

Lake Local Agency Formation Commission

Regular Meeting Agenda

January 18, 2017 -- 9:30 am

City of Clearlake – City Council Chambers

14050 Olympic Dr. Clearlake, California

Website: www.lakelafco.org

“Lake LAFCo oversees orderly development and protects natural resources and agricultural lands”

Commissioners

Ed. Robey, (Public Member)
Allen Gott (Special District Member)
Joyce Overton , (City Member)
Stacey Mattina, Chair (City Member)
Gerry Mills, Vice Chair (Special Dist.
Member)

_____ (County Member)
_____ (County Member)

Alternates

Jeff Smith (County Alternate)
Bruno Sabatier (City Alternate)
Victoria Brandon, (Spec. District
Alternate)
Suzanne Lyons (Public Alternate)

Staff

John Benoit, Executive Officer
P. Scott Browne, Legal Counsel
Kathleen Moran, Clerk-Analyst

- 1. Call to Order – Roll Call**
- 2. Approval of Minutes – November 16, 2016 minutes**

3. Public Comment

This is the time for the public to address the Commission on any matter not on the agenda. Testimony related to an item on the agenda should be presented at the time that item is considered.

4. Consent Agenda

Action: Review and authorize payment of expenses for November and December 2016

Public Hearing:

5. **Spring Valley Distribution Sphere of Influence Amendment and Annexation of 17.086 acres of territory to be annexed into Spring Valley CSA #2.**
 - a. *Adopt proposed Resolution 2017-0001 approving a minor sphere of influence amendment to include 17.086 acres into the Sphere of Influence of CSA #2 Spring Valley*
 - b. *Adopt proposed Resolution 2017-0002 consisting of an annexation of 17.086 acres to CSA #2 – Spring Valley subject to recommended terms and conditions.*

Action Items:

6. **Extension of time to complete the reorganization of CSA #16 and the Clear Lake Oaks County Water District (LAFCo file 2015-0005)**
 - a. *Review Executive Officer's Report*
 - b. *Approve a one-year extension ending January 20, 2018 for Lake County on behalf of Paradise Valley (CSA #16) and the Clear Lake Oaks CWD to complete the Reorganization including an annexation of the territory within Paradise Valley (CSA #16) to the Clear Lake Oaks CWD and the dissolution of CSA #16.*
7. **Peschon Annexation to the Callayomi Co. Water District (LAFCo File 2016-0003).**
 - a. *Receive Executive Officer's report and consider Resolution 2017-0003, an Annexation consisting of 22.95 acres more or less into the Callayomi County Water District.*
8. **Authorize Staff to attend the CALAFCo annual staff workshop April 4-7, 2017 in Fresno, CA.**
 - a. *Authorize staff to attend the Calafco staff workshop April 4-7, 2017 in Fresno, CA.*
9. **Executive Officer' s report**
 - a. *Adams Springs and Cobb Service Review and Sphere of Influence*
 - b. *Hidden Valley Lake Service Review and Sphere of Influence*
 - c. *Meeting with the State Water Resources Control Board- Division of Drinking water: Cobb Area, Upper Lake, South Lakeport and Konocti Harbor.*
 - d. *Dissolution of RD 2070.*
 - e. *Meeting with Lakeport County Fire*

10. Commissioner Reports

This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters.

11. Correspondence

12. "All About LAFCo" - An overview of LAFCo's Law, Policy and Practice, An Interactive Discussion

13. Adjourn to LAFCO's next regular meeting: Wednesday March 15, 2017 in Lakeport

The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.



Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority
Government Code Section 56325.1

Public Comment

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be of interest to the public and within the Commission's subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).
- The total amount of time allotted for receiving public comment may be limited to 15 minutes.
- Any individual's testimony may be limited to 5 minutes. Time to address the Commission will be allocated on the basis of the number of requests received.

