

Local Agency Formation Commission Of  
Colusa County

Minutes

The Local Agency Formation Commission of Colusa County meets in Regular Session this 3<sup>rd</sup> day of May 2007 at the hour of 3:00 PM. Commissioners Present: Brandon Ash, Chairman, Don Barker, and Gary Evans. Commissioners Absent: Kay Hosmer and Dan Yerxa.

Present: John Benoit, Executive Officer.  
P. Scott Browne, Legal Counsel.  
Mary Winters, Public Member Alternate.  
Steve Hackney, Director, County Planning and  
Building.  
Alicia Draves, Commission Clerk.

Chairman Ash calls the meeting to order at 3:09 PM.

Chairman Ash declares time for approval of the minutes of April 5, 2007.

It is moved by Commissioner Evans, seconded by Commissioner Barker to approve the minutes of March 1, 2007. Motion carried. All yes. Absent: Commissioners Hosmer and Yancy.

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.

Mr. Benoit hands out new claim forms, stating that Mr. Browne needed to be included in the conference expenses.

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

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

Lengthy discussion is held regarding the 2007-2008 budget with Mr. Benoit handing out the most recent update to the budget as of May 1, 2007. Mr. Benoit states that at the end of the fiscal year there should be a roll over amount of \$115,000.00 to put into reserve. He further states that there will be \$90,120.00 in

new revenue for the next year. He further states that the budget will have to be \$205,933.00 to balance, noting that to achieve this, there will need to be a reduction in line number 35, from \$27,000.00 to \$20,082.50. He further notes that these numbers assume that the city and county share of cost remains the same.

Chairman Ash inquires why he does not have a copy of the most recent numbers.

Ms. Winters notes that Mr. Benoit has done what the Commission requested by bringing in year to date numbers for the 2006-2007 year and actual numbers for 2004-2005 and 2005-2006 fiscal years.

Ms. Winters states that this since we do not have to adopt the final budget today, Mr. Benoit should meet with the Chairman to work on the budget so that it meets the Commissions expectations.

Mr. Browne states that most LAFCo's have an appointed budget committee to take care of this.

Discussion is held regarding the formation of a budget committee for the Colusa County LAFCo.

Chairman Ash appoints Commissioners Don Barker and Mary Winters to the Colusa County LAFCo Budget Committee.

Chairman Ash continues the budget hearing for June 7, 2007.

Chairman Ash inquires if Mr. Benoit brought the requested survey of wages in surrounding counties for the Clerk and Counsel.

Mr. Benoit states that he has completed the survey. He states that the average amount received by LAFCo counsel is \$175.22 an hour, noting that this figure does not include time used for litigation. He further states that the average amount received by LAFCo Clerks is \$38.14 an hour, noting that this amount does not take into consideration use of office space or personal computer. He notes that at this time while the Colusa LAFCo is in the ballpark, it is his recommendation that a raise be given for both positions.

Commissioner Evans states he would like to see the budget updated to reflect a raise in fees for LAFCo Counsel and for the Commission Clerk.

Chairman Ash directs Mr. Benoit to update the numbers for the 2007/2008 Fiscal Budget to reflect the change in salary for LAFCo Counsel at \$1750.00/month, and for LAFCo Clerk at \$175.00/month.

Chairman Ash continues the public hearing for approval of the Final Budget for 2007-2008 for LAFCo.

Chairman Ash declares time for discussion on the CALAFCo Annual Conference.

Discussion is held regarding the CALAFCo Annual Conference with Commissioners Ash, Barker, Hosmer, and Fulcher agreeing to attend.

Chairman Ash declares time for discussion of a policy amendment to LAFCo's adopted policies regarding Municipal Service Reviews and Sphere of Influence studies for non-growth inducing Municipal Services.

Mr. Benoit reads the following into the record:

"Exhibit "A"

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

#### Section 3.4-Non-essential Services

The Commission may prepare abbreviated Municipal Service Reviews and Sphere of Influence Updates for services and districts providing non-essential services, waive the requirement for preparation of a Master Services Element and determines Sphere of Influence affirmations to be exempt from the provisions of the Environmental Quality Act.

Non-essential services do not include growth-inducing services such as domestic water and domestic wastewater disposal. Districts providing non-essential services normally 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 non-essential services are not 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-essential 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."

Ms. Winters questions the use of the term "non-essential services", noting that this does not seem to qualify for Colusa County.

Mr. Browne states that the use of the words “non-essential services” should be changed to “services that are critical for growth”.

Discussion is held regarding the use of the term “non-essential services” with Mr. Benoit stating that the definition of essential services is as follows:

- Domestic Water
- Structural Fire
- Domestic Wastewater

He further states that any other service falls under this resolution. He notes that it is not necessary to do a full MSR, when certain districts within the County do not provide growth-inducing services for the County.

Chairman Ash declares time for discussion regarding Government Code Section 56668, factors to be considered by LAFCo.

Lengthy discussion is held regarding Government Code Section 566678 with Mr. Benoit stating that when the Commission is considering a proposal they are required to consider certain key factors, such as population, land area, and land use.

Mr. Hackney speaks to the map, noting that it looks like the City of Williams is going to request an expansion Sphere of Influence. He further states that he is not in agreement with this request.

Chairman Ash states that a specific Sphere of Influence request is not part of this discussion, and therefore does not need to be discussed at this time.

Mr. Browne states that it is his opinion that a workshop should take place, allowing the Commission to use an example request, to see how this policy is applied.

**EXECUTIVE OFFICER'S MONTHLY REPORT:**

Mr. Benoit updates the Commission on the following items:

- Agricultural Policy Meeting with City and County planning staff
- Fire/EMS Services MSR.
- Rural County Issues Discussion at CALAFCo Conference.
- Williams MSR SOI Study.

**COMMISSIONER'S REPORTS:**

Nothing to report.

Chairman Ash adjourns the meeting at 4:50 PM to reconvene in Regular Session on Thursday, June 7, 2007 at the hour of 3:00 PM.

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

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