

# **Lake Local Agency Formation Commission**

## **Regular Meeting Agenda**

**July 17, 2013 -- 9:30 am**

**City of LAKEPORT** – City Council Chambers

225 Park Street Lakeport, California

*“Lake LAFCo oversees orderly development and protects natural resources and agricultural lands”*

### Commissioners

Ed. Robey, Chair (Public Member)  
Frank Gillespie (Special District Member)  
Jeri Spittler, (City Member)  
Stacy Mattina (City Member)  
Gerry Mills, (Special Dist. Member)

Denise Rushing, (Vice Chair, County Member)  
Jim Comstock (County Member)

### Alternates

Jeff Smith (County Alternate)  
Joey Luiz (City Alternate)  
Jim Abell, (Spec. District Alternate)  
Suzanne Lyons (Public Alternate)

### Staff

John Benoit, Executive Officer  
P. Scott Browne, Legal Counsel  
Lora Ceccon, Clerk to the Commission

**1. Call to Order – Roll Call**

**2. Approval of Minutes – May 15, 2013**

**3. Public Comment**

This is the time for the public to address the Commission on any matter not on the agenda. Testimony related to an item on the agenda should be presented at the time that item is considered.

**4. Consent Agenda**

*Action: Review and authorize payment of expenses for May and June 2013*

**5. Election of LAFCo Chair and Vice-Chair for Fiscal Year 2013-2014**

- a. *Election of LAFCo Chair*
- b. *Election of LAFCo Vice-Chair*

**9:30 AM – PUBLIC HEARINGS:**

**6. Municipal Services Review and Sphere of Influence for the Callayomi County Water District.**

- a. *Conduct Public Hearing on the Municipal Service Review for services provided by the Callayomi County Water District and consider Resolution 2013-0006 approving the Municipal Services Review*
- b. *Conduct Public Hearing on the Sphere of Influence Update for the Callayomi County Water District and consider Resolution 2013-0007 approving a Sphere of Influence Update for the Callayomi County Water District.*

**7. Municipal Services Review and Sphere of Influence for the Clearlake Oaks County Water District.**

- a.. *Conduct Public Hearing on the Municipal Service Review for services provided by the Clearlake Oaks County Water District and consider Resolution 2013-0008 approving the Municipal Services Review*
- b. *Conduct Public Hearing on the Sphere of Influence Update for the Clearlake Oaks County Water District and consider Resolution 2013-0009 approving a Sphere of Influence Update for the Clearlake Oaks County Water District.*

**ACTION ITEMS:**

**8. Review and Discuss Calafco Staff Workshop**

**9. Watershed Protection Service Review update.**

*Receive status report regarding the Watershed Protection Service Review*

**10. Executive Officer' s report**

- a. *Calafco Conference*

**11. Commissioner Reports**

This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters.

**12. Correspondence**

**13. Adjourn to LAFCO's next regular meeting: September 18th, 2013 in Clearlake**

*The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.*



**Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority Government Code Section 56325.1**

**Public Comment**

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be of interest to the public and within the Commission's subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).
- The total amount of time allotted for receiving public comment may be limited to 15 minutes.
- Any individual's testimony may be limited to 5 minutes. Time to address the Commission will be allocated on the basis of the number of requests received.

**Public Hearings**

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person's input to 5 minutes. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

**Agenda Materials**

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda area available for review for public inspection at the City of Lakeport and City of Clearlake Community Development Departments office located at City Hall in Lakeport and Clearlake [such documents are also available on the Lake LAFCO website as noted below to the extent practicable and subject to staff's ability to post the documents prior to the meeting].

**Accessibility**

An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting.

The location of this meeting is wheelchair-accessible.

**Disclosure & Disqualification Requirements**

Any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Lake LAFCO must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals; they may be reviewed at Government Code §§56700.1 and 81000 *et seq.* Additional information about the requirements pertaining to local initiative measures to be presented to the electorate can be obtained by calling the Fair Political Practices Commission at (916) 322-5660.