Public Hearings

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person's input to 5 minutes. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

Agenda Materials

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda area available for review for public inspection at the City of Lakeport and City of Clearlake Community Development Departments office located at City Hall in Lakeport and Clearlake [such documents are also available on the Lake LAFCO website as noted below to the extent practicable and subject to staff's ability to post the documents prior to the meeting].

Accessibility

An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting.

The location of this meeting is wheelchair-accessible.

Disclosure & Disqualification Requirements

Any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Lake LAFCO must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals; they may be reviewed at Government Code §§56700.1 and 81000 *et seq.* Additional information about the requirements pertaining to local initiative measures to be presented to the electorate can be obtained by calling the Fair Political Practices Commission at (916) 322-5660.

A LAFCO Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

Contact LAFCO Staff LAFCO staff may be contacted at (707) 592-7528 or by mail at Lake LAFCO c/o John Benoit, Executive Officer P.O. Box 2694, Granite Bay, CA 95746 or by email at johnbenoit@surewest.net or by fax at (916) 797-7631. Agenda items are located on the Lake LAFCo Webpage at www.lakelafco.org

LAKE LOCAL FORMATION COMMISSION
MINUTES
November 16, 2016
REGULAR MEETING

Present:

Stacey Mattina, Chair
Jim Comstock, County Member
Ed Robey, Public Member
Allen Gott, Special District Member
Gerry Mills, Special District Member
Bruno Sabatier, City Alternate
Victoria Brandon, Special District Alternate
Suzanne Lyons, Public Member Alternate.

Staff Present:

P. Scott Browne, Legal Counsel
Kathleen Moran, Clerk/Analyst

Absent: Joyce Overton, Anthony Farrington, Jeff Smith.

1. Call to Order – Roll Call

Chair Mattina called the meeting to order at 9:30 a.m. in the City of Lakeport Council Chambers.

2. Approval of Minutes

Motion by Commissioner Comstock, seconded by Commissioner Robey to approve the Minutes of the September 21, 2016 meeting. Motion carried.

On behalf of the Executive Officer, the Clerk noted that this would be the last LAFCo meeting for Commissioners Farrington and Comstock as their terms on the County Board of Supervisors will be finished in early January. The next regularly scheduled meeting set for January 18, 2017.

Further, that Commissioner Robey was presented with a Lifetime Achievement Award at the Annual Calafco Conference.

3. Public Comment

None.

4. Consent Agenda

Motion by Commissioner Robey, seconded by Commissioner Sabatier to authorize payment of expenses for September and October 2016. Motion carried.

5. LAFCo file 216-0001 Harrell Annexation of 1.57 acres to CSA #6 Finley County Service Area

The Clerk states that the matter before the Commission is the final approval of the annexation, that all required information is in the EO report and there has been no opposition to the request.

Chair Mattina asked if there were questions or comments from the attendees in the audience or the Commission. Commissioner Brandon asked for clarification on page 2

section B of the EO Report where it states that the annexation territory as currently uninhabited as it has been determined to have 12 or fewer registered voters. Mr. Browne responded with information from the Government Code.

Motion by Commissioner Robey, seconded by Commissioner Comstock to adopt Resolution #2016-0012 A Resolution Making Determinations and Approving the Annexation of 1.57 acres to the CSA #6 Finley County Service Area– LAFCo File 2016-0002 and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

AYES: Commissioners Mattina, Comstock, Robey, Gott, Mills, and Sabatier.

NOES: None.

ASBSTAIN: None.

ABSENT: Commissioners Farrington and Overton.

6. Discussion regarding the Calafco Conference in Santa Barbara October 26-28

Chair Mattina spoke to the importance of attending the conference and congratulated Commissioner Robey on receiving the organization's Lifetime Achievement Award.

Mr. Browne reported that a critical topic of discussion at the conference is the growing movement in the legislature to bypass LAFCo channels through special legislation. He advised that he will be coming before the Commission in the upcoming year to ask for letters of support or opposition on specific bills that effect the continuance of local control and LAFCo perspectives.

Commissioners reported on sessions attended at the conference. Discussion was held on importance of representing Lake County and the valuable information gained through attending and participating in the statewide conferences.

