LAKE LOCAL FORMATION COMMISSION

MINUTES

September 19, 2018 Regular Meeting

Members Present Staff Present

Bruno Sabatier, Chair, City Member P. Scott Browne, Legal Counsel

Moke Simon, Vice-Chair, County Member John Benoit, Executive Officer

Stacy Mattina, City Member

Ed Robey, Public Member

Tina Scott, County Member

Stan Archacki, Special Districts

Kenneth Parlet, City Alternate

Victoria Brandon, Special District Alternate

Absent: Jeff Smith, County Alternate, Suzanne Lyons, Public Member Alternate,

Jim Scholz, Special Districts.

Present: Jan Coppinger, Lake County Special Districts.

1. **Call to Order – Roll Call**

Chairman Sabatier called meeting to order at 9:30 a.m. in the Council Chambers, City of Clearlake.

1. EO announced the new Special District representatives, Stanley Archacki, from the Clearlake Oaks County Water District and Jim Scholz from the Redbud Healthcare District. Commissioner Scholz was not in attendance.

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**3. Approval of Minutes -** Motion by Commissioner Mattina, seconded by Commissioner Simon to approve the Minutes of the July 18, 2018 Regular Meeting. Motion carried.

**4. Public Comment -** Chair called for a period of public comment. None were heard.

**5. Consent Agenda**

Motion by Commissioner Robey, seconded by Commissioner Brandon to approve Consent Agenda Items as follows:

a. Review and authorize payment of expenses for July and August 2018.

b. Authorization for staff to work on complex or special projects per agreement with executive Officer dated January 13, 2003 as amended.

Motion carried**.**

**6. LAFCo Financial Policies Update 2018**

Motion by Commissioner Simon, seconded by Commissioner Mattina to adopt Resolution 2018-0008 Consider Resolution 2018-0008, A Resolution of the Lake Local Agency Formation Commission Amending its Bylaws thereby adopting an updated Finance, Revenue and Travel Policy. Resolution passed and adopted by

the following vote:

AYES: Commissioners, Archacki, Robey, Simon Scott, Mattina,

Brandon and Sabatier.

NOES: None.

ABSTAIN: None.

**7. Agreement between the City of Clearlake and LAFCo and release of LAFCo Funds from the County Treasury.**

a. Motion by Commissioner Mattina, seconded by Commissioner Robey to approve Agreement between the City of Clearlake and Lake LAFCo for City Finance Services, subject to City approval, and authorize the Chairman to sign. Motion carried by the following vote:

AYES: Commissioners Archacki, Robey, Simon, Scott, Mattina, Brandon and Sabatier.

NOES: None.

ABSTAIN: None.

b. Motion by Commissioner Mattina, seconded by Commissioner Robey to adopt Resolution No. 2018-0009 A Resolution of the Lake Local Agency Formation Commission Authorizing the release of LAFCo funds held by the County of Lake Treasury to the City of Clearlake for deposit into the City’s LAFCo Account, subject to approval of the agreement between the City of Clearlake and LAFCo. Resolution passed and adopted by the following vote:

AYES: Commissioners Archacki, Robey, Simon, Scott, Mattina, Brandon and Sabatier.

NOES: None.

ABSTAIN: None.

c. Motion by Commissioner Simon, seconded by Commissioner Mattina to adopt Resolution No. 2018-0010 A Resolution of the Lake Local Agency Formation Commission Requesting the City of Clearlake to establish LAFCo fund including revenue and expenditure accounts, subject to the Clearlake City approval of the agreement between the City of Clearlake and LAFCo. Resolution passed and adopted by the following vote:

AYES: Commissioners Archacki, Robey, Simon, Scott, Mattina, Brandon and Sabatier.

NOES: None.

ABSTAIN: None.

d. Motion by Commissioner Brandon, seconded by Simon to approve letter to Barbara C. Ringen, Lake County Treasurer-Tax Collector regarding request for release of LAFCo funds from the County, subject to the Clearlake City approval of the agreement between the City of Clearlake and LAFCo, and authorize the Chairman to sign. Motion carried.

**8. 2018 Biennial Review – LAFCo’s Conflict of Interest Code**

a. Motion by Commissioner Robey, seconded by Commissioner Simon to authorize the Chair to sign Lake LAFCo Biennial Review Form and submit to Code reviewing body, with no amendments. Motion carried: All yes.

