

Local Agency Formation Commission of Colusa County

Minutes March 4, 2010

1. Call to Order/Roll Call

The Local Agency Formation Commission of Colusa County meets this 4th day of March 2010 at the hour of 3:00 PM. Commissioners Present: Denise Carter, Don Barker, Kay Hosmer, Brandon Ash, and Gary Evans, Chairman. Commissioners Absent: None.

Present: John Benoit, Executive Officer.
Bryan Stice, City of Colusa
Marsha Burch, Legal Counsel.
Charlie Fusaro, Colusa Citizen.
Alicia Draves, Commission Clerk.

2. Approval of Agenda (additions and deletions)

It is moved by Commissioner Carter, seconded by Commissioner Hosmer to approve the agenda as presented. Motion carried. All yes. Absent: None.

3. Public Comment

Chairman Evans declares time for public comment.

Mr. Fusaro states that he represents the families that live west of the Walnut Ranch Subdivision. He further states that he believes that while the families that live within Walnut Ranch do need to annex into the City of Colusa, the families that live outside of Walnut Ranch do not wish to do so. He notes that they are concerned that if an annexation should take place that the City of Colusa will require them to update their lighting and streets, which at this time they have no desire to do. He further states that it is the desire of these families to keep that area agricultural and not be required to annex into the City of Colusa, should Walnut Ranch become annexed in.

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

4. Approval of Minutes

Chairman Evans declares time for approval of the Minutes of February 4, 2010.

Commissioner Hosmer states that Page 4 paragraph 15 should read as follows:

“Commissioner Hosmer states that she is aware of the cost involved for her to attend, noting that she believes it will benefit not only Colusa County but all of Northern California to have a representative in attendance at the committee meeting. **She further states to make the expense of taking these trips easier on LAFCO she has paid solely for her trip to Ontario.**”

Commissioner Carter states that page 3 paragraph 3 should read as follows:

“The City has upgraded its treatment facility to provide advanced biological treatment, filtration, and ultraviolet disinfection to its municipal wastewater prior to discharge into an unnamed tributary of **Powell** Slough, tributary to the Colusa Basin Drain.

Mr. Benoit states that Mr. Stice’s name is spelled wrong in the attendance portion of the minutes.

It is moved by Commissioner Carter, seconded by Commissioner Hosmer to approve the Minutes of February 4, 2010 as corrected. Motion carried by the following vote:

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

NOES: None.

ABSENT: None.

5. Consent Agenda

Chairman Evans declares time for approval of the Consent Agenda for payment of claims for February 2010.

It is moved by Commissioner Ash, seconded by Commissioner Hosmer to approve the payment of claims for February 2010. Motion carried. All yes. Absent: None

6. Public Hearing

City of Colusa Municipal Service Review (Continued from February 4th, 2010)

Chairman Evans declares time for a Public Hearing to Receive Executive Officer’s Report

Mr. Benoit states he prepared an errata sheet with the issues raised at the previous meetings, noting that they dealt with primarily the changes in the section on the levees and on the wastewater treatment plant.

Commissioner Hosmer states she appreciates the time Mr. Benoit took to make sure all of the numbers were consistent throughout the document.

Chairman Evans opens the hearing for public comment.

Hearing no comment, Chairman Evans closes the public hearing.

It is moved by Commissioner Carter, seconded by Commissioner Barker to adopt **Resolution 2010-0003**, a Resolution approving and adopting a Municipal Service

Review for services provided by the City of Colusa. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

7. Colusa LAFCO's Fee Deposit Schedule Revision (Originally Adopted on May 6, 2003).

Chairman Evans declares time for a Public Hearing for the Proposed Revised Fee Deposit Schedule.

Mr. Benoit speaks to the methodology he used to set the fee schedule for 2010, noting that the fees are based on an hourly rate per customer. He states that the reason for the change is because General Fund monies are becoming scarcer and raising the fees is a way to legally recover the dollars. He further states that the fees listed will be considered an initial deposit, noting that while it should cover the full cost of most projects, he will stop a project when the cost has reached 90% of the deposit and send a bill for more funds.

Commissioner Ash states she believes charging the full rate to the County or Cities to do an MSR when they already financially support LAFCO is wrong.

Mr. Benoit states he is in agreement with her statement, however legally LAFCO has to charge the same amount to everyone. Discussion is held.

Chairman Evans states he is concerned about the smaller districts that have been in Colusa County for many years, but have no money to pay for an MSR.

Mr. Benoit states a charge will occur when there is an update as a result of an application. He further states that to avoid charges LAFCO can determine that there does not need to be an MSR completed instead opting to do an amendment to the SOI.

Chairman Evans states he would like the "per diem and mileage" removed from the section entitled Miscellaneous Costs. The Commission concurs.

Chairman Evans opens the hearing for public comment.

Hearing no comment, Chairman Evans closes the public hearing.

It is moved by Commissioner Hosmer seconded by Commissioner Barker to adopt **Resolution 2010-0004**, a Resolution Amending the Fee Deposit Schedule.

Resolution approved and adopted by the following vote:

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

NOES: None.

ABSENT: None.

8. Select Ad-Hoc Budget Committee for FY 2010-2011

Chairman Evans declares time to select Commissioners for the Ad-Hoc Budget Committee for FY 2010-2011.

Commissioners Carter and Hosmer volunteer to be on the committee. Chairman Evans concurs.

9. Authorize Executive Officer and Counsel to attend the 2010 Calafco Staff Workshop in Santa Rosa – April 14-16.

Mr. Benoit states it is his recommendation that the Commission deny the request.

The request is pulled from the agenda for lack of a motion.

10. Executive Officer's Report

Mr. Benoit updates the Commission on upcoming projects and applications. He notes that Form 700's are due to before April 1, 2010. He further states that he is in contact with Golden State Risk Management and is requesting a bid from them regarding possible liability insurance for the commission, noting that if it is substantially lower, he will go with them.

11. Commissioner Reports

Commissioner Carter states the Ad-Hoc Committee has been meeting with the residents of Walnut Ranch, noting they will be submitting an application for annexation into the City of Colusa.

Commissioner Hosmer states she has received letters both for and against the annexation. She further states that work continues with the convention Planning Committee, noting that there are many wonderful sessions planned for both Commissioners and family members.

12. Correspondence

Mr. Benoit states he has received a request from the City of Williams, noting he will be responding to it, and will bring it to share next month.

13. Adjournment

Chairman Evans adjourns the meeting at 4:13 PM, to reconvene in Regular Session Thursday, April 1, 2010 at the hour of 3:00 PM.

Gary Evans, Chairman

Alicia Draves, Commission Clerk