7. Set LAFCO meeting schedule - regular and alternate meeting dates

Motion by Commissioner Sabatier, seconded by Commissioner Robey to approve the Lake LAFCo Regular and Alternate Date Meeting Schedule for 2017 and (Attached). Motion carried.

8. Executive Officer's Report

- Working on Water District annexations: Callayomi County Water District, Finley, Spring Valley.
- Ongoing MSRs.

9. Commissioner Reports

- Commissioner Comstock made closing remarks regarding his 8 years on the Commission.
- Mr. Browne stated that he and the EO will present a LAFCO 101 session after new Commissioners are seated.

10. Correspondence. None.

Meeting adjourned at 10:10 a.m.

Next regular meeting: January 18, 2017 in Clearlake.

By: _____
Kathleen Moran, Clerk

Lake Local Agency Formation Commission

#4

CLAIMS

November and December 2016

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
Dec 1, 2016	Staff Services Nov. 2016	\$ 5,015.67
Dec 1, 2016	Auditor's Accounting Svcs 16-17	\$ 2,500.00
Sept 21, 2016	Commission Mtg. Stipend 11.16.16	\$ 480.00
10.16-15 to 11.15.2016	Browne- Legal	\$ 525.00
Jan 1, 2017	Staff Svcs Dec 2016	\$ 5,923.42
11.16-16 to 12.15-16	Browne Legal	\$ 1,837.00
TOTAL:		\$ 16,281.09

DATED: January 18, 2017

APPROVED: January 18, 2017

Stacey Mattina, Chair or Gerry Mills, Vice-Chair
Lake Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

Amount Budgeted	Gamma Stipend	Supplies	Memberships	Books & Periodic	Attorney Services	LAFCO Clerk	Office Stipend	Staff Svcs	Legal Notices	Trans Travel	Conf Regis	Gen Reserve	Contingency	Insurance	GIS Mapping	Webpage
2016-2017 Adopted Budget	880,041-42	880,22-70	880,22-72	880,23-98	880,23-79	880,23-79	880,23-79	880,23-79	880,24-00	880,29-50	880,29-50	880,00	880,90-91	880,23-78	880,23-80	880,23-18
16-17 Calatco Dues	\$ 5,280.00	\$ 230.00	\$ 840.00	\$ 200.00	\$ 16,000.00	\$ 3,000.00	\$ 7,000.00	\$ 48,468.00	\$ 7,000.00	\$ 1,000.00	\$ 1,000.00	\$ 20,000.00	\$ 10,000.00	\$ 880,000.00	\$ 7,500.00	\$ 750.00
July 20 2016 Mtg. Stipend																
Browne Ending 7/15/2016	\$ (800.00)															
JB July 1-31 Staff Svcs					\$ (525.00)											
Staff August 1-31, 2016						\$ (300.00)	\$ (550.00)	\$ (4,040.67)								
CLO and RB Vect. Control (msr-soi)							\$ (550.00)	\$ (4,040.67)								
Browne Ending 8/15/16																
Revenue File 2016-0002 CSA #6																
Calatco Conference Reg Sabatier and Gott																
Staff Sept 1-30, 2016 Staff Svcs																
Meeting Stipend Sept 21, 2016	\$ (660.00)															
Browne Ending 9/15/16																
JB Oct 1-31 2016 #0079																
Browne Ending 10/15/16																
Revenue 2016-0003 Peschon Annex																
Revenue Dissolv RD 2070 16-05																
Ed Robey Conf. Reimbursement																
JB reimb Calatco Conf.																
JB reimb transp for Bruno and Ed Robey																
Meeting Stipend November 16, 16	\$ (480.00)															
Staff Svcs November 2016																
Browne Ending 11/15/16																
Auditor's charge for FY 16-17																
Browne Ending 12/15/16																
Staff Svcs December 2016																