A LAFCO Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

**Contact LAFCO Staff** LAFCO staff may be contacted at (707) 592-7528 or by mail at Lake LAFCO c/o John Benoit, Executive Officer P.O. Box 2694, Granite Bay, CA 95746 or by email at [johnbenoit@surewest.net](mailto:johnbenoit@surewest.net) or by fax at (916) 797-7631. Agenda items are located on the Lake County Webpage at <http://www.lakelafco.org>

LOCAL AGENCY FORMATION COMMISSION OF LAKE COUNTY  
MINUTES OF MEETING  
May 15, 2013

PRESENT:

Ed Robey, Chair, Public Member  
Frank Gillespie, Special Districts Member  
Jeri Spittler, City Member  
Stacy Mattina, City Member  
Gerry Mills, Special District Member  
Jeff Smith, County Alternate

ALSO PRESENT:

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

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

The meeting was called to order at 9:32 a.m. There was a quorum present.

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

**Commissioner S. Mattina moved to approve the March 20, 2013 minutes, second by Commissioner J. Spittler; motion carried.**

**3. Public Comment**

Betsy Cawn provided information on a watershed satellite mapping project including its purpose and use.

**4. Consent Agenda**

**Commissioner J. Smith moved to authorize payment of the March and April 2013 expenses, second by Commissioner J. Spittler; motion carried.**

**5. Public Hearing regarding the 2013-2014 Lake LAFCo Final Budget.**

J. Benoit presented the final 2013-2014 Lake Lafco Budget. He discussed the need for a good fire districts MSR and the process for completing the MSR. John explained that MSRs are not “gotcha documents”. They can provide recommendations and the districts can choose to correct any issues. The information they provide can also be used for completing grant applications.

Ms. Cawn discussed the importance of completing the MSR in relation to the need for other documents such as an Emergency Services Plan for emergency response for disasters.

Commissioner Robey asked what stage the City of Clearlake General Plan is at. Joan Phillipe, City of Clearlake City Administrator, responded that they have an

administrative draft. This is the first version for staff comments. It should go out for public comments the end of June. Ms. Phillipe thinks it would be better to finalize the MSR after the General Plan. S. Browne, stated that it would be helpful to have a capacity study prepared prior to completion of the General Plan. He suggested a preliminary MSR; then, upon completion of the General Plan, the MSR could be finalized. More discussion followed.

J. Benoit is not sure that the \$12,000 budgeted for MSRs and SOIs is sufficient. He has kept the budget low; however, due to raised expectations of MSRs and SOIs, the reality is that the cost increases. John explained where the funds come from for the Lafco budget and advised members of the projects that still need to be completed. Discussion followed.

**Commissioner J. Spittler made the motion to increase budget line item 21 from \$6,000 to \$12,000, second by Commissioner G. Mills, motion carried.**

10:38 a.m. – Opened Public Hearing

10:39 a.m. – Closed Public Hearing

**Commissioner J. Smith moved to approve Resolution 2013-0003 a Resolution of the Lake Local Agency Formation Commission Adopting its Final Budget for 2013-2014 as amended to reflect the \$6,000 increase, second by Commissioner J. Spittler, motion carried by roll call vote. (6-0)**

Break – 10:40 a.m. – 10:50 a.m.

A lengthy discussion was held regarding the annual Lafco conference, budget and possible attendees. The budget allows for four Commissioners to attend.

