

LOCAL AGENCY FORMATION COMMISSION OF LAKE COUNTY  
MINUTES OF MEETING  
January 15, 2014

PRESENT:

Ed Robey, Chair, Public Member  
Frank Gillespie, Special Districts Member  
Denise Loustalot, City Member  
Stacy Mattina, City Member  
Gerry Mills, Special District Member  
Jeff Smith, County Member, Alternate  
Jim Comstock, County Member

ALSO PRESENT:

Joey Luiz, City Alternate  
Suzanne Lyons, Public Alt.  
Jim Abell, Spec. Dist., Alt.  
  
John Benoit, Executive Officer  
P. Scott Browne, Legal Counsel  
Lora Ceccon, Clerk

**1. Call to Order/Roll Call**

The meeting was called to order at 9:33 a.m. There was a quorum present.

**2. Approval of Minutes – November 20, 2013**

**Commissioner F. Gillespie moved to approve the November 20, 2013 minutes, second by Commissioner J. Smith; motion carried.**

**3. Public Comment – J. Spittler thanked the Commission and stated that she had learned a lot while participating.**

**4. Consent Agenda**

**Commissioner F. Gillespie moved to authorize payment of the November and December 2013 expenses, second by Commissioner J. Abell; motion carried.**

**5. Continued from November 20, 2013 – Review and amend as determined by the Commission, LAFCo’s adopted Local Procedural Guidelines for Municipal Service Reviews (adopted on August 20, 2003); and LAFCo’s action on April 15, 2009 regarding establishment of Municipal Service Review Advisory Committees (adopted on April 15, 2009); LAFCo’s adopted Policies and Procedures for Municipal Service Reviews (Adopted on May 20, 2009)**

Commissioner E. Robey took a moment to introduce the new member to the Commission; Denise Loustalot. She is the current Mayor for the City of Clearlake.

J. Benoit provided a recap of this item for the Commission. The purpose of the MSR is to support the SOI. Lafco does not have the budget or need to write a book on each bullet point. The point is to help the districts to provide services.

John is looking for direction from the Commission. Commissioner Comstock does not feel that the budget should be increased. Do what is essential and no more. Commissioner Robey agrees.

John stated that there will be times when it will be beneficial to bring in an expert. Commissioner Smith agrees that bringing in experts from time to time is the most efficient way to complete MSR's especially if John is meeting with councils, etc. It is working well the way it is now; why do more than necessary?

Betsy Cawn assured the Commission that she has no desire to cost Lafco any extra money. She is a volunteer. She explained that members of the MSR Advisory Committee are not overspending or sabotaging. They are not adversaries, they are supporters. She distributed information she prepared regarding the Watershed Protection District MSR.

J. Benoit explained the history of MSR's for those present. He has always worked to keep the cost of the MSR within the budget. Direction has always been to send the district/agency the draft first. They review it and come back with any concerns. MSR's are not "gotcha documents". Discussion continued regarding distribution of draft copies, cost, and committees.

John acknowledged the importance of public input and explained the process for notification. He stated that the bottom line is what are you willing to pay for?

Mike Dunlap, public member and volunteer, spoke on Lafco's responsibility and getting information to the public.

Alan Flora, with the County Administrative Office, stated that they share some of the same concerns as Lafco when it comes to the budget. He is asking the Commission to consider adopting coterminous SOI's for any entity that has not updated their sphere. He referred to a March 2013 letter from the Board of Supervisors and distributed copies of same. The issue is why should the county subsidize the city's sphere? More discussion followed regarding the cost of MSR's/SOI updates and what entity should pay.

S. Browne explained the law: Lafco will prepare MSR's and updates every five years. Then, if necessary, make any changes. Lafco tries to piggyback on General Plan updates; this is the most efficient way to do it. Lafco is the final decision maker as to spheres.

Some discussion was held regarding the Clearlake SOI. An MSR needs to be done even if it is coterminous with the city boundary. John will meet with Alan Flora after today's meeting to clarify concerns.

Commissioner Smith stated that we have discussed this issue for years. If it is over and above what the typical MSR is, then the district/agency pays. Lafco

pays if it is a typical MSR.

Commissioner Mattina asked, if we don't have a committee, can we still get the information and have public input? John responded, yes. Commissioner Lyons spoke on the benefit of having a committee.

More discussion followed regarding committees and public notices. The issue of where the draft should be sent first was raised again and discussion followed.

J. Benoit summarized the discussion stating that Lafco will keep the committee in place, a draft will be sent to the district and the committee. John will meet with the committee in about a month and will receive comments from the district. A presentation will be made to the Commission, and if there are issues, the Commission will decide.

**Commissioner J. Comstock moved to approve the summary as provided above, second by S. Mattina, motion carried. (7-0)**

11:15 – Commissioner J. Comstock left the meeting.

John clarified that action taken today is specifically regarding the WPD project.

**6. California Within Limits – “Establishing Boundaries, Shaping the Future” presented by Peter Detwiler at the LAFCo Symposium on December 9, 2013.**

J. Benoit provided copies of California Within Limits – “Establishing Boundaries, Shaping the Future”, stating that the whitepaper provides a history of Lafco, and is an easy to read, in-depth look at boundary history.

**7. Establish regular and alternate meeting schedule for 2014.**

A copy of the 2014 schedule was included in today's packet.

**Commissioner G. Mills moved to approve the 2014 meeting schedule, second by Commissioner F. Gillespie, motion carried.**

**8. Executive Officer's report**

- a. Out of Area Services - J. Benoit reminded Commissioners of the requirement that agencies come to Lafco when proposing to provide services outside their district.
- b. City of Clearlake and Fire Services Review – John is working with the Clearlake City Manager, and continuing work on the fire review.
- c. Watershed Protection District Service Review – previously discussed
- d. RCD's Service Review – getting started as a separate review

**9. Commissioner Reports - None**

**10. Correspondence**

John has received a copy of a notice of intention to dissolve reclamation district 2070. The county (WPD) will initiate and place on their agenda for January 28<sup>th</sup> at 9:15 a.m. He also received notice of preparation of the EIR for the Clearlake General Plan.

**11. Adjourn to Lafco's next regular meeting: Wednesday, March 19, 2014 in Lakeport**

The meeting was adjourned at 11:30 a.m.