

Local Agency Formation Commission of  
Colusa County

Minutes

November 6, 2008

The Local Agency Formation Commission of Colusa County meets this 6<sup>th</sup> day of November 2008 at the hour of 3:00 PM. Commissioners Present: Mary Winters, Gary Evans, Kay Hosmer, and Don Barker. Commissioners Absent: Tom Indrieri and Brandon Ash.

Present: John Benoit, Executive Officer.  
Scott Browne, Legal Counsel.  
Angie Fulcher, City Alternate.  
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 August 7, 2008 and October 2, 2008.

It is moved by Commissioner Evans, seconded by Commissioner Winters to approve the Minutes of August 7, 2008 and October 2, 2008. Motion carried by the following vote:

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

NOES: None.

ABSENT: Commissioners Ash and Indrieri.

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 October 2008.

It is moved by Commissioner Winters, seconded by Commissioner Hosmer to approve the Consent Agenda. Motion carried. All yes. Absent: Commissioners Indrieri and Ash.

Chairman Barker declares time for the continued review, discussion and recommendations regarding LAFCO's Adopted Policies, Standards, and Procedures.

3:05 PM Commissioner Ash is now present.

Discussion is held regarding Proposition 218 and how it will affect Colusa County, with no action taken.

Discussion is held regarding water rights, and how the policies of Colusa County LAFCO's 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.

Chairman Barker continues Section 3.1 due to a mix up in paperwork.

Discussion is held on Section 4, Annexations, Detachments, and Action in the Policies, Standards, and Procedures packet with Commissioner Evans stating that he believes detachments should be handled in a separate section.

Commissioner Winters states that she would like to see the definition of "near term" addressed in this section as well.

The Commission concurs to make the following changes to the document:

Removal of the word detachment in the title of section 4.1, which is now, titled General Standards for Annexation.

Mr. Benoit states that there are many changes to be made to Section 4.1 b.

Section 4.1 b i) The annexation must be consistent with the internal spheres of influence horizons. The land subject to annexation shall normally lie within the near term horizon, land which is expected to be annexed before the next sphere update.

Section 4.1 b ii) The annexation must also be consistent with the applicable Municipal Service Review. An annexation shall be approved only if the Municipal Service Review and any update done as part of the sphere update demonstrates that adequate services will be provided within the time frame needed by the inhabitants of the annexed area.

Section 4.1 b iii has been deleted from the document.

Section 4.1 b iv) Proposed annexations of lands that lie outside of the near term sphere horizon are presumed to be inconsistent with the Sphere Plan. In such case the agency or proponent must first request LAFCO consider a sphere amendment pursuant to Section 3.4 above to bring the territory within the near term horizon. If the amendment is approved, the agency or proponent may then proceed with the annexation proposal.

Section 4.1 c) Plan for Services Required Every proposal must include a Plan for Services that addresses the items identified in Section 56653 of the Government Code. This Plan for Service must be consistent with the Municipal Service Review of the agency.

Section 4.1 d) Contiguity. If required by statute, or if necessary to ensure efficient service provision, territory proposed to be annexed must normally be contiguous to the annexing city or district. Territory is not contiguous if its only connection is a strip of land more than 300 feet long and less than 200 feet wide. Exclusive of public roads.

Section 4.1 e) Piecemeal Annexation Discouraged. LAFCO requires annexations to be consistent with the Sphere of Influence and any annexation plan if adopted. LAFCO will modify small, piecemeal annexation proposals to include additional territory in order to promote orderly annexation and logical boundaries.

Section 4.1 f) Annexations to Eliminate Islands. No change.

Section 4.1 g) Annexations that Create Islands. No change

Section 4.1 h) Service Requirements. No change.

4:18 PM Commissioner Barker leaves the meeting.

Section 4.1 i) Adverse Impact of Annexation on other Agencies or Service Recipients. No change.

4:23 PM Commissioner Barker returns to the meeting.

Section 4.1 j) Action Options. LAFCO shall take one of the following three actions on an application for annexation.

Mr. Benoit inquires of the Commission would like for he and Mr. Browne to review Section 4.2 and make suggestions for changes before the December meeting. The Commission concurs.

**Executive Officer's Report**

Mr. Benoit updates the Commission on the status of the numerous Water Districts', the City of Williams', and the City of Colusa's Municipal Service Reviews and and Sphere of Influence updates.

**Commissioner Reports**

None.

Chairman Barker adjourns the meeting at 4:37PM to reconvene in Regular Session on Thursday, December 8, 2008 at the hour of 3:00 PM.

Approved: \_\_\_\_\_

Don Barker, Chairman

Attest: \_\_\_\_\_  
Alicia Draves, Commission Clerk