6. **Appointment of voting and alternate voting representative to vote on behalf of Lake Lafco at the Calafco Annual conference in August.**

**Commissioner J. Spittler moved to appoint S. Mattina and herself as voting delegates on behalf of Lake Lafco at the Calafco Annual conference in August, second by Commissioner S. Lyons, motion carried.**

7. **Review and Discuss Calafco Staff Workshop – Postponed to next meeting.**

8. **Calafco Achievement Awards Nominations**

J. Benoit stated that information was included in today's agenda packet and asked for any ideas. None were heard.

9. **Nominations for Calafco Board of Directors**

- J. Benoit stated that Mary Jane is doing a good job; we will support her.
- 10. MSR Committee for the Watershed Protection MSR**

Discussion was held regarding the formation of a committee for completion of the Watershed Protection MSR. Mr. Dunlap stated that he would be willing to sit on the committee. S. Lyons and E. Robey would also like to participate. It was agreed that committee members would include Commissioners E. Robey and S. Lyons; public representatives B. Cawn and M. Dunlap and J. Benoit as staff.

**11. Executive Officer's Report**

- a. MSR status: Clearlake Oaks and Callayomi Water Districts – Schedule hearing at the July Lake LAFCo meeting – J. Benoit provided the Commission with an update on the Clearlake Oaks and Callayomi Water Districts MSRs.*

**12. Commissioner Reports – None**

**13. Correspondence – None**

**14. Closed Session – 11:25 a.m.**

Subject: Performance Evaluation March 2012 – February 2013  
Title: LAFCO Executive Officer

**15. Report of Action from Closed Session – 11:43 a.m.**

The Lake County Lafco Commission held a closed session for the purpose of conducting an evaluation of the LAFCO Executive Officer.

**Commission J. Smith moved to re-open Item 8. Calafco Achievement Awards Nominations, second by Commissioner J. Spittler, motion carried.**

**Commissioner G. Mills moved to nominate John Benoit as Outstanding Lafco Professional, second by Commissioner J. Smith, motion carried.**

**16. Adjourn to LAFCO's next regular meeting: July 17, 2013 in Lakeport**

The meeting was adjourned at 11:44 a.m.

# Lake Local Agency Formation Commission

## CLAIMS

May 2013 through June 2013

### FY 2012-2013 Expenses

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
May 1, 2013	Staff Services May 2013	\$ 4,799.00
May 1, 2013	Special Projects –May 2013	
	CLO,CCWD, MSR/SOI	\$ 3,094.37
4.16-13 to 5.15.2013	Browne- Legal	\$ 1,750.00
May 15, 2013	Browne ¼ share Staff Workshop	\$ 100.13
June 1, 2013	Staff Svcs June 1-30, 2013	\$ 4,590.67
June 1, 2013	Spec. Proj clo,ccwd wpd	\$ 5,399.84
5.16-13 to 6.15-13	Browne,Legal	\$ 500.00
June 19, 2013	Public Notice CCWD.Clocwd	\$ 85.78
May 15, 2013	Comm Stipend Lake LAFCo Mtg.	\$ 480.00
TOTAL:		\$ 20,799.79

### FY 2013-2014 Expenses

July 8, 2013	Lk Co. BOS copies wpd minutes	\$ 47.20
July 3, 1013	Benoit reimb Conf lodging dep for J. Spittler	\$ 169.00
July 1, 2013	Calafco Dues for FY 2013-2014	\$ 758.00
July 2, 2013	Conf. Registration Spittler, Lyons, Mattina Abell, Gillespie and Mattina	\$ 2,073.00
TOTAL:		\$ 3,047.20

DATED: July 17, 2013

APPROVED: July 17, 2013

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Ed Robey, Chair or Denise Rushing Vice-Chair  
Lake Local Agency Formation Commission

Attest:

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John Benoit  
Executive Officer

