

Local Agency Formation Commission Of  
Colusa County

Minutes

March 6, 2008

The Local Agency Formation Commission of Colusa County meets in Regular Session this 6<sup>th</sup> day of March 2008 at the hour of 3:00 PM. Commissioners Present, Brandon Ash, Chairman, Daniel Yerxa, Gary Evans, Kay Hosmer, and Don Barker. Commissioners Absent: None.

Present: John Benoit, Executive Officer.  
Scott Browne, Legal Counsel.  
Mary Winters, Public Member.  
Steve Hackney, Director, Dept. Public Works.  
Henry Rodegerdts, County Counsel.  
Angie Fulcher, Williams City Member.  
Ron Lee, Holthouse Water District.  
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 February 8, 2008.

Commissioner Yerxa notes that the name Hulbert is misspelled on page 3.

Commissioner Evans states that on page 4, it should state **PG&E** will be placing a power plant at that location, not Colusa County.

It is moved by Commissioner Evans, and seconded by Commissioner Barker to approve the Minutes of February 8, 2007 as corrected. Motion carried by the following vote:

AYES: Commissioners Yerxa, Hosmer, and Barker.

NOES: None.

ABSENT: None.

ABSTAIN: Commissioners Evans and Ash.

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.

Chairman Ash declares time for approval of the consent agenda.

Consent Agenda: It is moved by Commissioner Evans, seconded by Commissioner Yerxa to approve payment of claims for February 2008. Motion carried. All yes. Absent: None.

Chairman Ash declares time for discussion on the Municipal Service Reviews, Spheres of Influence, Reorganizations, and LAFCO Files 2007-0001, 2008-0001 through 2008-0003 for Glenn Colusa Irrigation District, Westside Water District and Holthouse Water District:

- a. Glenn Colusa Irrigation District Sphere of Influence
- b. Westside Water District Municipal Service Review and Sphere of Influence
- c. Holthouse Water District Municipal Service Review and Sphere of Influence
- d. LAFCO File 2007-0001 – GCID Reorganization
- e. LAFCO File 2008-0001 - Westside Water District Reorganization
- f. LAFCO File 2008-0002 – Holthouse Water District Detachment – Jeanmarie Etchepare
- g. LAFCO File 2008-0003 - Holthouse Water District Detachment – Allen Etchepare

Mr. Benoit states that he prepared a staff report that has detailed information on the parcels, noting that there is 16 different attachments. He further states that this will take land out of other districts, and place them into GCID, further noting that there will be no new acreage added to the Holthouse District.

Mr. Benoit further states that with respect to the Holthouse District, and the power plant proposal, it contained a portion of land which is now included in the SOI. He further states that they have not received an application from the power plant to annex the property. He notes that the Commission could amend the annexation proposal to include the power plant.

Mr. Rodegerdts inquires if at some future point in time, Holthouse wishes to annex the power plant properties, will it already have been included in the SOI. He further inquires if the current EIR can be used for that proposal.

Mr. Benoit states that the Commission is not analyzing the whole

power plant. He further states, yes, the Commission has the choice to add that in, noting that if this was added it would hold up everything else. He further states it is his opinion that Holthouse should stand on its own.

Mr. Rodegerdts inquires again if Holthouse wanted to add this today, could it be done?

Mr. Browne states he would not recommend the Commission consider this today, noting that the current EIR is for the transfer of water from one agricultural district to another, noting that the action Mr. Rodegerdts is requesting would use the water for a different purpose. He further states that the Commission would need more information before it could approve such an action.

Hearing no further public comment, Chairman Ash closes the public hearing.

Commissioner Evans states that the following corrections need to be taken care of:

- page 5, the number residents that are identified equals 149% of the population.
- Holthouse page 5, section 3.2, paragraph 1, Hence is conveyed to **Westside** Water district. It should say **Holthouse**.

It is moved by Commissioner Hosmer, seconded by Commissioner Barker to adopt a Negative Declaration without mitigation measures for items “a” through “g” above based on the initial study that contained in the Executive Officer’s report. Motion carried. All yes. Absent: None.

It is moved by Commissioner Hosmer, seconded by Commissioner Evans to adopt **Resolution 2008-03**, A Resolution of the Local Agency Formation Commission of Colusa County Adopting a MSR for the Westside Water District as corrected. Motion carried by the following vote:

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

NOES: None.

ABSENT: None.

It is moved by Commissioner Evans, seconded by Commissioner Barker to adopt **Resolution 2008-04**, A Resolution of the Local Agency Formation Commission of Colusa County Adopting a MSR for the Holthouse Water District as corrected. Motion carried by the following vote:

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

NOES: None.

