

LAKE LOCAL FORMATION COMMISSION
MINUTES
January 15, 2020 Regular Meeting

Members Present

Bruno Sabatier, Chair, County Representative
Stacy Mattina, City Member
Ed Robey, Public Member
Stan Archacki, Special Districts
Jim Scholz, Special Districts
Victoria Brandon, Special District Alternate
Suzanne Lyons, Public Member Alternate
Moke Simon, Vice-Chair/County Member
Dirk Slooten, City Member

Staff Present

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

Absent: Kenneth Parlet, City Alternate, Tina Scott, County Alternate

Present: Susan Parker, Assistant County Administrative Officer, County of Lake.
Joanna Gin, B.B.K., representing the Callayomi County Water District.
Elizabeth Larson, Lake County News.
Margaret Silveria, City Manager, City of Lakeport.
Kevin Ingram, City of Lakeport.

1. Call to Order

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

2. Approval of Minutes

Motion by Commissioner Mattina seconded by Commissioner Robey to approve the Minutes of the November 20, 2019 Regular Meeting. Motion carried.

3. Public Comment – None.

4. Consent Agenda

Motion by Commissioner Robey, seconded by Commissioner Simon to review and authorize payment of expenses for November and December 2019. Motion carried.

9:36 a.m. Commissioner Simon recused himself and vacated the chamber.

5. Middletown Rancheria Annexation of 109.38 acres more or less to the Callayomi County Water District.

Motion by Commissioner Slooten, seconded by Commissioner Robey to adopt Resolution No. #2020-0001, a Resolution Making Determinations and Approving the Annexation of 109.38 acres to the Callayomi County Water District – LAFCo File 2019-0005 and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSTAIN: None.

9:45 a.m. Commissioner Simon returned to the meeting.

6. City of Lakeport South Lakeport Annexation

EO reviewed the Commission's letter to the city and the county dated December 4, 2019 regarding the city's request to annex 136.78 acres south of the city limits, adjacent to South Main Street and Soda Bay Road and east of State Route 29.

EO stated that both the city and the county retained consultants to analyze the fiscal effects of the annexation. EO recommended postponement of further consideration of the annexation for review of the city/county fiscal reports by an independent consultant. Upon review, the independent consultant would prepare a separate analysis. Upon completion of the analysis, the Commission would schedule a facilitated meeting with representatives of the city, county and LAFCo with an independent facilitator.

EO reported that the city responded in a December 17, 2019, letter stating the Council agrees to participate in good faith with the process outlined in the Commission's letter, and the county responded by email indicating that the Board of Supervisors unanimously voted to confirm the county's agreement to participate in good faith with the LAFCo process outlined in the letter.

EO stated that he contacted Mike Oliver, a highly recommended economic consultant with extensive experience in this area, as a possible resource for assistance with the independent fiscal review.

Mr. Browne stressed that the independent consultant must be able to work with those retained by the city and county. EO stated that if the consultants cannot reach a consensus the independent consultant will make their own recommendation. Mr. Browne noted that it will likely take at least 4 months to arrive at an agreement between the parties. Commissioner Simon stated that the plan is a reasonable way to move forward.

Mr. Ingram, spoke in approval of the concept, but expressed concern for the four to five month timeframe. He stated that the main source of the conflict is the tax agreement, but in addition to that there is a public health issue created by some of the small water systems.

Ms. Parker asked about cost responsibility. EO reported that the city will pay the independent economic consultant costs, LAFCo would pay the facilitator costs and the county would pay the hourly cost for their consultant to work with the independent consultant. Ms. Silveria made statement in agreement, noting that anything the city could do to move the issue forward they will do. She also expressed concern for the water system issue.

Discussion was held. It was the consensus of the Commission and city and county representatives to proceed with the process and recommendation as discussed and outlined in the Commission's letter.

Motion by Commissioner Robey, seconded by Commissioner Simon to authorize staff to proceed with an agreement for an independent financial consultant and an independent facilitator. Motion carried.

7. Designate the MAHA development in Southern Lake County as a Complex Project.

Motion by Commissioner Simon, seconded by Commissioner Robey to designate the MAHA development in Southern Lake County as a Complex Project as provided for in Section 2.1.2 and 2.2.2 of the Executive Officer's fifth amended agreement and Section II of the fourth amended agreement for Legal Services. Motion carried.

8. Authorize staff to attend the Calafco Annual Staff Workshop March 24-March 27, 2020 in Orange County, Ca.

Motion by Commissioner Slooten, seconded by Commissioner Scholz to authorize staff to attend the Calafco Annual Staff Workshop set for March 24-27, 2020 in Orange County. Motion carried.

9. LAFCo 101 Part II presentation by LAFCo staff

EO continued with a review of LAFCo laws governing the duties of LAFCo Commissions.

10. Policy, Standards and Procedures update (workshop #2) – This item was continued to future meeting due to time considerations.

11. Executive Officer's report.

- a. Upper Lake County Water District MSR and SOI – in process.
- b. Konocti County Water District MSR and SOI – in process.
- c. Cemetery District MSR and SOI is complete.
- d. Rancheria Annex to the Callayomi Co. Water District is complete.
- e. Redevelopment Oversight Committee Recruitment
- f. City Member Alternate rotation to the City of Clearlake
- g. 700 forms due April 1

12. LAFCo Counsel's Report – no new information.

13. Commissioner Reports – None.

14. Correspondence. None.

11:24 p.m. Meeting adjourned.

Next regular meeting: Wednesday March 18, 2020 in Lakeport.

By: _____ Kathleen Moran, Clerk