

Local Agency Formation Commission of
Colusa County
Minutes
December 3, 2009

1. Call to Order/Roll Call

The Local Agency Formation Commission of Colusa County meets this 3rd day of December 2009 at the hour of 3:00 PM. Commissioners Present: Denise Carter, Don Barker, Angie Fulcher, Brandon Ash, and Gary Evans, Chairman. Commissioners Absent: Kay Hosmer.

Present: John Benoit, Executive Officer.
 Scott Browne, Legal Counsel.
 Bryan Styce, City of Colusa.
 Jan McClintock, City of Colusa.
 Jennifer Masters, Maxwell Irrigation District.
 Alicia Draves, Commission Clerk.

2. Public Comment

Chairman Evans declares time for a period of public comment.

Hearing no comment, Chairman Evans closes the period of public comment.

3. Approval of Minutes

Chairman Evans continues the approval of the minutes to the January 7, 2010 meeting.

4. Consent Agenda

Chairman Evans declares time for approval of the Consent Agenda for payment of claims for November 2009.

It is moved by Commissioner Ash, seconded by Commissioner Fulcher to approve the payment of claims for November 2009. Motion carried. All yes. Absent: Commissioner Hosmer.

5. Receive Executive Officer's Report and conduct a Public Hearing on the Municipal Service Review for Irrigation Water Services and Sphere of influence for the Maxwell Irrigation District.

Chairman Evans declares time for a public hearing on the Municipal Service Review for Irrigation Water Services and Sphere of influence for the Maxwell Irrigation District.

Mr. Benoit states that the Board for the Maxwell Irrigation District has reviewed the document and has given their comments to him, which he has added to the document. He further states he changed the format on the Sphere, to reduce redundancy, noting that he will add the most current crop report he can find to make the document as current as possible.

Ms. Masters states the Board has approved the document, and was very happy with the outcome.

It is moved by Commissioner Carter, seconded by Commissioner Barker to adopt **Resolution 2009-13**, A Resolution approving a MSR for Irrigation Water Services Provided by the Maxwell Irrigation District in Colusa County and Adopting Written Determinations Theron. Resolution adopted by the following vote:

AYES: Commissioners Carter, Barker, Fulcher, Ash, and Evans.

NOES: None.

ABSENT: Commissioner Hosmer.

It is moved by Commissioner Ash, seconded by Commissioner Carter to adopt **Resolution 2009-14**, A Resolution Making Determinations and Approving A Sphere of Influence Update for the Maxwell Irrigation District. Resolution adopted by the following vote:

AYES: Commissioners Carter, Barker, Fulcher, Ash and Evans.

NOES: None.

ABSENT: Commissioner Hosmer.

6. Continued workshop regarding the City of Colusa Municipal Service Review (MSR) Document.

Chairman Evans declares time for a continued workshop on the City of Colusa Municipal Service Review Document.

Mr. Benoit states that he continued the workshop to be able to receive comments from every Commissioner, some of which were not present at the previous meeting.

Chairman Evans inquires if the passing of the County General Plan in 18 months will cause the document to become outdated.

Mr. Benoit states the policy of the Colusa LAFCO is to amend the Sphere every 5 years. He further states if the Commission puts a near and long term horizon for the Sphere, it will work. He notes that the Commission can amend the Sphere at any time, if they find that the County's General Plan will make that necessary. He further states it is mandatory that the County and the City meet to discuss zoning and planning, noting that the City of Colusa has already adopted a Sphere outline in it's General Plan, which is a good starting point for discussion.

Chairman Evans inquires if LAFCO approves the Sphere of Influence.

Mr. Benoit states that LAFCO adopts the Sphere.

Chairman Evans inquires if the Commission is being redundant in passing a Sphere now, when the County will be passing their General Plan in 18 months.

Mr. Benoit states the Commission has put policies into place that make the adoption of the Sphere of Influence necessary.

Mr. Browne states that LAFCO is structured with City and County to force a joint look at everything. He further states that no sphere is set in concrete, noting that if the County General Plan states that the sphere needs to be changed, the Commission can do that. He further notes if there is an annexation before the County General Plan comes out, and there is not a newly adopted sphere, it could create legal problems for the Commission.

Commissioner Fulcher inquires if the City sewer system has the capacity to handle new developments.

Mr. Benoit states that the information is in the Master Facilities Plan prepared by the City.

Mr. Browne states he is concerned that it is not clear exactly what the permit capacity is. He notes he believes it would be good to have that information included.

Ms. McClintock states the City has 700 additional houses it can add to the plant. She further states that the plant is designed so that it can be duplicated, and it has holding ponds for wet weather events.

Mr. Benoit states that he can add the plans into the document as an appendix.

Chairman Evans inquires if there is more information that what is currently in the document.

Mr. Benoit states the information is in the document in a generalized way, and he is simply going to add a table to the appendix.

Lengthy discussion is held regarding the capacity of the City sewer plant, with Ms. McClintock stating the city can mirror the plant to double the capacity and it can increase pumps without changing the permit.

Commissioner Carter inquires if there is a Master Plan for Fire Protection.

Ms. McClintock states that there is a Master Plan for Fire, Storm Drainage, Water and Sewer, and Streets, noting that all of the information is there.

Commissioner Fulcher inquires if flood protection is addressed.

Ms. McClintock states that it is addressed in the Storm Drainage Master Plan. She further states that there is information on both regular storm water and levees.

Commissioner Carter states she would like to see something regarding flood protection within the document.

Mr. Benoit states there is a discussion on drainage in the document, noting that he will expand it to include levees and flood protection. He further states he will address wastewater, and he will work with the City to answer the Commission's questions. He request the workshop be continued.

The Chairman continues the workshop to the January 7, 2010 meeting.

7. At the request of CALAFCO hold a discussion of regional structure regarding CALAFCO and provide input for consideration by the CALAFCO Board.

Chairman Evans declares time for discussion of regional structure regarding CALAFCO and provide input for consideration by the CALAFCO Board.

Mr. Benoit states his recommendation is to send a letter stating that the Colusa County LAFCO is not interested at this time, but is curious if there were regions what would the cost be.

Mr. Browne states the CALAFCO is a one county one-vote system. He further states that while the rural counties dominate the vote within CALAFCO, it needs the votes of the urban counties to get most issues passed within the legislature. He notes that this creates conflict when the urban counties feel that they are not getting their due. He further states that if CALAFCO is to continue to be effective in maintaining the rural economy, the rural counties need the support of the larger counties, further noting that this compromise would create regional cooperation without changing the votes. He further states it is his recommendation to work with the Southern counties,

Mr. Benoit states he will draft a letter for the Chairman to sign. The Commission concurs.

8. Executive Officers Report

Mr. Benoit speaks to future projects he will be bringing before the Commission for consideration.

9. Commissioner Reports

None.

10. Correspondence

None.

11. Adjournment

Chairman Evans adjourns the meeting at 4:14PM, to reconvene in Regular Session Thursday, January 7, 2010 at the hour of 3:00 PM.

Brandon Ash, Chairman

Alicia Draves, Commission Clerk