Amount Budgeted	Comm Stipend	Supplies	Memberships	Books	Periodic	Attorney Service	LAFCo Clerk	Office Stipend	Staff Svcs	Legal Notices	Trans Travel	Conf Regis	SOI Water	Gen Reserve
2012-2013 Adopted Budget	\$ 880,011.12	\$ 880,227.70	\$ 880,227.70	\$ 880,227.70	\$ 880,227.70	\$ 880,227.70	\$ 880,227.70	\$ 880,227.70	\$ 880,227.70	\$ 880,227.70	\$ 880,227.70	\$ 880,227.70	\$ 880,227.70	\$ 880,000.00
Accrued exp in 2012-2014 and exp. Brought forward to FY 2013-2014	\$ 5,280.00	\$ 250.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00
Calafco Dues FY 2012-2013														
CalafcoConf Hotel costs Splitler														
Comm Stipend 7.18.12 meeting	\$ (660.00)													
Conf registration-Calafco														
Lodging for Gerry Mills														
Lodging Calafco Jim Abell														
Staff Svcs July 2012														
Browne 6.16.12-7.15.12														
Staff Svcs August 2012														
Browne 7.17.12-8.15.12														
Browne 8.17.12-9.15.12														
Staff Svcs Sept. 2012														
Staff Svcs Oct 2012														
Browne 9.16.12-10.15.12														
Conf Reimbursement J. Abell														
Conf Reimbursement G Mills														
Conf Reimbursement J Splitter														
Nov 14, 2012 Comm Mtg. Stipend	\$ (540.00)													
Browne 10.16.12-11.15.12														
Jr staff Svcs Nov 2012														
TRANSF to travel Budget														
Staff Svcs Dec 2012														
RB and CLO re: Pub Mem Alt														
Browne 11.16.12-12.15.12														
Browne 12.16.12-1.15.13														
Staff Svcs January 2013														
Comm Stipend 1.16.13														
Staff Svcs Feb 2013	\$ (420.00)													
Auditor Svcs FY 12-13														
RB CLO LacossanSOI and 13-14Budget														
Browne Lgl 1.16.13-2.15.13														
FY 2012-2013 Liability Insurance														
Browne Legal 2.16.13-3.15.13														
Staff Svcs Mar 2013														
Comm Stipend March 20, 2013	\$ (600.00)													
Browne Legal 3.16.13-4.15.13														
Staff Svcs April 2013														
RB and CLO re: final 13-14Budget														
Jb Share Calafco Svks Exp														
Lake County IT Feb 2013														
Staff Svcs May 2013														
Browne Legal 4.16.13-5.15.13														
Comm Stipend for May 15, 2013	\$ (480.00)													
Staff Svcs June 2013														
browne legal 5.16-6.15.2013														
RB CLO notice CCWD-CLOWD														
Expenditures to date	\$ (2,700.00)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Remaining in Account	\$ 2,880.00	\$ 250.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00	\$ 741.00
	\$ 0	\$ (12,250.00)	\$ (1,249.88)	\$ (6,800.00)	\$ (48,487.74)	\$ (353.43)	\$ (4,541.13)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 200.00	\$ 3,750.00	\$ 750.02	\$ 400.00	\$ 0.28	\$ 646.67	\$ (1,910.29)	\$ 1,500.00	\$ 8,000.00	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -



[illegible]

## **LAKE LAFCO**

### **MEMORANDUM**

July 17, 2013

**TO:** LAFCO Commissioners

**FROM:** John Benoit, Executive Officer

**RE:** Clearlake Oaks County Water District Service Review and Sphere of Influence

Staff has worked with the district staff to prepare a hearing draft document and has met with the District Board of Directors on to review the report and to discuss the service review and sphere update.

Attached is a hearing draft of the District Municipal Service Review (MSR) and Sphere of Influence (SOI). The MSR addresses areas of improvement such as development of a Master Plan. Staff is recommending a Sphere of Influence boundary slightly larger than the district's existing boundaries.

Attached is Resolution 2013-0008 adopting the Municipal Service Review and Resolution 2013-2009 adopting the Sphere of Influence for the Clearlake Oaks County District.

#### **Recommendation:**

- a. Conduct Public Hearing on the Municipal Service Review for services provided by the Clearlake Oaks County Water District and consider Resolution 2013-0008 approving the Municipal Services Review.
- b. Conduct Public Hearing on the Sphere of Influence Update for the Clearlake Oaks County Water District and consider Resolution 2013-0009 approving a Sphere of Influence Update for the Clearlake Oaks County Water District.

