

Local Agency Formation Commission Of  
Colusa County

Minutes

The Local Agency Formation Commission of Colusa County meets in Regular Session this 6<sup>th</sup> day of July 2006 at the hour of 3:00 PM. Commissioners Present: David Womble, Chairman, Kay Hosmer, Brandon Ash and Don Barker. Commissioners Absent: Gary Evans.

Present: John Benoit, Executive Officer.  
P. Scott Browne, Legal Counsel.  
Mary Winters, Public Member Alternate.  
Kim, Shannon Griffin, Shelly Murphy  
Alicia Draves, Commission Clerk.

Chairman Womble calls the meeting to order at 3:00 PM.

It is moved by Commissioner Hosmer, seconded by Commissioner Ash to approve the following minutes as presented:

- December 1, 2006
- April 6, 2006
- June 6, 2006

Motion carried by the following vote:

AYES: Commissioners Ash, Hosmer, and Womble.

NOES: None.

ABSENT: Commissioner Evans.

ABSTAIN: Commissioner Barker

Chairman Womble declares time for a period of public comment.

No comment being heard, Chairman Womble closes the period of public comment.

Chairman Womble declares time for the election of a new Chairperson and Vice-Chairperson for a twelve-month term of office concluding on June 30, 2007.

Chairman Womble turns the meeting over the Mr. Benoit.

Mr. Benoit opens the floor to nominations.

Commissioner Womble nominates Commissioner Ash for the office of Chairperson.

Commissioner Ash nominates Commissioner Evans for the office of Chairperson.

Commissioner Hosmer seconds Commissioner Ash's nomination of Commissioner Evans.

Mr. Benoit closes the nominations and calls for a vote.

The Commission elects Commissioner Ash to be the new Chairperson.

Mr. Benoit opens the floor to nominations for the position of Vice Chairperson for a 12-month term ending on June 30, 2006.

Commissioner Ash nominates Commissioner Evans for the office of Vice Chairperson.

Commissioner Hosmer seconds Commissioner Ash's nomination for Commissioner Evans.

Commissioner Barker nominates Commissioner Hosmer for the office of Vice Chairperson.

Commissioner Womble seconds Commissioner Barker's nomination of Commissioner Hosmer.

Commissioner Scofield is now present.

Mr. Benoit closes the nominations and calls for a vote.

The Commission elects Commissioner Hosmer as the new Vice Chairperson.

Chairman Ash declares time for approval of the Consent Agenda.

Mr. Benoit states that the Commission will be approving an amended Consent Agenda, noting that there is a credit from CALAFCO for the annual conference, which is not reflected on the original report. He further states that he will need to again amend the amount if there is interest by other Commissioners in attending the conference.

Consent Agenda: It is moved by Commissioner Womble, seconded by Commissioner Hosmer to approve payment of claims for June 2006. Consent Motion carried. All yes. Absent: None.

Chairman Ash declares time for a Public Hearing on the Establishment of a Sphere of Influence and Formation of the Arbuckle Parks and Recreation District.

Mr. Benoit speaks in support of the resolutions noting that it is staff's recommendation to approve the district. He further notes that there is not another district in the Arbuckle area willing to provide these services. He states that the County will be conducting a landowner election for the proposed assessment, noting that if approved the registered voters would be asked to approve the formation of the district and to elect its Board of Directors on the November 2006 ballot. He further states that LAFCo's approval of the proposal, therefore, would be conditioned upon the success of the assessment proceedings and confirmation by the registered voters in the district.

Discussion is held regarding the amount of votes required for passage with Mr. Browne noting that it must be 66% of the actual voters.

Discussion is held regarding the use of the word "parcel" with Commissioner Scofield stating that the wording on the ballot needs to differentiate between residential parcels vs. parcels of land.

Mr. Browne states that the wording should say "per parcel with a dwelling unit. He further states that the wording does not need to be decided today, for the Commission to approve or deny the request.

Mr. Browne further states that there will need to be a decision made regarding whether this is going to be a special tax or an assessment, noting that if an assessment is chosen, there will need to be a letter sent to every resident, notifying them they are subject to a special assessment, and they will need to vote on it by ballot. He further states that the LAFCo resolution may state assessment or special tax, noting that wording must state the following:

" The effective district shall be funded by an assessment or by a special tax by the voters and shall not be formed if funding is not approved."

