LAKE LOCAL AGENCY FORMATION COMMISSION

Minutes

September 21, 2022

**Members Participating** **Staff Participating**

Stacey Mattina, Vice-Chair, City Member John Benoit, Executive Officer

Ed Robey, Public Member P. Scott Browne, Legal Counsel

Stan Archacki, Special Districts

Dirk Slooten, City Member

Jim Scholz, Special Districts

Absent: Bruno Sabatier, Chair, County Member, Mike Simon, County Member, Suzanne Lyons, Public Alternate, Kenny Parlett, City Alternate.

1. Vice-Chair Mattina called meeting to order at 9:35 a.m. in the City Council Chambers, City of Clearlake. This meeting was conducted in person with teleconference and Zoom options available.

**2**. **Approval of Minutes**

Commissioner Mattina requested correction re: Agenda Item #5, Consent, which showed her as making the motion, and she was not in attendance at the meeting. The minutes should show Commissioner Simon as the maker of the motion to approve Agenda Item 5.

 Motion by Commissioner Robey, seconded by Commissioner Archacki to approve the

 Minutes of the July 20, 2022 Regular Meeting, with the above correction. Motion carried

 by the following vote:

 AYES: Commissioners Slooten, Archacki, Scholz, and Robey.

 NOES: None.

 ABSTAIN: Commissioner Mattina.

 ABSENT: Commissioners Sabatier and Simon.

 **3. Vice-Chair declared Period of Public Comment.** None were heard.

 **4**. **Consent Agenda**

 Motion by Commissioner Slooten, seconded by Commissioner Archacki to approve

 Consent Agenda items as follows:

 a. Authorize payment of expenses for July and August 2022.

 b. Adopt Resolution 2022-0012 - A Resolution of the Lake LAFCo Authorizing a remote

 Teleconference Meeting of the Commission Pursuant to Government Code Section

 54953(e) and authorize the Chairman to sign.

 Motion carried by the following vote:

 AYES: Commissioners Slooten, Archacki, Scholz, Robey, and Mattina.

 NOES: None.

 ABSENT: Commissioners Sabatier and Simon.

**5.** **Continued discussion of Domestic Water Services in Clearlake and surrounding**

 **area**

 Mr. Benoit noted that this discussion is a continuation of previous discussions which

 were set aside due to precedence given the City of Lakeport South Lakeport annexation and that he is requesting direction from the Commission.

 Present: Jeff Davis, Highlands Mutual Water.

 Keith Ahart, Golden State Water.

 Frank Costner, Konocti County Water District.

 Willie Sapeta, Chief, Lake County Fire Protection District.

 Extensive discussion was held. Discussion concluded with Fire Chief inviting the water

 providers to his regular monthly meetings to continue to work on issues, including

 development, communication between agencies, and fire flows.

**6**. **Biennial Review of LAFCo’s Conflict of Interest Code**

 Mr. Benoit stated that the Commission is required to review its Conflict of Interest Code

 every two years, and that no revisions have been made. Mr. Browne made brief

 statement in concurrence and recommended adoption.

 Motion by Commissioner Slooten, seconded by Commissioner Scholz to authorize the

 Executive Officer to sign the Biennial Conflict of Interest Code review form and transmit

 to the Code Reviewing Body. Motion carried by the following vote:

 AYES: Commissioners Slooten, Archacki, Scholz, Robey, and Mattina.

 NOES: None.

 ABSENT: Commissioners Sabatier and Simon.

**7.** **LAFCo Bylaws Update**

Motion By Commissioner Robey, seconded by Commissioner Scholz to adopt Resolution

No. 2022-0013 - A Resolution Adopting Updated Bylaws for Lake LAFCo and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

 AYES: Commissioners Slooten, Archacki, Scholz, Robey, and Mattina.

 NOES: None.

 ABSENT: Commissioners Sabatier and Simon.

**8.**  **Executive Officer’s Report**

 a. Upper Lake area MTBE (Methyl tera-butyl ether) Drinking Water Contamination-

 no progress has been made.

 b. Lower Lake CWD MSR and Sphere - district visit planned.

 c. LAFCo Projects - Middletown Rancheria- Upper Lake CSD

 d. Update on SB 938 - Protest Proceedings and potential revisions to MSR

 process.

 e. Calafco Conference October 19-21 Santa Ana.

 f. Fee Schedule - Cost of Living changes to charge out rates.

**9.** **LAFCo Counsel’s Report** - Mr. Browne advised that there will be a variety of changes

 to the Brown Act regarding the use of Zoom meetings and he will

 update the Commission on those when adopted. In the meantime, the

 Commission must continue to adopt the required resolution at each meeting.

**10.** **Commissioner Reports**

Commissioner Robey asked if LAFCo could help to facilitate action on the Lower Lake

 Area Plan, and that is has been pending for many years. It was noted that the County

 has a newly seated Planning Director, Mireya Turner, and that LAFCo should send a

 letter of congratulations and an invitation to an upcoming meeting.

**11.** **Correspondence**

BOS letter of support for the annexation of the Noble Project to the Upper Lake County

 Water District.

 Meeting adjourned 10:59 a.m.

 Next Meeting: November 16, 2022 at 9:30 a.m. in Lakeport.

By: Kathleen Moran, Clerk