LAKE LOCAL FORMATION COMMISSION

MINUTES

July 15, 2020 Special Meeting

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

Bruno Sabatier, Chair, County Member John Benoit, Executive Officer

Stacy Mattina, City Member P. Scott Browne, Legal Counsel

Dirk Slooten, City Member Kathleen Moran, Clerk

Stan Archacki, Special Districts

Jim Scholz, Special Districts

Ed Robey, Public Member

Moke Simon, Vice-Chair/County Member

Suzanne Lyons, Public Member Alternate.

Tina Scott, County Alternate

Absent: Victoria Brandon, Special District Alternate, Joyce Overton, City Alternate.

Participating by telephone or Zoom: Kevin Ingram, City of Lakeport, Susan Parker, Assistant County Administrator, Jan Coppinger, Special Districts, Maurice Taylor

**1. Call to Order -** Chairman Sabatier called meeting to order at 9:30 a.m. via teleconference and Zoom.

**2. Election of Chair and Vice Chair for FY 2020-2021**

Motion by Commissioner Slooten, seconded by Commissioner Archacki to retain Commissioners Sabatier and Simon as Chair and Vice-Chair respectively, of Lake County LAFCo for FY 2020-21. Motion carried by the following vote:

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

NOES: None.

ABSTAIN: None.

**3. Approval of Minutes -** Motion by Commissioner Simon, second by Commissioner Robey to approve the Minutes of the May 20, 2020 Special Meeting. Motion carried by the following vote:

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

NOES: None.

ABSTAIN: None.

**4. Public Comment –** None.

**5. Consent Agenda**

Motion by Commissioner Mattina, second by Commissioner Simon to review and authorize payment of expenses for May and June 2020. Motion carriedby the following vote:

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

NOES: None.

ABSTAIN: None.

**6. Konocti County Water District Service Review and Sphere Update**

EO stated he had some difficulties obtaining information for the MSR. Commissioner Slooten expressed concern that the report lacks fire flow data. EO stated that the water district has not been tracking this data. EO stated that in obtaining information for the report he found that some of the other surrounding water providers do fire flow testing, but not KCWD. Also, the Fire Chief advised him that the fire district does not do fire flow testing. Additionally, he found that there are a few overlapping service boundaries and some areas that are not a part of any of the districts. However, overall, he found the Konocti County Water District to be well operated.

As a public agency they have been able to obtain grant funding and have made substantial improvements within the district.

EO stated that he would contact the Fire Chief and the water district to obtain additional information for the final report. Commissioner Slooten restated his concern re: fire flow capacity and fire hydrant distancing and asked what action LAFCo can take. EO responded that LAFCo could make findings and recommendations that the fire flows do not meet current standards should that be the case.

Commissioner Scholzstated that the report supplied data and facts but lacks analysis or recommendations. Commissioner Lyons suggested including comparative data from other well-run districts, for example, rate comparisons, or other measures of service.

Commissioner Slooten asked that EO find out which agency handles the testing. Commissioner Robey asked if the fire district could test and provide the results to the water district and LAFCo. EO responded that, according to the Fire Chief the fire district used to conduct the fire flow testing but at some point, the water district took it over. EO concurred that the responsibility for testing needs clarification and he will follow up.

Chair further directed EO to obtain information on rates, costs, late fees, hookup fees, intake, and other data on operations from similar sized water agencies. Commission discussed benefits of a single water district to serve the area. EO will continue work on the data, analysis/recommendations and incorporate the information into the MSR/SOI for the next meeting. Chair continued the workshop to September 16, 2020. next meeting.

**7**. **Policy, Standards and Procedures update (workshop #2)**

Chair continued this item until later in the meeting to take up item 8 as there are participants waiting to hear this item.

**8.**  **Status report on South Lakeport Annexation fiscal study**

EO stated a draft report was received two weeks ago and sent to the city and county for review. Responses will be sent to Commissioners along with a draft report. EO stated the next step is the facilitated meeting to negotiate the tax sharing agreement. EO to prepare a checklist for the city and county of items that need to happen prior to the facilitated meeting. Chair directed matter be placed on the September 16th agenda.

**7. Policy, Standards and Procedures update (workshop #2)**

Chair resumed discussion. EO apprised Commission of minor revisions. Mr. Browne spoke to the issue of stale applications and recommended the following provision be included in the update: “Any application that has not, within two years, proceeded to certificate of filing and setting of Commission hearing shall be deemed automatically terminated without notice or Commission action.  Such action shall be without prejudice to filing a new application.  The Commission prior to termination may authorize extension of the application.”

Commissioners concur. EO will add to update.

**9. Discussion on impacts of Covid-19 upon fire districts in Lake County.**

The Commission discussed the effect on district operations of delayed property tax payments and defaults due to Covid 19.

**10. LAFCo Conflict of Interest and 2020 Local Agency Biennial Notice**

Motion by Commissioner Slooten, seconded by Commissioner Simon to authorize Executive Officer to sign and send Biennial Notice to the Clerk to the Board of Supervisors. Motion carried by the following vote:

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

NOES: None.

ABSTAIN: None.

**11. Nominations for 2020/2021 Calafco Board of Directors**

Calafco Election Committee is seeking nominations for a City Member and a Public Member to serve on the Calafco Board of Directors representing the Northern Region. Chair asked for nominations. None were heard.

**12. Executive Officer’s Report**

a**.** Upper Lake County Water District MSR and SOI.

b. Cemetery District MSR and SOI

c. Carlisle Annex to Clearlake Oaks Co. Water District

d. Callayomi Co. WD annexations

e. Cobb Area Annexation

**13. LAFCo Counsel’s Report** - None.

**14. Commissioner Reports**

**15. Correspondence**.

11:07 a.m. Meeting adjourned.

Next regular meeting: Wednesday September 16, 2020 9:30 a.m. in Clearlake. Note: Meeting may conducted via teleconference/Zoom.

By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Kathleen Moran, Clerk