

LAKE LOCAL AGENCY FORMATION COMMISSION
MINUTES OF REGULAR MEETING
MARCH 18, 2015

Present:

Stacey Mattina, Chair
Jim Comstock, Vice-Chair
Anthony Farrington
Joyce Overton
Ed Robey
Frank Gillespie
Gerry Mills
Martin Scheel, Alternate
Jim Abell, Alternate

Staff Present:

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

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

1. Call to Order/Roll Call

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

2. Approval of Minutes – January 21, 2015

Commissioner Robey made the motion to approve the January 21, 2015 regular meeting minutes. Motion was seconded by Commissioner Gillespie; motion carried unanimously.

3. Public Comment

Chair Mattina opened period of public comment to address items not on the Agenda. Betsy Cawn requested an update on the Watershed Protection District letter to the District Board of Directors. E.O. responded that it was agendized and would be covered in Executive Officer's Report and Correspondence.

4. Consent Agenda

Commissioner Robey moved to authorize payment of expenses for January and February 2015 in the amount of \$19,428.11. Motion was seconded by Commissioner Overton; motion carried unanimously.

5. Forni-Gemperline Annexation to the Callayomi County Water District for Water Service

Executive Officer's Report: The proposed annexation contains approximately 24 acres consisting of two parcels, with two dwellings on each parcel. The properties are on Santa Clara Avenue, adjacent to the district and currently receive district services. Recommend approval, with the terms and conditions in the report.

Commissioner Comstock noted that the district provides services to other parcels outside the district. E.O. agreed, noting that he had held a meeting in Middletown to determine property owner interest in a joint application to streamline process and reduce costs to applicants. The meeting drew about 10 people but he has received one application. E.O. reported that the Rancheria is working on an application for property south of Middletown.

Commissioner Comstock commented that the annexation is a logical extension as they already receive the services.

Motion by Commissioner Robey, seconded by Commissioner Overton to approve Res. 2015-0001 thereby annexing 24.1 acres more or less to the Callayomi County Water District to serve two lots currently receiving CCWD water. Motion carried by the following roll call vote:

AYES: Commissioners Robey, Gillespie, Overton, Mattina, Mills, Farrington and Comstock.

NOES: None.

ABSENT: None.

6. Report from Executive Officer on the 2015-2016 Proposed LAFCo Budget.

E. O. reviewed Budget Justification Report for the Commission along with a budget history spreadsheet showing 2011 through present.

Commissioner stipend: No change from previous year.

Supplies: No change from previous year.

Memberships: 2% increase as approved by CAL LAFCO.

Books and periodicals: No change.

Attorney Contracts: No change.

Lafco Clerk services: Proposed increase from \$2,000 to \$3,000. E.O. noted that in recent months the Commission has gone from action minutes to more of a transcript style and that the cost of clerk services has increased. E.O. referred to recent proceedings and the importance of accurate and concise minutes.

Office Expense: No change from previous year.

Staff Services: No change from previous year.

Legal Notices/Publications: No change from previous year.

Transportation/Travel (CALAFCO): Reduced by \$400.

Conference Registration: Reduced by \$500. Last year no one attended the CALAFCo Conference because it was in Southern California. This year it's in Sacramento which provides the opportunity for new members to attend, as well as those who have not recently attended. The cost is approximately \$800-900 per person including registration (450), mileage and hotel expense. The combined Transp/Travel and Conf Reg. are \$3,000 which would allow for 3 people to attend. John explained that it costs \$1,000 for him to attend too but his costs are divided by seven counties. For example last year Lake County LAFCo's portion was \$109. He also noted that if the Commission wants to have more than 3 attendees they will need to increase this proposed expenditure.

Insurance: No change from last year.

Geographic Info Data Mapping: Restored to \$7,500 to continue work on the Lake County Map Book of Districts. E.O. getting more requests for district boundary work and all changes must be integrated with city and county GIS systems. He stated that LAFCo needs to be in the forefront on mapping. District boundaries are relied upon for many important purposes, including elections, and must be current.

Web Page: Decrease of \$100.

Auditor Agreement: No change from previous year. The Auditor's office charges LAFCO \$2,500 for services.

Municipal Service Reviews: Increased from \$8,000 to \$25,000 in order to complete the anticipated number of reviews.

Spheres of Influence: Increased from \$4,000 to \$10,000 to cover SOI preparation, updates and mapping costs for the City of Lakeport, the City of Clearlake, the Fire Districts and the Watershed Protection District.

Contingency: No increase from last year's budgeted amount of \$10,000.

General Reserve: Increased by \$5,000 pursuant to the commission's directive of last year for a total amount of \$20,000.

The proposed budget expenditures total \$161,553. Carryover balance is \$20,000 and Estimated Other Revenue is \$10,000. City/County and Ind. Special Districts Contributions budgeted at \$131,553.

Commissioner Mills refers to page 6 of the Budget Justification Report re: E.O. recommendation to consider the use of consultants to prepare MSR's and asks if that expenditure has been allocated in the MSR category. E. O. response was yes but that it will be difficult to find consultants who actually do MSR's as many have discontinued doing them. This means that hourly rates could range from \$120-\$140 to do an MSR and does not include other related costs. He stated that even though he does recommend the use of consultants for this purpose, it will be expensive, and that he would likely look to other professionals to complete the work at a lower cost. Commissioner Mills asked if there should be a separate category for consultant fees, with E.O. responding that they can remain under the MSR category.