## NOTICE OF EXEMPTION

**TO:** County Clerk  
County of Lake  
Lakeport, CA

**FROM:** Lake LAFCO  
P.O. Box 2694  
Granite Bay, CA 95746

**PROJECT TITLE:** Sphere of Influence Update: *Clearlake Oaks County Water District*

**PROJECT LOCATION:** Clearlake Oaks in Lake County

### DESCRIPTION OF PROJECT:

The proposed project involves the determination of a Sphere of Influence Update for the Clearlake Oaks County Water *District* with the same boundary as currently exists.

### NAME OF PUBLIC AGENCY APPROVING PROJECT:

Lake Local Agency Formation Commission

### NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT:

Lake Local Agency Formation Commission

### EXEMPT STATUS:

Class 20 Categorical Exemption, "Changes in Organization of Local Agencies," CEQA Guidelines Section 15320, Changes in Organization of Local Agencies and 15061b (3) General Rule Exemption.

### REASONS WHY THIS PROJECT IS EXEMPT:

This action is Exempt from the California Environmental Quality Act pursuant to Section 15320 of the CEQA Guidelines (Class 20) as the Sphere of Influence Update would not result in any change in services since the these districts already serve respective Sphere of Influence territory and 15061 b(3) whereby this activity is covered by the general rule that CEQA applies only to project which have the potential for causing a significant effect on the environment. Since this Sphere of Influence Update is only affirming an existing function (domestic water) into an existing Sphere of Influence, there is no possibility that this activity may have a significant effect on the environment since the services are already provided and no conditions have changed nor could be changed as a result of affirming the existing Sphere of Influence.

**CONTACT PERSON:**  
John Benoit  
LAFCO Executive Officer

**TELEPHONE NUMBER:**  
(707) 592-7528

**By:** \_\_\_\_\_

**Date:** July 17, 2013

# **Resolution 2013-0008 of the**

## **Lake Local Agency Formation Commission**

### *Approving a Municipal Service Review of Services Provided by the Clearlake Oaks County Water District and Adopting Written Determinations Thereon*

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission ("LAFCO") adopt and periodically review Sphere of Influence Plans for all agencies in its jurisdiction; and,

WHEREAS, California Government Code Section 56430 requires that a LAFCO conduct a review of the municipal services provided by and within an agency prior to updating or adopting its Sphere of Influence Plan; and,

WHEREAS, the Sphere of Influence Plan is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO; and,

WHEREAS, on April 17, 2002, the Commission adopted its Work Plan and included a schedule for initiation of Municipal Service Reviews (MSRs) and Spheres of Influence; and

WHEREAS, the Commission adopted guidelines for conducting MSRs, which applies to this MSR for services provided by the Clearlake Oaks County Water District; and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission for water and wastewater services provided by the Clearlake Oaks County Water District, including approval of the report and adoption of the written determinations contained therein; and,

WHEREAS, the Commission hereby determines that the hearing draft of the Municipal Service Review for water and wastewater services provided by the Clearlake Oaks County Water District and written determinations contained therein will provide information for updating the Sphere of Influence for the Clearlake Oaks County Water District, and is otherwise consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities; and,

WHEREAS, in making this determination, the Commission has considered the documentation on file in this matter; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Lake Local Agency Formation Commission hereby resolves, orders and determines the following:

- 1) The Municipal Service Review for Services provided by the Clearlake Oaks County Water District, attached hereto as Exhibit A, is approved and the written determinations presented in the Municipal Service Review report are hereby adopted.

- 2) The previously adopted Municipal Service Review is hereby superceeded in favor of this 2013 service review.
- 3) LAFCO staff is further ordered to forward copies of this resolution containing the adopted Municipal Service Review to the Clearlake Oaks County Water District.

