

Local Agency Formation Commission Of
Colusa County

Minutes – June 7th, 2007

The Local Agency Formation Commission of Colusa County meets in Regular Session this 7th day of June 2007 at the hour of 3:00 PM. Commissioners Present: Brandon Ash, Chairman, Angie Fulcher, Gary Evans, and Dan Yerxa. Commissioners Absent: Don Barker, Kay Hosmer

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

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

Chairman Ash declares time for approval of the Minutes of May 3, 2007.

Commissioner Evans states that the approval of the minutes should read as follows:

It is moved by Commissioner Evans, seconded by Commissioner Barker to approve the Minutes of April 5, 2007. Motion carried. All yes. Absent: Commissioners Hosmer and Yerxa.

It is moved by Commissioner Evans, seconded by Commissioner Yerxa to approve the Minutes of May 3, 2007 as corrected. Motion carried by the following vote:

AYES: Commissioners Yerxa, Evans, and Ash.

NOES: None.

ABSENT: Commissioners Barker and Hosmer.

ABSTAIN: Commissioner Fulcher.

Chairman Ash declares time for a period of public comment.

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

Chairman Ash declares time for approval of the Consent Agenda.

Consent Agenda: It is moved by Commissioner Evans, seconded by Commissioner Fulcher to approve payment of claims for May 2007. Motion carried. All yes. Absent: Commissioners Barker and Hosmer.

Chairman Ash declares time for the continued public hearing on the Final Budget for fiscal year 2007-2008.

Mr. Benoit states that he and the budget committee have met, and reformatted the entire budget. He further states that the estimated carryover funds in the amount of \$18,000.00 are reserved to fund the Contingency. He notes that these funds are not budgeted under the line items in the Expenditure Section, and will require a 4/5 vote of the commission to be utilized.

Ms. Winters states that the Commission does need to realize that this is a temporary budget, contingent on public funds. She further states that she would like to see the Commission begin having mid-year budget reviews to have a better idea of where LAFCo stands budget wise.

Discussion is held regarding A87 funds with Mr. Benoit stating he is going to speak with the auditor regarding the charges. Several ideas are given out regarding possible ways for the Commission to take over their own accounting with Mr. Benoit stating that he will begin looking into this.

Chairman Ash closes the public hearing.

It is moved by Commissioner Evans, seconded by Commissioner Fulcher to adopt **Resolution 2007-03**, A Resolution of the Colusa County Local Agency Formation Commission Approving a Final Budget for 2007-2008 Fiscal Year for LAFCO. Resolution passed and adopted by the following vote:

AYES: Commissioners Yerxa, Evans, Hosmer, and Ash.

NOES: None.

ABSENT: Commissioners Hosmer and Barker.

Chairman Ash declares time for the continued discussion on a Policy Amendment to LAFCo's adopted policies regarding Municipal Service Reviews and Sphere of Influence studies for non-growth inducing municipal services and districts solely providing non-growth inducing municipal services.

Mr. Benoit speaks to the policy amendment, noting that he will be setting a public hearing for the July meeting. He further states that he sees no reason why the Commission should do both a full MSR and a full SOI, noting that what has been removed from the MSR, is the work that is duplicated when completing a SOI update.

Mr. Browne states he has concerns regarding the removal of the requirement for the master services element. He notes that if a recreation district wants to double the size of the district, it would be appropriate to do a review.

Mr. Benoit states that this policy allows for that, noting that it just cuts down on duplicated work.

Mr. Browne states that he would like to see growth inducing services include road improvement and maintenance. He further states that Exhibit A, Section 3.5 paragraph 2 should read as follows:

Exhibit "A"

Colusa LAFCo Policies, Standards and Procedures are hereby amended to add the following section:

Section 3.5 – Districts and services, which are not growth-inducing

The Commission may prepare abbreviated Municipal Service Reviews and Sphere of Influence Updates for agencies not providing growth-inducing services and districts providing non-growth inducing services, waive the requirement for preparation of a Master Services Element (see Section 3.3 above) and where appropriate determine Sphere of Influence affirmations to be exempt from the provisions of the California Environmental Quality Act.

Non-growth-inducing services is defined as all services excepting 1. Water conveyance, treatment, extraction and use of ground and (or) surface water for domestic services or to facilitate urban development 2. Domestic wastewater collection, treatment and disposal to facilitate urban development 3. Fire protection and 4. road improvements and maintenance. Districts providing non-growth inducing services normally would serve finite geographical areas, provide limited specified services to residents or landowners, have coterminous district/sphere of influence boundaries and are not generally or routinely considered for expansion through annexations or sphere amendments for the purpose of providing services for existing or future urban development.

Sphere of Influence Plan reviews and affirmations for districts providing non-growth inducing services would normally not generate environmental impacts that would make them subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15320, changes in organization in that: The Sphere of Influence affirmation for districts providing non-growth inducing services will not affect the geographical area in which these services are provided; will not result in any substantive changes to the functions, operations or purposes of the districts; are not predicated on, or will result in, any land use changes that may be subject to CEQA review; and will not cause any reasonable foreseeable environmental consequences in that the Sphere of Influence affirmation will not directly create or cause any significant land use changes or other actions that could be detrimental to the environment.

Chairman Ash directs staff to make the changes requested by Mr. Browne.

Chairman Ash declares time for discussion regarding the Reimbursement Agreement for the City of Colusa MSR/SOI.

Mr. Benoit states that at one time there had been four developers interested in funding a SOI update, noting that there is now currently only one

developer still interested. He further states that this sole developer is willing to fund the update, but would like to be reimbursed a pro rata share of cost from future developers when they apply for annexation. He further states that the Commission would need to establish a type of MSR and SOI fee schedule, with a fee per acre annexed. He further states that these funds would be held in a trust.

Chairman Ash closes the discussion with no action taken.

EXECUTIVE OFFICER'S MONTHLY REPORT:

Mr. Benoit updates the Commission on the following items:

Mr. Benoit states that he attended a meeting regarding agricultural policy with City and County planning staff. He states that the ultimate goal is to set up policy that will work for all agencies countywide.

He also speaks to nominations for Calafco Achievement Awards and nominations for Calafco Board Members. He states it is important to have representation from rural counties on the Board, noting that he would like to have one of our commissioners run for office.

COMMISSIONER'S REPORTS:

Nothing to report.

Chairman Ash adjourns the meeting at 4:02 PM to reconvene in Regular Session on Thursday, July 5, 2007 at the hour of 3:00 PM.

Approved: _____
Brandon Ash, Chairman

Attest: _____
Alicia Draves, Commission Clerk