Remaining in Account	\$ 3,540.00	\$ 250.00	\$ -	\$ -	\$ 8,914.00	\$ 1,975.00	\$ 3,700.00	\$ 24,243.98	\$ 929.66	\$ 1,000.00	\$ 1,251.45	\$ 10,000.00	\$ 0.00	\$ 1,400.00	\$ 6,465.00	\$ (10,636.42)
Expended	\$ (1,740.00)	\$ -	\$ (840.00)	\$ 200.00	\$ (7,086.00)	\$ (1,025.00)	\$ (3,300.00)	\$ (24,244.02)	\$ (70.34)	\$ -	\$ (2,248.55)	\$ 0.00	\$ 0.00	\$ 0.00	\$ (1,035.00)	\$ (10,786.42)

LAKE LAFCO

EXECUTIVE OFFICER'S REPORT

January 18, 2017

TO: Local Agency Formation Commission

FROM: John Benoit, Executive Officer

RE: Extension to complete LAFCo File 2015-0005 Clearlake Oaks CWD and Paradise Valley CSA #16

The Clearlake Oaks County Water District requested the annexation of all the territory within Paradise Valley CSA (CSA #16) to the Clearlake Oaks County Water District consisting of 181 acres more or less. CSA #16 will concurrently be dissolved since all the territory within CSA #16 will be annexed to the Clearlake Oaks County Water District (CLO) for domestic water services. Territory within CSA #16 is within the service area of the Lake County Sanitation District and as such, there is no intention that the CLOCWD will provide wastewater services. This reorganization consisted of all the Assessor's Parcels and territory within CSA #16.

The Lake LAFCo Commission adopted LAFCo Resolutions 2016-0003 amending the Boundary of the Clearlake Oaks County Water District to include an additional 181 acres more or less of territory subject to its terms and conditions. The LAFCo Commission also adopted 2016-0004 thereby dissolving the Paradise Valley CSA (CSA #16) effective upon the filing of a Certificate of Completion for the annexation of the territory within the boundaries of the CSA to the Clearlake Oaks County Water District. Both resolutions werer adopted on January 20th, 2016.

Among the terms and conditions is a condition that reads as follows:

“Completion of proceedings shall be concluded within one year after adoption of this resolution. If the proceedings are not concluded within one year after passage of this resolution, all proceedings shall be terminated”

On November 28, 2016 LAFCo staff received a request for a twelve-month extension from the County on behalf of the CSA and the Clear Lake Oaks CWD to complete this reorganization (see attached request).

Recommendation:

Grant the request from the Clear Lake Oaks County Water District and the CSA #16 for a twelve month extension to complete this reorganization until January 20th, 2018.



COUNTY OF LAKE
SPECIAL DISTRICTS ADMINISTRATION
230 Main Street
Lakeport, California 95453
Telephone (707) 263-0119
Fax (707)263-3836

Jan Coppinger
Administrator

November 28, 2016

John Benoit, Executive Officer
LAFCO
P.O. Box 2694
Granite Bay, CA. 95746

Subject: Paradise Valley Annex to the CLOCWD
Resolution #2016-0003

Dear John,

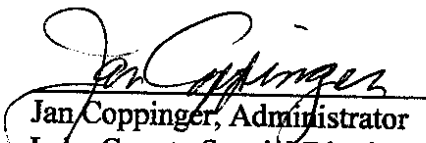
On behalf of CSA #16, Paradise Valley Water System and the Clearlake Oaks County Water District, we would like to request an extension of resolution #2016-0003.

The construction project to consolidate the two water districts is moving forward but has experienced some delays. A change in the project that would better serve both water systems was mutually agreed to by CSA 16 and CLOCWD. This change involved the placement of a new tank and required easements and right of ways be established. Those preliminary items have been secured and approved and the project is moving forward again.

We request a twelve month extension to ensure that the project is complete without any additional requests.

If this request requires additional information, please let me know.

Thank you,


Jan Coppinger, Administrator
Lake County Special Districts
County Service Area #16


Alan Gardner, General Manager
Clearlake Oaks County Water District