Chair Mattina opened the Public Hearing for the proposed FY 2015-2016 Lake Local Agency Formation Commission Budget.

Betsy Cawn commented as follows: Under Projects-Projected, Small and Medium Reorganizations: requested status of the Resource Conservation District reorganization or consolidation and if anything can be done to support the protection of the watershed in the absence of having an active RCD. E.O. noted that the two RCD's wanted to consolidate but, this has not happened as there is an issue with a federal grant which has left the District without funding. Further, there is no Coordinator for the district(s) and these issues must be resolved before consolidation can occur and the district is up and running again.

Betsy stated that the crucial issue is that last year the state passed Sustainable Ground Water Management Plan Regulations, and the majority of ground water basins are in agricultural areas outside of urbanized boundaries making the role of the conservation services vital. She expressed concern that Scotts Valley does not have a groundwater basin manager, and another old local district's status is unknown with seats vacant. She states that she would like to see a push to action. She further advised that there is a necessity for the county to review all ordinances related to the watershed storm water permit, and as far as she can see it's not on anybody's agenda yet but when the E.O. spends time reviewing items such as the integration of MSRs and SOIs it will draw attention to what the district functions are and what is needed for structuring or reorganization in the future.

Betsy continued comment with regard to the MSR's and SOI updates, noting that completing the SOI for the watershed protection district is number three on the list, along with the service review for

the City of Clearlake Fire Districts and Sphere Updates for the City of Clearlake. Betsy stated that she does not think there will be a change in the Sphere so that does not seem to be a difficult problem. Further, depending upon completion of their new General Plan, which is nearly done Lakeport should also not be a problem.

Speaking to the section on Executive Officer's Tasks, she requested that more assistance from LAFCO be directed to the difficult relationships with the districts and the regulatory requirements in trying to deal with the storm water programs, water quality, and lakebed management.

Commissioner Robey stated that an RCD member had recently advised him that, with assistance from Mike Thompson's office, they have worked out an arrangement on the federal fund issue in which they would not be required to repay grant funds. He was told that the District was waiting for a letter from the appropriate federal agency and anticipates moving forward with the consolidation soon.

No other comments being heard, Chair Mattina closed the Public Hearing.

Motion by Commissioner Overton, seconded by Commissioner Robey to adopt Resolution 2015-0002, A Resolution of Lake Local Agency Formation Commission Adopting a Proposed Budget for 2015-2016. Motion passed by the following roll call vote:

AYES: Commissioners Robey, Gillespie, Overton, Mattina, Mills, Farrington and Comstock.

NOES: None.

ABSENT: None.

7. Preliminary Draft of the Lake County Fire Service Review and Sphere of Influence for the Kelseyville FPD, Lake County FPD, Lakeport FPD, Northshore FPD, South Lake County FPD, and the Lake Pillsbury FPD.

E.O. prefaced discussion by stating that he knows that he needs to get updated election information. E.O. presented overview of process leading to adoption of the MSR and SOI for the local Fire and EMS providers in Lake County. The Draft includes an analysis of the 201 issues pertaining to ambulance services, information on Prop. 172, and information on funding sources for fire districts. The draft will be distributed to all districts so they can update their budgets or provide comment. E.O. requested assistance in getting the hard copy report out to the districts, and that he will also email an electronic copy to the districts and will wait to get comments back.

E.O. stated that at the next meeting he will speak to the Clearlake Service Review which was distributed at the last meeting. At the July meeting we will have a hearing for the FPDs MSR, and upon adoption we will have the final version. E.O. asked that any comments be sent along as soon as possible.

8. Executive Officer's Report

Public Member Recruitment. There is an opening on the Commission for one Public Member. Applicants must send letter of interest by May 1, 2015. A public notice is posted on the website.

The Fire District MSR has also been placed on the website.

700 Forms are due April 1. They are filed with the County.

If any Commissioners have not been paid their LAFCo stipend, advise E.O. as there is paperwork required.

9. Commissioner's Reports. There were none.

10. Correspondence

E.O. reviewed letter dated February 17, 2015 to the Lake County Watershed Protection District Board of Directors which was cc'd to the Board of Supervisors. The correspondence served as a transmittal letter to advise of Commission approval of a Review of Services provided by the Lake County Watershed Protection District (approved by Resolution 2014-0002, adopted by the Commission at the December 18, 2014 Special Meeting). The letter advises that the Resolution requests a progress report be provided within 6 months (July). E.O. added that this should become a standard request for this type of action.

10:08 a.m. Chair Mattina convened to Closed Session for the purpose of conducting a performance evaluation for the Executive Officer.

10:30 a.m. The Commission returned to open session. Commission Counsel Scott Browne announced that the Commission conducted the performance evaluation of the Executive Officer.

The meeting was adjourned at 10:23 a.m. The next meeting will be held on Wednesday May 20, 2015 in Clear Lake.

By: _____
Kathleen Moran, Clerk