rate \$117.04

Except as specifically set forth herein, all remaining terms and conditions of the Agreement for Executive Officer Services dated March 6th, 2003, and the hereinabove referenced amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on September 1, 2022.

LAFCo

CONTRACTOR

Merced Corona, Chair

John Benoit, Contractor

APPROVED AS TO FORM:

P. Scott Browne, LAFCO Counsel