

September 21, 2013 (follow up later: no minutes on website for May 24, 2005 or January 11, 2005).

To: Local Agency Formation Commission, Municipal Service Review Committee
From: MSR Committee member Betsy Cawn
Subject: Numbers culled from review of Lake County Board of Supervisors hearing minutes from January 4, 2005 to July 31, 2013.
Note: All terms displayed in *italic text* indicate available documentation.

BACKGROUND

On January 4, 2005, Assistant Public Works Director Bob Lossius presented an overview of the legislation amending the Lake County Flood Control and Water Conservation District Act, *SB 1136*, “to add authority to participate in the *National Pollutant Discharge Elimination System Phase II stormwater management program*, authority to [charge] property related fees as an additional financing mechanism, and change the title of the act to Lake County Watershed Protection District Act and the name of the District to the Lake County Watershed Protection District.” The approved legislation, amending *California Water Code Chapter 62*, went into effect on January 1, 2005.

DATA CATEGORIES

This report includes information of the following types: 1) Resolutions; 2) Agreements; 3) Project expenditure and budget unit transfer data, 4) Ordinances, and 5) Miscellaneous.

1. Resolutions

January 18, 2005: Resolution 2005-11, intention to dissolve Flood Zone 6 (Mirabel Estates, Middletown); approved February 15, 2005.

May 17, 2005: Resolution 2005-77, “authorizing the assistant director of Public Works to sign California Wildlife Conservation Board grant establishing funding for the acquisition of land for the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project.”

June 14, 2005: Resolution 2005-101, to “appropriate unanticipated revenue to the Public Works Water Resources Division budget (reimbursement of Assistant Director’s Salary for the Flood Zones and Water Conservation District in the amount of \$51,205,” . . . “inadvertently omitted during preparation of the FY 2004-05 Budget for the Water Resources Division).”

July 12, 2005: Resolution 2005-121, to file a “grant application for Proposition 50, Integrated Regional Water Management Implementation Program.”

September 13, 2005: Resolution 2005-154, “establishing the rules and regulations governing the issuance of Encroachment Permits on County drainage easements.”

October 4, 2005: Resolution 2005-172, using AB 303 grant award for development of Groundwater Management Plan (no \$ indicated).

February 7, 2006: Resolution 2004-73, authorizing “Assistant Director of Public Works to sign State Water Resources Control Board grant establishing funding for inventory, eradication, and monitoring of invasive species.” (July 11, 2006: approved agreement between WPD and West Lake Resource Conservation District, for “implementation of Sonoma Ecology Center Grant for inventory, eradication and effectiveness monitoring of *Arundo Donax*, an invasive species, and authorized the Chair to sign.” No \$ shown.)

February 7, 2006: Resolution 2006-26, amending Resolution 2004-66, authorizing “the Assistant Director of Public Works to sign State Water Resources Control Board’s grant establishing funding for a Clear Lake Watershed mercury and nutrient assessment.”

April 11, 2006: Resolution 2006-64, adopting the Lake County Groundwater Management Plan.

May 2, 2006: Resolution 2006-77, in response to a request from Congressman Mike Thompson “for approval of resolution requesting the Secretary of Commerce to expedite a disaster declaration and request the Secretaries of Commerce, Agriculture and Interior to immediately adopt a comprehensive, basin-wide solution to problems in the Klamath River.” (Supervisors Smith and Brown abstain.)

July 11, 2006: Resolution 2006-117, notice of completion, demolition project at 1280 Reclamation Road (no \$ shown.)

September 5, 2006: Resolution 2006-169, lease and concession agreement with Lake County Rod & Gun Club (no \$ indicated).

September 26, 2006: Resolution 2006-180, authorizing application for grant funds from Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000.

December 4, 2007: Resolution 2007-2004, authorizing application for grant to “do Scott’s Valley Groundwater Study Update” (no \$ indicated).

February 23, 2010: Resolution 2010-39, authorizing application for grant “establishing funding for Clear Lake Watershed Mercury and Nutrient Assessment.” FOLLOW UP.

March 9, 2010: Resolution 2010-48, authorizing the “Deputy Director of Water Resources to sign SWRCB grant establishing funding for mitigation and cleanup of nuisance algae blooms.” FOLLOW UP.