The foregoing resolution was duly passed by the Lake Local Agency Formation Commission at a regular meeting held on July 17, 2013, by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this 17th day of July, 2013.

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Edward Robey, Chair: Lake LAFCO

Attest:

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John Benoit, Executive Officer  
LAKE LOCAL AGENCY FORMATION COMMISSION,

**LAKE LOCAL AGENCY FORMATION COMMISSION**

*A Resolution Making Determinations and Approving A Sphere  
of Influence Update for the Clearlake Oaks County Water District*

**WHEREAS**, Government Code Section 56425 requires each Local Agency Formation Commission to adopt and periodically review and update a sphere of influence for each local governmental agency within its jurisdiction; and

**WHEREAS**, the Lake Local Agency Formation Commission, in compliance with the aforementioned requirement, is providing a "plan for the probable physical boundaries and service area" for the Clearlake Oaks County Water District; and

**WHEREAS**, the Commission has set the initial hearing date of July 17, 2013 for the update of the sphere of influence for the Clearlake Oaks County Water District and has noticed this hearing at the times and as otherwise prescribed by Government Code Section 56150, *et seq.*; and

**WHEREAS**, the Commission has heard and adopted a Municipal Services Review of services provided by the Clearlake Oaks County Water District in accordance with Gov. Code section 56430; and

**WHEREAS**, the Commission has reviewed and considered the proposed Sphere of Influence update report and the proposed Sphere of Influence Update Map which are attached hereto and incorporated herein; and

**WHEREAS**, Lake LAFCO prepared and a notice of exemption for such action; and

**WHEREAS**, the Commission has considered those factors determined by it to be relevant to the proposed sphere of influence update, including, but not limited to, those factors specified in Government Code Section 56425, *et seq.*, and has heard from interested parties and considered requests for amendment and/or revision of the proposed updated sphere boundary, if any;

**NOW, THEREFORE, BE IT RESOLVED** that the Lake Local Agency Formation Commission does hereby find and determine as follows:

1. That the proposed sphere of influence update with respect to the Clearlake Oaks County Water District complies with the provisions of Government Code Section 56000, *et seq.*
2. That no significant protests have been received regarding the establishment of this Sphere of Influence update.
3. That, pursuant to Government Code Section 56425, the Commission makes and adopts those determinations set forth in the Sphere of Influence Study are attached hereto and incorporated herein.
4. The Commission has reviewed and adopts a Notice of Exemption prepared for this Sphere of Influence update and makes a specific finding that there is no substantial evidence in light of the whole record before Lake Local Agency Formation Commission that this Sphere Update for the Clearlake Oaks County Water District may have a significant adverse effect on the environment.
5. Pursuant to Government Code Section 56425 (i) the Clearlake Oaks County Water District is authorized to provide domestic water and wastewater collection and treatment services within

the territory set forth in Attachment "A". Other services a Community Services District may provide as stated in the Government Code shall be considered a new service and LAFCO approval shall be required.

6. All previously adopted Sphere of Influence updates and (or) amendments are hereby repealed in favor of this Sphere of Influence Update.
7. That the Sphere of Influence Update Report, Executive Officer's Report, and Map for the Clearlake Oaks County Water District updated Sphere are hereby adopted and approved as set forth in Attachment "A".

The foregoing resolution was duly passed by the Lake Local Agency Formation Commission at a regular meeting held on July 17, 2013, by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this 17th day of July 17, 2013.

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Edward Robey, Chair, Lake LAFCO

Attest:

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John Benoit, Executive Officer  
LAKE LOCAL AGENCY FORMATION COMMISSION

## **LAKE LAFCO**

### **MEMORANDUM**

July 17, 2013

**TO:** LAFCO Commissioners

**FROM:** John Benoit, Executive Officer

**RE:** Callayomi County Water District Service Review and Sphere of Influence

Staff has worked with the district to prepare a hearing draft document and has met with the District Board of Directors on two occasions to discuss district issues, the service review and sphere update report.

