

Local Agency Formation Commission of
Colusa County

Minutes

February 5, 2009

The Local Agency Formation Commission of Colusa County meets this 5th day of February 2009 at the hour of 3:00 PM. Commissioners Present: Denise Carter, Gary Evans, Brandon Ash, Kay Hosmer, and Don Barker. Commissioners Absent: None.

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 Minutes of December 4, 2008 and January 8, 2009.

Ms. Winters states that on the Minutes of December 4, 2008 regarding the payment of claims should read as follows:

Chairman Barker declares time for approval of the Consent Agenda for payment of claims for November 2008.

It is moved by Commissioner Evans, seconded by Commissioner Hosmer to approve the Minutes of December 4, 2008 as corrected. Motion carried by the following vote:

AYES: Commissioners Hosmer, Evans, Ash, and Barker.

NOES: None.

ABSENT: None.

ABSTAIN: Commissioner Carter.

It is moved by Commissioner Ash, seconded by Commissioner

Evans to approve the Minutes of January 4, 2009. Motion carried by the following vote:

AYES: Commissioners Hosmer, Evans, Ash, and Barker.

NOES: None.

ABSENT: None.

ABSTAIN: Commissioner Carter.

Chairman Barker declares time for approval of the Consent Agenda for payment of claims for January 2009.

It is moved by Commissioner Ash, seconded by Commissioner Evans to approve payment of claims for the month of January 2009. Motion carried by the following vote:

AYES: Commissioners Hosmer, Evans, Ash, and Barker.

NOES: None.

ABSENT: None.

ABSTAIN: Commissioner Carter.

Mr. Benoit states that the \$64.00 in the claims for December, was due to a bill from the County Auditor's office, noting that the County Board of Supervisors voted to have direct billing for the County e-mail system, rather than placing it as one of the A87 charges.

Chairman Barker declares time for a public hearing for the Municipal Service Review and Sphere of Influence for Colusa County Waterworks District #1 (Grimes).

Ms. Winters inquires if it is ok for pipes to be made from asbestos.

Commissioner Evans states it is ok for pipes to be made that way.

Ms. Winters inquires if the numbers listed in the budget are the most current available.

Mr. Benoit states that he can get more current numbers for the report.

Chairman Barker inquires if the Fire Department has been made aware of the report.

Mr. Benoit states that all of the Fire Department has received a copy of the MSR and they are aware of the findings.

Lengthy discussion is held regarding ability for growth and service capacity for Grimes. Mr. Benoit requests direction from the Commission regarding the items in the MSR, of which Grimes will need to upgrade.

Chairman Barkers directs staff to reconcile the budget numbers and make them as current as possible. He further directs staff to meet with the rural fire chiefs, and to update section 3.6 Fire Flows. He further states he would like to see the name "The County Fire Marshall" corrected with the name of the person in charge.

Commissioner Evans states that the date on the front of the MRS, dated January 2008 needs to be corrected to January 2009.

It is moved by Commissioner Evans, seconded by Commissioner Carter to adopt Resolution 2009-0001, A Resolution approving a MSR for Domestic Water Services provided by the Colusa County Waterworks District #1 as corrected. Resolution passed and adopted by the following vote:

AYES: Commissioners Carter, Evans, Hosmer, Ash, and Barker

NOES: None.

ABSENT: None.

It is moved by Commissioner Evans, seconded by Commissioner Ash to adopt Resolution 2009-0002, A Resolution approving a Sphere of Influence Update for the Colusa County Waterworks District #1. Resolution passed and adopted by the following vote:

AYES: Commissioners Carter, Evans, Hosmer, Ash, and Barker

NOES: None.

ABSENT: None.

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

Mr. Benoit states that the Commission will review Section 1, Purpose, Jurisdiction, Authority, and Composition, and Section 2, LAFCO General Policies and Standards.

- 1.1) Purpose of these Policies, Standards, and Procedures. No changes.

1.2) The Legislature's Creation of LAFCO. No changes.

1.3) The Legislature's Policy Direction to LAFCO.

Mr. Benoit states that there has been an addition of section 1.3 e)
LAFCO is required to exercise its function in a manner, which promotes environmental justice.

1.4) LAFCO Jurisdiction. No changes.

1.5) LAFCO Composition and Legislative Charge.

Ms. Winters states that Section 1.5d iii, should state there is an alternate for public member.

2.1) Communication Between Local Agencies. No changes.

2.2) Urban Development. No changes.

2.3) Discouraging Urban Sprawl. No changes.

2.4) Environmental Consequences (CEQUA).

Commissioner Evans states he does not believe the word specific should be in the policy, to avoid LAFCO being part of every project in the county.

Mr. Browne states he is in agreement with Commissioner Evans, noting that it should read as follows:

LAFCO is a Responsible agency since it has permitting authority over projects which require LAFCO process. Lead agencies must circulate environmental documents to LAFCO prior to project approval for those projects subject to LAFCO review.

2.5) Balancing Jobs and Housing. No changes.

2.6) Compact Urban Form and Infill Development Encouraged.
No changes.

2.7) Public Accessibility and Accountability. No changes.

2.8) Ability to Provide Adequate Services. No changes.

2.9) Efficient Services. No changes.

2.10) Community Impacts. No changes.

- 2.11) Conformance With General and Specific Plans. No changes.
- 2.12) Boundaries. No changes.
- 2.13) Revenue Neutrality. No changes.
- 2.14) Agricultural and Open Space Land Conservation. No changes.
- 2.15) Need for Services. No Changes.
- 2.16) Exceptions. No changes.

Executive Officer's Report:

Mr. Benoit states that he has received e-mail from Mr. Vito, who would like to have a connection to the City of Colusa, due to the fact that his father was able to attain one 20 years ago.

Commissioner Hosmer states that this gentleman also desires to build another house, and a duplex, to go along with the three houses he currently has on the parcel. She further states that Mr. Vito does not wish to annex because he has to do put in a sidewalk per the City of Colusa policies. Mr. Vito has stated that he has no desire to agree with this.

Commissioner Evans states that per County policies, he cannot put that many homes on one parcel.

Commissioner Hosmer states that she inquired how he was able to build that many houses on one parcel, noting that he told her he had permission to build from the County. She further states that she will be abstaining from participation in the vote for this should it come to LAFCO.

Mr. Benoit states that should he approach him, he will tell him he has to annex.

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

- Colusa County Water District
- Grimes Colusa County waterworks District # 1
- Glenn Valley Water District
- Cortina Water Districts
- Reclamation Districts
- 4-M Water District
- LaGrand Water District
- Davis Water District

He further states that any Commissioners, who have not turned in their Form 700, should bring them to the County Clerk. He further states that he has received an application for annexation from Michael Churkin.

Commissioner's Reports:

None.

Chairman Barker adjourns the meeting at 4:28 PM, to reconvene in Regular Session Thursday, March 5, 2009 at the hour of 3:00 PM.

Don Barker, Chairman

Alicia Draves, Commission Clerk