2. Agreements

January 25, 2005: WPD agreement with assistant caretakers for Highland Springs Recreation Area (no \$ indicated).

February 1, 2005: WPD agreement Camp Dresser and McKee, Inc. for “preparation of a water inventory/analysis and expanded Groundwater Management Plan.” \$237,783
“(\$197,400 from the district’s AB 303 Grant and \$40,383 from the County of Lake).”

June 28, 2005: WPD approved amendment #2 to agreement with Jones & Stokes for “Clear Lake Aquatic Plant Management Plan.”

August 9, 2005: (Bos/WPD?) approved Shoreline Cooperative Agreement between County and Big Valley Band of Pomo Indians, “establishing a cooperative regulatory program for the foreshore of Clear Lake within the Big Valley Rancheria.”

August 23, 2005: WPD agreement with Pestmaster Services “for vegetation and rodent control eradication for various flood works throughout the county.”

September 27, 2005: Purchase of 12.72 acres of property “for park purposes at 2490 Lakeshore Boulevard, Nice (APNs 031-061-58 and 031-052-23)” from Dominic Affinito.

February 21, 2006: MOU with Robinson Rancheria Band of Pomo Indians for the Clover Creek Diversion Channel Weir Project (no \$ indicated).

April 4, 2006: \$357,000 property purchase (APN 004-022-024) and \$217,000 (APN 004-021-022), MCM Project.

April 18, 2006: WPD with Green Valley Consulting Engineers, for “engineering services for design of Clover Creek Diversion Weir modifications, near Upper Lake” (no \$ indicated).

April 18, 2006: Amendment Two to agreement with Petersen Tractor Services, LLC, for mowing of Middle Creek levees.

May 16, 2006: Purchase real property, \$322,000 for MCM project (APN 004-002-03-00).

June 13, 2006: Amendment Three to Agreement with EOA, Inc., for NPDES stormwater management plan (no \$ indicated).

September 12, 2006: Purchase real property, \$294,000 (APN 004-021-28), MCM.

September 12, 2006: Purchase real property, \$422,000 (APN 004-021-20), MCM.

October 24, 2006: Amendment One to MOU WPD and Robinson Rancheria Band for “reimbursement for construction costs of the Clover Creek Diversion Channel Weir Project.”

October 24, 2006: Purchase of real property, \$424,000 (APN 004-021-31-00), MCM.

November 14, 2006: Amendment One to “the funding agreement between the Lake County Flood Control and Water Conservation District and the State of California, Department of Water Resources, under the Flood Protection Corridor Program,” and budget transfer B-037, \$10K, for “cost to repair major damage to the Middle Creek weirs,” from BU 8109 - Flood Control.

January 16, 2007: Agreement between WPD and West Lake RCD “for support services to be provided by WPD (for administration of Calfed Prop 50 Watershed Program Grant for Watershed Assessments in Scotts Creek, Middle Creek and Kelsey Creek and the completion of the Clear Lake Basin Management Plan).

February 13, 2007: Agreement between County of Lake (?) and the Hidden Valley CSD for the purpose of “providing funding for the development of a water and sewer infrastructure plan for Coyote Valley.”

April 3, 2007: MOU between WPD, LACOSAN, Kelseyville County WWD, Hidden Valley Lake CSD for development of a Lake County Integrated Regional Water Management Plan.

April 3, 2007: Amendment One to Agreement between WPD and Winzler & Kelley, for environmental site assessment, MCM project (no \$ indicated).

May 8, 2007: MOU between WPD and YCFC&WCD (in concept), “to facilitate mutual support for water supply, water quality and flood control projects,” and between YCFC&WCD and LACOSAN and County of Lake for “proposed amendment No. 2 to water supply agreement,” and between County of Lake and Antonio Rossman for “provision of legal counsel regarding water related issues pertaining to Lake County and the YFC&WCD.” [“There were numerous amendments made to the” MOU.]

June 26, 2007: Amendment Five to agreement between WPD and EOA, Inc. for NPDES stormwater management plan, \$43,000.

January 22, 2008: Amendment No. 3 to agreement with Sonoma Ecology Center for Arundo Donax Eradication program, \$8,854.