Mr. Benoit states that the following needs to be added to the determinations within the resolutions:

"That the Arbuckle PUD has advised LAFCO that it does not currently provide recreation and park services and LAFCO hereby determines only the Arbuckle Recreation and Park District, shall provide such services within its territory if it is formed."

Ms. Griffin speaks in favor of denying the request noting that the parks in the area are poorly used, and poorly taken care of. She further states that it is her recommendation that if there is a need for programs they should be user funded, noting that since she along with other families do not use the current parks, nor will they be using future amenities provided by the district, they should not have to pay for them.

Ms. Murphy speaks to Ms. Griffin's concerns noting that there is no funding to keep the parks in good shape at this time. She further states that there is new development coming to Arbuckle and the programs will be needed to accommodate the growth. She further notes that while the current programs are user funded, this does not generate enough money to keep them running.

No further comment being heard, Chairman Ash closes the period of public comment.

It is moved by Commissioner Scofield, seconded by Commissioner Barker to adopt Resolution 2006-0005, A Resolution of the Local Agency Formation Commission of Colusa County approving the proposed Sphere of Influence coterminous with the Arbuckle Fire District, as amended. Resolution passed and adopted by the following vote:

AYES: Commissioners All yes.

NOES: None.

ABSENT: None.

Mr. Benoit states that there are two additions to be made to the conditions of approval for Resolution 2006-0006.

1. That the Arbuckle PUD has advised LAFCO that it does not currently provide recreation and park services and LAFCO hereby determines only the Arbuckle Recreation and Park District, shall provide such services within its territory if it is formed.
2. If the district is formed it shall try to make every effort to acquire legal ownership to the recreation and park facilities, as listed on page 4, table one of the Engineers report.

He stated condition 3 of the resolution be amended as follows:

3. The district shall be funded by a special tax and (or) special assessment approved by the voters (or) landowners, whichever the case, and shall not be formed unless an adequate funding mechanism has been approved

He further states that condition 4 of the resolution needs to be amended to the following:

4. The district shall be governed by a five-member board of directors to be elected to staggered terms and at large by the registered voters residing within the affected territory. Three members of the initial Board of Directors shall be elected for a four-year term and two members of the initial Board of Directors shall be elected to a two-year term of office. All terms shall be determined pursuant to the Uniform District Elections Law.

It is moved by Commissioner Scofield, seconded by Commissioner Barker to adopt Resolution 2006-0006, A Resolution of the Local Agency Formation Commission of Colusa County Forming the Arbuckle Parks and Recreation District subject to amendments made by Staff. Resolution passed and adopted by the following vote:

AYES: Commissioners Womble, Hosmer, Scofield, Barker, and Ash.

NOES: None.

ABSENT: None.

Chairman Ash declares time to designate a voting member to represent the Colusa County LAFCO at the CALAFCO annual conference.

It is moved by Commissioner Scofield, seconded by Commissioner Womble to nominate Commissioner Hosmer as the voting member, and Commissioner Barker as the alternate.

Chairman Ash declares time for nomination for CALAFCO Achievement Awards.

Commissioner Hosmer nominates Commissioner Womble for the Distinguished Service Award.

It is moved by Commissioner Hosmer, seconded by Commissioner Barker to nominate David Womble for the CALFACO distinguished Service Award. Motion carried. All yes. Absent: Commissioner Evans.

Commissioner Womble states that he appreciates the kindness of the Commission for their nomination.

Executive Officer's Monthly Report:

Mr. Benoit states that he is working on the MSR's for Maxwell, Princeton, and the Fire Districts, noting that he is hoping to find better maps to help complete these reports. He further states that he is going to place on a future agenda, discussion regarding agricultural conservation easement policies.

Discussion is held regarding the date and time for the next meeting with the Commission agreeing to move the meeting to Thursday, August 10, 2006 at 3PM.

Chairman Ash adjourns the meeting at 4:25 PM to reconvene in Regular Session on Thursday, August 10, 2006 at the hour of 3:00 PM.

Approved: \_\_\_\_\_  
Brandon Ash, Chairman

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