

Local Agency Formation Commission Of
Colusa County

Minutes
August 7, 2008

The Local Agency Formation Commission of Colusa County meets in Regular Session this 7th day of August 2008 at the hour of 3:00 PM. Commissioners Present: Don Barker, Chairman, Gary Evans, Kay Hosmer, and Brandon Ash. Commissioner Absent: Tom Indrieri.

Present: John Benoit, Executive Officer.
Scott Browne, Legal Counsel.
Mary Winters, Public Member, Alt.
Paul Matulich, Del Oro Water Company.
Susan Howard, Del Oro Water Company.
Alicia Draves, Commission Clerk.

Chairman Barker calls the meeting to order at 3:00 PM.

Chairman Barker declares time for approval of the Minutes of July 3, 2008.

Commissioner Ash states that the last sentence on Page 3, should read as follows,

Chairman **Barker** adjourns the meeting at 4:30 PM to reconvene in Regular Session on Thursday August 7, 2008 at the hour of 3:00 PM.

It is moved by Commissioner Hosmer, seconded by Commissioner Ash to approve the Minutes of July 3, 2008. Motion carried by the following vote:

AYES: Commissioners Hosmer, Ash, and Barker.

NOES: None.

ABSENT: Commissioner Indrieri.

ABSTAIN: Commissioner Evans.

Chairman Barker declares time for a period of public comment.

Mr. Matulich states that he would like to know what is taking place with regards to the annexation for Walnut Ranch.

Mr. Benoit states that he has spoken with both Mr. Matulich, and the City of Colusa, noting that the city has not completed the pre-zoning. He further states they can go no further until they have this completed. He further states that the City of Colusa must then initiate an application to LAFCO. He further notes that this is a long

process and there is much to be done by the City of Colusa before they bring this before the Commission.

Mr. Matulich inquires if the City of Colusa is the trigger to get this completed.

Mr. Benoit again states that the City of Colusa must complete all of the paperwork before they can bring this before the Commission, noting that this is also based on whether or not the citizens are in favor of the annexation. He further notes that if there is a percentage of the citizens not in favor of it, then the process will be even longer.

Mr. Metulich states that his reasons for needing to know the timeline of this annexation are he is under a mandate from the Public Utility Commission to complete an upgrade on the system, noting that if this is going to happen quickly that he will not be doing the upgrade. He further notes that if this process will be prolonged then he will have to complete the upgrade. He further states that he does need to make a decision soon.

Discussion is held regarding the requirements and the necessity of a vote by the citizens, with no action taken.

No further comment being heard, Chairman Barker closes the period of public comment.

Chairman Barker declares time for approval of the Consent Agenda.

Consent Agenda: It is moved by Commissioner Evans, seconded by Commissioner Hosmer to approve payment of claims for July 2008. Motion carried. All yes. Absent: Commissioner Indrieri.

Chairman Barker declares time for a Public Hearing on the Municipal Service Review for Mosquito Abatement Services and Sphere of Influence Update for the Colusa Mosquito Abatement District.

Mr. Benoit states that the District is considering annexation of a large portion of the County of Colusa. He further states that this is a non-growth inducing service, noting that Mr. Whitesell has reviewed the MSR, and he has received the Districts comments on it.

Commissioner Evans states that Mr. Whitesell has stated that it currently takes \$200,000.00 to purchase supplies for spraying the Districts whole service area, and with the increase of more than 3 times what they currently treat, he is only asking for \$200,000.00 more. He inquires how this is possible.

Commissioner Evans inquires if the refuges are included in the new sphere, he further questions if the District will be treating the refuges.

Ms. Winters inquires if the sphere is approved will it raise the cost to the current District customers.

Chairman Barker inquires of the cost to all customers if this is approved.

Ms. Winters inquires if this is voted down, can the District then choose to treat the areas that are in agreement that they would like services, such as Princeton.

Ms. Winters states that the MSR should cover only the services that the District can currently provide. She further states that she would like to see the MSR and the Sphere of Influence Update be made into separate documents.

Commissioner Evans states that he would like to know if they will be providing abatement for the refuges, and if the answer is yes, what type of funding the District will be receiving from the Federal Government

Mr. Benoit states that these are questions that he will need to ask of Mr. Whitesell, and inquires if the Commission would like to continue this until he can be at the meeting to answer their questions.

The Commission concurs that they would like to have this continued until a representative from the Colusa Mosquito Abatement District can be in attendance.

Chairman Barker declares time for the continued workshop and review of LAFCO's Adopted Policies and Procedures.

Mr. Benoit covers the following sections of the LAFCO Policies, Standards, and Procedures:

- 2.14- Chairman Barker directs staff to research and return to the Commission a new policy on Agricultural Conservation.
- 2.15 Need for Services-2.15c In place of the Five Year Urbanization; it will state "Near Term Urbanization. The commission concurs they would the policy needs to state "There needs to be a definite need for services at the time the application comes forward".
- 2.16 Exception. There are no changes.

Mr. Browne states that it is his recommendation that a new definition be given for the Sphere of Influence in the first paragraph of section 3.1 General Policies, stating that it should read

"A plan for the probable physical boundary and service area of a local agency or municipality as determined by the Commission **until the next sphere update**".

Chairman Barker continues the review of the Colusa County Policies, Standards, and Procedures to October 2, 2008.

Chairman Barker declares time for discussion on the cancellation of the September 4th LAFCO meeting due to a conflict with the Calafco Conference.

Discussion is held. The Commission concurs to cancel the September 4th meeting. The next meeting will be held at its regularly scheduled day and time, Thursday October 2, 2008.

Chairman Barker declares time for discussion and possible authorization to staff to pursue liability insurance.

Mr. Benoit states that he has met with County Counsel, Mr. Hackney and Ms. Scroggins regarding LAFCO's participation in the County's liability insurance policy. He further states that Ms. Scroggins would like for LAFCO to no longer be part of the policy, noting that she believes that having LAFCO on the policy puts the other County policies at risk. He further states that Ms. Scroggins has requested an agreement from LAFCO, if it is the decision of the Commission to remain within the County's policy, they agree to remain on this policy for seven years.

Mr. Benoit states that he needs direction from the Commission to pursue quotes for a liability policy separate from the County.

The Board concurs, and direction is given to staff to begin the process.

Chairman Barker declares time for discussion on the biennial Notice for conflict of Interest Codes.

Discussion is held with no action taken.

Executive Officer's Report:

Mr. Benoit updates the Commission on items needed to be ready for the Calafco conference and on newly signed legislation.

Commissioner Reports

None.

Chairman Barker adjourns the meeting at 4:37 PM to reconvene in Regular Session on Thursday October 2, 2008 at the hour of 3:00 PM.

Approved: _____
Don Barker, Chairman

Attest: _____
Alicia Draves, Commission Clerk