**9. Discussion regarding LAFCo’s Legislative Intent**

EO stated that rather than presenting the LAFCo 101 information that he has previously used to educate new and existing Commissioners, this year he is going to breakdown the information on LAFCo laws into segments to be presented at each meeting to allow for a more comprehensive review and discussion. Today’s session focuses on LAFCo’s legislative intent. EO reviewed Chapter 1 of Title 56000 of the Cortese-Knox-Hertzberg Act, Legislative Findings and Declarations. He also spoke to the history of LAFCo, how and why it was formed, and provided some anecdotal Lake County examples.

**10. Executive Officer’s report**

1. Kelseyville CWD - MSR and SOI: Should have MSR for Commission review at next meeting.
2. Lake County Lighting Districts MSR and SOI – in process – Mark Dellinger will assist.
3. Cobb Reorganization

EO updated Commission on the Cobb Reorganization. Commissioner Robey asked when the reorganization will be finished. Ms. Coppinger responded that the administrative reorganization is well in place and Cobb Area Water is now managing all the water systems that it took in. The State is working on funding for some of the system infrastructures that were in very bad shape. She noted that there is still much work to be done, but the consolidation process went smoothly and much faster than expected.

* Ms. Coppinger also reported on the status of the consolidation of Clearlake Oaks County Water District and CSA 16. She stated there are some issues that need to be resolved. The primary hold up is with PG &E, who are understandably behind due to the fires. Ms. Coppinger stated that she communicates with PG & E at least once a week for updates. Further, the consolidation will not take place until PG & E’s work is completed. She stated that she does not anticipate another extension and that the project should be completed by January 2019 as planned.
* EO reported that Hidden Valley Lakes Community Service District and Lake County have been asked to participate in the Civics Peak Water Project. EO will provide additional information at the next meeting.
* Long Term Water Conservation Legislation. SB 606 and SB 1668 were passed. EO expressed concerns at the legislation, noting many outstanding issues. David Cowan is the new Water Resources Manager for Lake County. EO to contact Mr. Cowan to invite him to address the Commission on these issues.
* EO asked chair to sign letter in support of AB 258. Mr. Browne stated that the Governor did not sign the bill because it was not put forward as an appropriation bill, making the support letter unnecessary.

d. CALAFCo Conference. EO did not have anything new to report.

**11. LAFCo Counsel’s Report**

Mr. Browne will present a session on CEQA and CEQA Exemptions at the next

meeting.

**12. Commissioner Reports**

Chairman Sabatier asked about the Golden State Water District, which the

Commission had previously discussed. At the time, it was noted that some

information was being gathered in the Oroville area relative to Golden State Water

District and the Commission had agreed that the matter should be

discussed at a future meeting. Chairman Sabatier asked if the Commission could

do an MSR on the four Clearlake Water Districts to review the differences in cost.

Mr. Browne stated that Golden State is a private company and LAFCo’s direct

jurisdiction is over the public agencies. However, he noted that does not prevent

the Commission from conducting an MSR to assess the benefits of consolidation of

public and private water service providers in the Clearlake area.

Mr. Browne stated that the cost of the Golden State Water District rate study in

Oroville was about $35,000. Ms. Coppinger stated that there has been some

discussion-stage meetings currently being held regarding private and public water

agencies consolidating. The discussions focus on private company efforts to take in

or take over the public agency providers. Ms. Coppinger noted that Michelle

Frederick (SWRCB) has also been in the discussion loop.

Mr. Browne asked that LAFCo be included on the notification list for future

meetings. Ms. Coppinger stated that LAFCo would be notified.

Commissioner Simon asked Ms. Coppinger about the fourteen customers on

Socrates Mine Road who rely on a small water system. Ms. Coppinger stated that

those customers recently entered into an agreement for two years of service, so

they have two years to come up with a permanent water service solution. The

fourteen customers are next to the Anderson Springs Water District and there is an

opportunity for consolidation there.

**13. Correspondence**. None.

10:50 a.m. Meeting adjourned. Next regular meeting Wednesday November 21,

2018 in Lakeport at 9:30 a.m.

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kathleen Moran, Clerk