

COLUSA LOCAL AGENCY FORMATION COMMISSION

MINUTES

October 4, 2007

The Colusa Local Agency Formation Commission met in regular session on October 4, 2007 at the Supervisors Chambers, Colusa County Courthouse, Colusa, California.

1. Call to Order/Roll Call

Commissioners present were Don Barker, Kay Hosmer and Alternate Mary Winters.

Also present: John Benoit, Executive Officer
P. Scott Browne, Legal Counsel
Christy Leighton, Acting Clerk

Vice-Chairman Barker called the meeting to order at 3:00 p.m.

2. Approval of Minutes

On a motion by Commissioner Hosmer, second by Commissioner Winters, it was unanimously voted to approve the minutes of August 2, 2007 as submitted.

3. Public Comment

Ms. Patty Totman from 1417 Fifth Street, Colusa stated that she lived in the unincorporated area of Colusa County and she did not want to be annexed to the City of Colusa. She stated that she had presented a petition signed by everyone in the neighborhood to the City of Colusa, to Colusa LAFCO in April 2007, and to the County of Colusa. John Benoit stated that he was aware of the petition.

Commissioner Hosmer explained that if the land were included in the Sphere of Influence and the General Plan for the City of Colusa that did not mean that it would be annexed.

Ms. Totman stated that she is worried that the area will not be allowed to remain agricultural. She does not want to be annexed and have the agricultural uses allowed under a "grandfather" or existing use code because she does not understand these terms.

Scott Browne stated that any such use must be continuous and that the City could not restrict farming.

Commissioner Winters asked how the people could protect their area because the adjacent land might be allowed to develop with County permits and not annex to the City of Colusa. John Benoit stated that he heard that the proposed development was being redesigned to use a different access that would not require annexation to Colusa.

There was a discussion of "Island Annexations" where annexation could be required.

4. Consent Agenda

On a motion by Commissioner Winters, second by Commissioner Hosmer, it was unanimously voted to approve the Consent Agenda and all claims listed.

5. Workshop on the following Municipal Service Reviews and Sphere of Influence Studies:

a. Maxwell PUD Sphere of Influence

John Benoit explained that the previously adopted SOI was too large and that the reasonable area for the SOI would be much smaller. The original area would be considered an Area of Concern.

Carmen Mason, General Manager, Maxwell Public Utility District was present. She explained that there were a few changes that the District would recommend to the proposed Sphere of Influence map and text. John Benoit stated that he would meet with her and revise the Sphere of Influence prior to the LAFCO hearing.

b. Princeton Waterworks Sphere of Influence

John Benoit explained that the proposed SOI would not include some land that was in the District because it was recommended for detachment since it was in a Designated Floodway. No one was present from the Princeton Waterworks District.

c. Glenn-Colusa Irrigation District MSR and SOI

Commissioner Winters was concerned that the use of GCID water for the new energy plant near Maxwell was not included in the MSR report. John Benoit stated that he would add that information to the report. He explained that GCID has agreed to the "Safe Yield" concept of using groundwater in addition to surface water. He stated that GCID would make a few corrections to various dates within the document.

Scott Browne discussed the possibility that GCID could transfer water to local cities including Williams and Colusa. He suggested that these cities write a letter to LAFCO stating their need for water and encourage LAFCO to work with GCID to make this a priority. Commissioner Barker explained the water quality problems in Williams.

6. CALAFCO Conference Discussion and Legislative Update

John Benoit led a discussion of new legislation. AB 1744 was signed by the Governor. This includes a change in the findings require for the MSR's. The new determinations will be as follows:

1. growth and population
2. capacity and infrastructure
3. financial ability
4. shared facilities
5. government structure and accountability
6. special determinations required by the Commission

The requirement for disclosure of contributions made to support proposals before LAFCO was also made law. CALAFCO will prepare sample resolutions to help each LAFCO deal with this.

New legislation also requires that all information given to the Commission must also be available to members of the public.

7. MSR Guidelines Discussion-Possible Revisions

There was a discussion regarding the special determination. Perhaps for Colusa LAFCO the special determination should be a determination regarding agricultural land. The Colusa LAFCO Guidelines will have to be changed to reflect the new law.

8. Executive Officer's Report

John Benoit reported that the following reports were being prepared:

Arbuckle SOI,
Cemetery Districts MSR,
Westside Water District MSR,
Colusa Mosquito Abatement District MSR/SOI,
City of Williams MSR.

9. Commissioner Reports

Commissioner Hosmer invited everyone to her house for the remainder of the meeting.

10. Correspondence

There was no correspondence.

**11. Adjournment to Commissioner Hosmer's residence located at
325 10th Street, Colusa, CA.**

The meeting was adjourned to continue at Commissioner Hosmer's house at 325 10th Street Colusa.

Approved: _____
Don Barker, Vice-Chair

Attest: _____
Christy Leighton, Acting Clerk