Attached is a hearing draft of the District Municipal Service Review (MSR) and Sphere of Influence (SOI). The MSR addresses areas of improvement such as establishment of a water conservation program. Staff is recommending a Sphere of Influence boundary slightly larger than the district's existing boundaries.

Attached is Resolution 2013-0006 adopting the Municipal Service Review and Resolution 2013-2007 adopting the Sphere of Influence for the Callayomi County District.

#### **Recommendation:**

- a. Conduct Public Hearing on the Municipal Service Review for services provided by the Callayomi County Water District and consider Resolution 2013-0006 approving the Municipal Services Review.
- b. Conduct Public Hearing on the Sphere of Influence Update for the Callayomi County Water District and consider Resolution 2013-0007 approving a Sphere of Influence Update for the Callayomi County Water District.



## NOTICE OF EXEMPTION

**TO:** County Clerk  
County of Lake  
Lakeport, CA

**FROM:** Lake LAFCO of Lake County  
P.O. Box 2694  
Granite Bay, CA 95746

**PROJECT TITLE:** Sphere of Influence Update: *Callayomi County Water District*

**PROJECT LOCATION:** Middletown Area in Lake County

**DESCRIPTION OF PROJECT:**

The proposed project involves the determination of a Sphere of Influence Update for the Callayomi County Water *District* with the same boundary as currently exists.

**NAME OF PUBLIC AGENCY APPROVING PROJECT:**

Lake Local Agency Formation Commission

**NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT:**

Lake Local Agency Formation Commission

**EXEMPT STATUS:**

Class 20 Categorical Exemption, "Changes in Organization of Local Agencies," CEQA Guidelines Section 15320, Changes in Organization of Local Agencies and 15061b (3) General Rule Exemption.

**REASONS WHY THIS PROJECT IS EXEMPT:**

This action is Exempt from the California Environmental Quality Act pursuant to Section 15320 of the CEQA Guidelines (Class 20) as the Sphere of Influence Update would not result in any change in services since the these districts already serve respective Sphere of Influence territory and 15061 b(3) whereby this activity is covered by the general rule that CEQA applies only to project which have the potential for causing a significant effect on the environment. Since this Sphere of Influence Update is only affirming an existing function (domestic water) into an existing Sphere of Influence, there is no possibility that this activity may have a significant effect on the environment since the services are already provided and no conditions have changed nor could be changed as a result of affirming the existing Sphere of Influence.

**CONTACT PERSON:**  
John Benoit  
LAFCO Executive Officer

**TELEPHONE NUMBER:**  
(707) 592-7528

**By:** \_\_\_\_\_

**Date:** July 17, 2013

**Resolution 2013-0006 of the**  
**Lake Local Agency Formation Commission**

*Approving a Municipal Service Review of Services Provided by the Callayomi County Water District  
and Adopting Written Determinations Thereon*

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission ("LAFCO") adopt and periodically review Sphere of Influence Plans for all agencies in its jurisdiction; and,

WHEREAS, California Government Code Section 56430 requires that a LAFCO conduct a review of the municipal services provided by and within an agency prior to updating or adopting its Sphere of Influence Plan; and,

WHEREAS, the Sphere of Influence Plan is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO; and,

WHEREAS, on April 17, 2002, the Commission adopted its Work Plan and included a schedule for initiation of Municipal Service Reviews (MSRs) and Spheres of Influence; and

WHEREAS, the Commission adopted guidelines for conducting MSRs, which applies to this MSR for services provided by the Callayomi County Water District; and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission for water services provided by the Callayomi County Water District, including approval of the report and adoption of the written determinations contained therein; and,

WHEREAS, the Commission hereby determines that the hearing draft of the Municipal Service Review for water services provided by the Callayomi County Water District and written determinations contained therein will provide information for updating the Sphere of Influence for the Callayomi County Water District, and is otherwise consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities; and,

WHEREAS, in making this determination, the Commission has considered the documentation on file in this matter; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Local Agency Formation Commission of Lake County hereby resolves, orders and determines the following:

- 1) The Municipal Service Review for Services provided by the Callayomi County Water District, attached hereto as Exhibit A, is approved and the written determinations presented in the Municipal Service Review report are hereby adopted.

