

Local Agency Formation Commission of
Colusa County

Minutes

December 4, 2008

The Local Agency Formation Commission of Colusa County meets this 4th day of December 2008 at the hour of 3:00 PM. Commissioners Present: Brandon Ash, Gary Evans, Kay Hosmer, and Don Barker. Commissioners Absent: Tom Indrieri.

Present: John Benoit, Executive Officer.
Scott Browne, Legal Counsel.
Mary Winters, Public Member, Alt.
Alicia Draves, Commission Clerk.

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

Chairman Barker declares time for public comment.

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

Chairman Barker declares time for approval of the Consent Agenda for payment of claims for August and September 2008.

It is moved by Commissioner Ash, seconded by Commissioner Hosmer to approve payment of claims for the month of November 2008. Motion carried. All yes. Absent: Commissioner Indrieri.

Chairman Barker declares time for approval of the Minutes for November 6, 2008.

Commissioner Evans, states that page 2 paragraph 4 should read as follows:

Discussion is held regarding water rights, and how the policies of Colusa County LAFCO will affect them, with Commissioner Evans stating he would like it documented in all future Municipal Service Reviews, that the County of Colusa has the ability to recall 5% water rights for beneficial use with only irrigation districts that are off of the TC Canal."

It is moved by Commissioner Evans, seconded by Commissioner Hosmer to approve the minutes November 6, 2008 as corrected. Motion carried by the following vote:

AYES: Commissioners Evans, Hosmer, and Barker.

NOES: None.

ABSENT: Commissioner Indrieri.

ABSTAIN: Commissioner Ash.

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

Mr. Benoit states that the changes discussed in previous meetings have been made to the copy the Commissioners currently have, further noting that those changes are in red. (Copy on file with Commission Clerk.)

Commissioner Winters inquires if the updated policies are based on Cortese Knox Hertzberg, or are they written based on the individual City and County general plans.

Mr. Benoit states that the Colusa County LAFCO policies must be consistent with Cortese Knox, noting that the act is vague in details. He further states that it is the job of LAFCO to interpret it for their policies.

Mr. Browne states that LAFCO is not bound by the City and County general plans. He further states that LAFCO is an independent agency, noting that the goal is to follow the act and then in detail address the County's certain circumstances.

Commissioner Winters inquires if all policies are the same throughout LAFCO.

Mr. Browne states that they are not, noting that this is the reason for the review of the policies. He further states that each policy must be written in view of the individual County's situation and circumstances.

Commissioner Evans inquires if GC stands for Government Code.

Mr. Benoit states that it is the abbreviation for Government Code.

Commissioner Evans states that he would like the wording to be consistent throughout the document, further stating that he would like to see one usage for Government Code.

Mr. Benoit states that he will write out the word Government Code throughout the whole document.

Section 3 Spheres of Influence.

3.1) General policies. No changes.

3.2) Contents of the Sphere of Influence Plan. No changes.

3.3) Municipal Service Review. No changes.

3:48PM Commissioner Indrieri is now present.

3.4) Amendments and Updates of Spheres of Influence. Mr. Browne states that following changes need to be made to section 3.4.

3.4 b) Amendments generally involve **limited** changes to a Sphere of Influence Map or plan that are proposed by an agency or individual to accommodate a specific proposal. An amendment may or may not involve changes to the Municipal Service Review information.

3.4 f) Precedence of Amendments Over Annexations. Sphere of Influence amendments **must** precede consideration for proposals for changes of organization or reorganization.

3.5) Districts and Services, which are not growth inducing. No changes.

4:09 PM Commissioner Indrieri has left the meeting.

Mr. Browne states that there will need to be a notation at the beginning of the document that all policies have been amended, with the date they were amended.

Discussion is held regarding contiguity of annexations.

Section 4 Annexations, Detachments, and Action.

4.1) General Standards for Annexations. No changes.

4.2) Determination of the Best Service Provider. Mr. Browne states that the following needs to be added to the end of section 4.2 d iii.

4.2 d iii) **Other factors listed in Government Code Section 56668.**

4.3 City Annexations. Mr. Browne states section 4.3 a.i. should read as follows:

4.3 a i.) LAFCO may require inclusion of additional territory within an

annexation in order to assure that the city reasonably assumes the burden of providing adequate roads to the property to be annexed. Where adjacent lands that are in the City will generate additional traffic, LAFCO will require the city to annex the streets that serve those lands.

4.4) Detachment in connection with an Annexation to a City. Mr. Browne states section 4.4 needs to be reworked and they will bring it back for Commission consideration at a later date.

4.5) **Extension of Services by Contract.** Mr. Benoit states that section 4.3 e the government code is actually **56133**.

Executive Officer's Report

Mr. Benoit updates the Commission on the following MSR and SOI reports:

- *Glenn Valley Water District - Research and Data Collection*
- *Cortina Water District – Research and Data Collection*
- *Reclamation Districts MSR and SOI –5 Districts - In progress/mapping*
- *4-M Water District MSR and SOI –At the district for initial review 2*
- *LaGrand Water District MSR/SOI At the district for review*
- *Davi cons WD MSR/SOI – At the district for review*
- *Colusa Co. Water District MSR/SOI – At the district for review*
- *Grimes Colusa County Waterworks Dist. #1 MSR/SOI – At the editor*

He further updates them on a meeting held regarding water treatment facilities, and districts. He notes that Commissioner Hosmer is now sitting on the CALAFCO Executive Board of Directors.

Commissioner Reports

None.

Chairman Barker adjourns the meeting at 5:05 PM to reconvene in Regular Session on Thursday, January 8, 2009 at the hour of 3:00 PM.

Approved: _____
Don Barker, Chairman

Attest: _____
Alicia Draves, Commission Clerk