March 25, 2008: Agreement with Alameda County FC&WCD for relocation services, \$35K, MCM.

January 5, 2010: Purchase real property, \$230,000 (APN 004-021-30) MCM; note that \$264,100 was appropriated from Flood Fight Reserve Fund to BU 8109 - Flood Control.

January 5, 2010: Agreement with Sonoma Ecology Center for Arundo Donax Eradication, \$144,190.

April 10, 2010: Agreement with Stetson Engineers for “engineering services for Water Availability Analysis,” MCM (no \$ indicated).

October 2, 2012: Agreement with Paragon Partners for appraisal and relocation services, \$41,950 (MCM).

February 12, 2013: Agreement with Stratus Consulting, Inc., in the amount of \$14,000 “to assist in preparation of application for Proposition 84 grant funds for the” MCM project.

March 5, 2013: Amendment to agreement with Paragon Partners, increase of \$9,950 for appraisal and relocation services (MCM).

June 4, 2013: Purchase real property, \$250,000 (APN 004-014-019), MCM.

3. Expenditures authorized by budget unit transfer or other mechanisms

April 26, 2005: Budget Transfer B-195, \$2,000, for “Water Resource’s billing for planning and modifications to Flood Control Zone 1.”

June 7, 2005: Budget Transfer B-251, \$9,500, extra staff cost to “complete the EIR for the Aquatic Weed Program, Budget Unit No. 1672 - Lakebed Management.”

June 7, 2005: Discussion of increased annual dam inspection fee (from \$2,584 in FY 2003/04 to \$10,810 in FY 2005-06).

July 26, 2005: Award of bid for Lake Aquatic Herbicide Spray Program to Clean Lakes, Inc., for \$15,495.62 (Purchase Order No. 05-7011-19).

August 23, 2005: Approved expenditure of \$5,865 (adds amendment #2 to agreement) for “the hiring of EOA, Inc, for the engineering services for the NPDES Phase II Stormwater Management Plan” (Alex Straessle quit.) “The district should realize a staff salary saving of approximately \$10,000. Staff is requesting that the County and the two cities contribute funds to cover the remaining \$8,500, possibly based on population.”

May 22, 2007: Purchase of flash board system for Clover Creek Diversion Weir project, \$36,550.

December 28, 2007: Awarded AB 1905 funds, \$30K (for three years contract) for Watershed Coordinator Program (as BoS, not WPD).

October 7, 2008: Paid \$50K from BU 8109 - Flood Control, to DF&G Wildlife Conservation Board for “establishment of the Middle Creek Conservation Easement Fund.”

March 17, 2009: Paid \$14,980 to West Lake RCD for “updating the Floodplain Management Plan, coordinating stakeholder efforts for the IWRMP, oversight of state required maintenance and coordination of District Zone Maintenance projects.”

November 1, 2011: Paid \$100K for Alameda County FC&WCD right of way and relocation services, MCM.

June 12, 2012: Paid \$114,578 to UC Santa Cruz and \$89,650 to University of Southern California for limnological analysis services.

July 10, 2012: paid \$28,300 to GHD, Inc., for professional services (MCM).

September 25, 2012: Provided “temporary funding for purchase of” MCM “properties, \$913,350” with repayment due December 15, 2012. ??????????

January 8, 2013: Approved purchase agreement with Blue Water Satellite, Inc., \$43,000.

4. Ordinances

October 25, 2005: No. 2755, establishing fees for “Lake County Watershed Protection District activities” and No. 2756, establishing “a permit and service fee schedule for the Engineering and Inspection and Survey Divisions of the Department of Public Works).” [Note: This happens annually.]

June 2, 2006: No. 2774, adding Chapter 26A to the Lake County Code regulating non-native invasive aquatic plants.

June 2, 2006: No. 2777, implementing the Clear Lake Integrated Aquatic Plant Management Plan.

February 13, 2007: No. 2813, amending Chapter 17 of the Lake County Code, the “Subdivision Ordinance regarding stormwater requirements.”

5. Miscellaneous

April 18, 2006: Opposed SB 1612 (Simitian) for the “Clean Drinking Water, Water Supply Security, and Environmental Protection Bond Act of 2006, for the purpose of financing a water conveyance and environmental improvement program.” Go figure.