ABSENT: None.

It is moved by Commissioner Barker, seconded by Commissioner Evans to adopt **Resolution 2008-05**, A Resolution of the Local Agency Formation Commission of Colusa County Adopting a Sphere of Influence update for the Glenn Colusa Irrigation District as corrected. Motion carried by the following vote:

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

NOES: None.

ABSENT: None.

It is moved by Commissioner Evans, seconded by Commissioner Hosmer to adopt **Resolution 2008-06**, A Resolution of the Local Agency Formation Commission of Colusa County Adopting a Sphere of Influence update for the Westside Water District as corrected. Motion carried by the following vote:

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

NOES: None.

ABSENT: None.

It is moved by Commissioner Barker, seconded by Commissioner Evans to adopt **Resolution 2008-07**, A Resolution of the Local Agency Formation Commission of Colusa County adopting a Sphere of Influence update for the Holthouse Water District, as corrected. Motion carried by the following vote:

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

NOES: None.

ABSENT: None.

Commissioner Evans inquires if there will be a loss of water rights for the District for these changes.

Mr. Benoit states there will be no loss, because the District has a contract with the Bureau.

It is moved by Commissioner Evans, seconded by Commissioner Hosmer to adopt **Resolution 2008-08**, A Resolution of the Local Agency Formation Commission of Colusa County approving a reorganization for the Westside Water District consisting of a detachment of 252.10 acres and annexation of 137.9 acres. Motion carried by the following vote:

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

NOES: None.

ABSENT: None.

It is moved by Commissioner Evans, seconded by Commissioner Barker to adopt **Resolution 2008-09**, A Resolution of the Local Agency Formation Commission of Colusa County approving a detachment of 115.2 acres (Jean Marie Etchepare) and a detachment of 320 acres (Allen Etchepare). Motion carried by the following vote:

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

NOES: None.

ABSENT: None.

It is moved by Commissioner Evans, seconded by Commissioner Yerxa to adopt **Resolution 2008-10**, A Resolution of the Local Agency Formation Commission of Colusa County approving a reorganization for the Glenn Colusa Irrigation District including a detachment of 1,379.30 acres and annexation of 2,708.67 acres. Motion carried by the following vote:

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

NOES: None.

ABSENT: None.

Chairman Ash declares time for discussion on the Independent Special Districts on LAFCO.

Mr. Benoit speaks to the possibility of allowing Special Districts to be seated on the Colusa County LAFCO, noting that it would take the Commission from a 5 member panel to a 7 member panel. He further states that for Special Districts to be seated they will have to pay 1/3 of the cost associated with LAFCO. He notes that in the past, in Colusa County the Special Districts were asked if they would like to participate, and they all said no. He further notes that he believes that there will soon be legislation requiring all LAFCO's to seat Special Districts.

Commissioner Evans inquires who gets to decide which Special Districts get seated?

Mr. Benoit states that since there is not a Special Districts committee, after 50% of the district consents to this, a ballot would go out and nominations would be requested. He further states that there would then be an election, and each district would have one vote. He further notes that those votes would be tallied up, with the highest number of votes seated on LAFCO for a 4-year term.

Ms. Winters inquires what the advantage of having Special Districts Seated.

Mr. Benoit states that decisions are made all the time that an Impact on the Special Districts, yet they have no voice right now. He further states that at this time the Commission is under no obligation to consider this. Discussion is held with no action taken.

Chairman Ash declares time for discussion on the Annual Work Program for FY 2008-2009.

Mr. Benoit updates the Commission on the Annual Work Program for FY 2008-2009, noting that they will continue the MSR and Sphere Updates, and responding to new legislation. He further states that he will begin to go through policy and procedures, noting now that there is a seasoned LAFCO, they can be written from a local perspective.

Ms. Winter's states that she would like to see the meetings more organized and see the conversations stay on topic.

### **Executive Officer's Report**

Mr. Benoit directs the Commissioners to submit their Form 700's to the Colusa County Clerk's Office noting that they are due by April 1, 2008. He announces that there will be a Budget Committee Meeting next week.

### **Commissioner Reports**

None.

Chairman Ash adjourns the meeting at 4:38 PM to reconvene in

closed session per Government code section 54957 of the Brown Act, re: Employee Performance Evaluation Title: LAFCO Executive Officer.

Chairman Ash reconvenes in open session and announces there was no action taken.

Chairman Ash adjourns the meeting at 5:10 PM to reconvene in Special Session on Wednesday April 9, 2008 at the hour of 1:30 PM at the City of Colusa, Council Chambers.

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

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