

Colusa Local Agency Formation Commission

Minutes
September 2, 2010

1. Call to Order/Roll Call

The Colusa Local Agency Formation Commission meets this 2nd day of September 2010 at the hour of 3:00 PM. Commissioners Present: Don Barker, Brandon Ash, Kay Hosmer, Gary Evans, and Denise Carter, Chairman. Commissioners Absent: None.

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

2. Approval of Minutes

Chairman Carter declares time for approval of the Minutes of August 5, 2010.

Ms. Winters states she was not present at the August meeting.

Commissioner Evans states page 2 paragraph 10 should read as follows:

“It is moved by Commissioner Ash, seconded by Commissioner Carter to nominate Commissioner Carter as Chairman for the 2010-2011 Fiscal Year. Motion carried. All yes. Absent: *Commissioner Evans.*”

It is moved by Commissioner Hosmer, seconded by Commissioner Ash to approve the Minutes of August 5, 2010 as corrected. Motion carried by the following vote:

AYES: Commissioners Barker, Hosmer, Ash, and Carter.
NOES: None.
ABSENT: None.
ABSTAIN: Commissioner Evans.

3. Public Comment

Chairman Carter declares time for a period of public comment.

Hearing none, Chairman Carter closes the period of public comment.

4. Consent Agenda

Chairman Carter declares time for approval of the Consent Agenda for payment of claims for August 2010.

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

5. Reclamation, Drainage, Flood Control and Levee Districts Municipal Services Review and Sphere of Influence Update

Chairman Carter declares time for a Public Hearing on the Reclamation, Drainage, Flood Control, and Levee Districts Municipal Services Review and Sphere of Influence Updates.

Mr. Benoit states he included an errata sheet, complete with new comments from the Districts that contacted him. He further states though their mission is going to change, it will not happen in this MSR. He notes that these changes are not going to have an effect on their boundaries.

Ms. Winters inquires if the Districts can simply raise fees, or are they required to hold a public hearing.

Mr. Browne states the Districts are not exempt from Proposition 218. They are required to give a 45-day notice for a fee change. He further states they must have a justification report that explains the amount, post a notice that the report is available, and they are proposing to raise the rates.

Chairman Carter requests Mr. Benoit place an appendix in the MSR discussing the fee structure, and stating how the assessment rates are set up.

Mr. Benoit states he will place a table in the back of the document.

It is moved by Commissioner Ash, seconded by Commissioner Barker to adopt Resolution **2010-0008**, A Resolution adopting a Municipal Service Review for Levee, Reclamation, Drainage, and Flood Control Services provided by Reclamation District 108, Reclamation District 479, Reclamation District 1004, Reclamation District 2047, Sacramento River Westside Levee District, Cortina Creek Flood Control and Floodwater Conservation District, Knights Landing Ridge Drainage District, and the Colusa County Flood Control and Water Conservation District.

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

NOES: None.

ABSENT: None.

It is moved by Commissioner Hosmer, seconded by Commissioner Barker to adopt **Resolution 2010-0009**, A Resolution adopting a Sphere of Influence Update for Levee, Reclamation, Drainage and Flood Control Services provided by Reclamation District 108, Reclamation District 479, Reclamation District 1004, Reclamation District 2047, Sacramento River Westside Levee District, Cortina Creek Flood Control and Floodwater Conservation District, Knights Landing Ridge Drainage District, and Colusa County Flood Control and Water Conservation District.

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

NOES: None.

ABSENT: None.

6. Biennial review of LAFCO's Conflict of Interest Code.

Chairman Carter declares time to receive the Executive Officer's report and consider Conduct Biennial Review.

Mr. Benoit states this review is required every two years, noting there have not been any changes since the last review. Discussion is held.

Chairman Carter directs staff to sign and send it in.

7. Consider alternative date or cancellation of the October 7, 2010 regular LAFCO Meeting.

Mr. Benoit states he would like the Commission to consider ethics training in place of the October meeting. Discussion is held, with the Commission agreeing to October 20, 2010 at 10:00 AM as the date and time for the training.

8. Executive Officer's Report

Mr. Benoit updates the Commission on legislation coming up for the Governor's signature. He further states he has sent a letter of response to the City of Williams' Notice of Preparation for them to consider when preparing the Environmental Impact Report for their General Plan.

9. Commissioner Reports

None.

10. Correspondence

None.

11. Adjournment

Chairman Carter adjourns the meeting at 3:46 PM to reconvene in Regular Session Thursday, November 4, 2010 at the hour of 3:00 PM.

Denise Carter, Chair

Alicia Draves, Commission Clerk