June 13, 2006: Paid \$1K (Invoice No. 227) for share of costs incurred for Cache Creek Watershed Forum “(to be paid from Budget Unit 8109 - Flood Control and Water Conservation).

June 20, 2006: North Lakeport Water (CSA #21) Cease and Desist Order status report by Mark Dellinger (and see agreement between Kelseyville County Waterworks District No. 3 and DAS Homes, Inc.).

August 22, 2006: Resolution No. 2006-148, approving “the Disaster Mitigation Act 2000, County of Lake Natural Hazard Mitigation Plan.”

November 20, 2007: Approved Conservation Easement Deeds between WPD & State Wildlife Conservation Board (APNs 004-021-020, 021, 022, 028, 031, and 022-030) (no \$ indicated).

September 9, 2008: **“Consideration of request to terminate the Lake County Watershed Protection District’s participation as a signatory to the Contract between Lake County Flood Control and Water Conservation District, the City of Clearlake and the City of Lakeport to provide implementation of the Lake County Clean Water Program (dated September 14, 2004), and authorize the Chair to sign letter of termination.”** (5 ayes)

December 9, 2008: MOU between WPD & YCFC&WCD “to facilitate mutual support for water supply, water quality and flood control projects.”

April 21, 2009: MOU with Napa FCWCD, Colusa RCD, Solano CWA, and WRA of Yolo County for “development of an IRWMP for the Westside Region” (no \$ indicated).

April 28, 2009: Proposed agreement between WPD and UC Regents for “Clear Lake historical data analysis,” in the amount of \$52,076 -- staff was directed to seek local expertise (continued to May 5). [FOLLOW UP -- Look Up electronic filing for May 5, 2009.]

August 4, 2009: Recommendations to “delegate the ongoing functions of the Lake County Invasive Species Prevention Program to the Coordinating Resource Management Committee (RMC), through a subcommittee established as the Lake County Invasive Species Council,” and appoint Greg Giusti. Also appointed Farrington and Rushing to the Council.

July 27, 2010: Adopted Resolution No. 2010-132, authorizing DWR to apply for Federal assistance administered by Cal EMA and “to provide assurances and agreements required.”

September 14, 2010: MOU between County “and various community facilities” willing to provide aid in response to Public Health Emergencies.” FOLLOW UP.

May 3, 2011: Approved the updated “Statement of Facts - Roster of Public Agencies Filing, pursuant to Government Code 53051 (noting election of the 2011 Chair).”

SUMMARY

1. 79 total entries/activities between January 2005 and June 2013.

2. **Total (certain) spending, 27 entries between January 2005 and June 2013: \$3,550,145.** (Mostly purchase of properties or services for Middle Creek Marsh; some planning.)

\$237,783

2/1/5 - Groundwater Management Plan

\$357,000

4/4/6 - MCM property

\$217,000	4/4/6 - MCM property
\$322,000	5/16/6 - MCM property
\$294,000	9/1 2/6 - MCM property
\$422,000	9/12/6 - MCM property
\$424,000	10/24/6 - MCM property
\$043,000	6/26/7 - SWMP
\$008,854	1/22/8 - Arundo
\$035,000	3/25/8 - MCM relo services
\$230,000	1/5/10 - MCM property
\$144,190	1/5/10 - Arundo
\$041,950	10/2/12 - MCM relo services
\$014,000	2/12/13 - MCM services
\$009,950	3/5/13 - MCM relo services
\$250,000	6/4/13 - MCM property
\$015,495	7/26/5 - Aquatic treatment
\$005,865	8/23/5 - EOA, Inc. SWMP
\$036,550	5/22/7 - Weir project
\$050,000	10/7/8 - MCM easement fund
\$014,980	3/17/9 - RCD coordinate stuff
\$100,000	11/1/11 - MCM relo services
\$114,578	6/12/12 - limnology
\$089,650	6/12/12 - limnology
\$028,300	7/10/12 - MCM professional services
\$043,000	1/8/13 - BWSI project
\$001,000	6/13/6 - Cache Creek watershed forum cost share