- 2) The previously adopted Municipal Service Review is hereby superceeded in favor of this 2013 service review.
- 3) LAFCO staff is further ordered to forward copies of this resolution containing the adopted Municipal Service Review to the Callayomi County Water District.

The foregoing resolution was duly passed by the Lake Local Agency Formation Commission at a regular meeting held on July 17, 2013, by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this 17th day of July, 2013.

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Edward Robey, Chair: Lake LAFCO

Attest:

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John Benoit, Executive Officer  
LAKE LOCAL AGENCY FORMATION COMMISSION,

LAKE LOCAL AGENCY FORMATION COMMISSION

*A Resolution Making Determinations and Approving A Sphere  
of Influence Update for the Callayomi County Water District*

**WHEREAS**, Government Code Section 56425 requires each Local Agency Formation Commission to adopt and periodically review and update a sphere of influence for each local governmental agency within its jurisdiction; and

**WHEREAS**, the Lake Local Agency Formation Commission, in compliance with the aforementioned requirement, is providing a "plan for the probable physical boundaries and service area" for the Callayomi County Water District; and

**WHEREAS**, the Commission has set the initial hearing date of July 17, 2013 for the update of the sphere of influence for the Callayomi County Water District and has noticed this hearing at the times and as otherwise prescribed by Government Code Section 56150, *et seq.*; and

**WHEREAS**, the Commission has heard and adopted a Municipal Services Review of services provided by the Callayomi County Water District in accordance with Gov. Code section 56430; and

**WHEREAS**, the Commission has reviewed and considered the proposed Sphere of Influence update report and the proposed Sphere of Influence Update Map which are attached hereto and incorporated herein; and

**WHEREAS**, Lake LAFCO prepared and a notice of exemption for such action; and

**WHEREAS**, the Commission has considered those factors determined by it to be relevant to the proposed sphere of influence update, including, but not limited to, those factors specified in Government Code Section 56425, *et seq.*, and has heard from interested parties and considered requests for amendment and/or revision of the proposed updated sphere boundary, if any;

**NOW, THEREFORE, BE IT RESOLVED** that the Lake Local Agency Formation Commission does hereby find and determine as follows:

1. That the proposed sphere of influence update with respect to the Callayomi County Water District complies with the provisions of Government Code Section 56000, *et seq.*
2. That no significant protests have been received regarding the establishment of this Sphere of Influence update.
3. That, pursuant to Government Code Section 56425, the Commission makes and adopts those determinations set forth in the Sphere of Influence Study are attached hereto and incorporated herein.
4. The Commission has reviewed and adopts a Notice of Exemption prepared for this Sphere of Influence update and makes a specific finding that there is no substantial evidence in light of the whole record before Lake Local Agency Formation Commission that this Sphere Update for the Callayomi County Water District may have a significant adverse effect on the environment.
5. Pursuant to Government Code Section 56425 (i) the Callayomi County Water District is authorized to provide domestic water services within the territory set forth in Attachment "A". Other services a Community Services District may provide as stated in the Government Code shall be considered latent powers and LAFCO approval shall be required.

6. All previously adopted Sphere of Influence updates and (or) amendments are hereby repealed in favor of this Sphere of Influence Update.

7. That the Sphere of Influence Update Report, Executive Officer's Report, and Map for the Callayomi County Water District updated Sphere are hereby adopted and approved as set forth in Attachment "A".

The foregoing resolution was duly passed by the Lake Local Agency Formation Commission at a regular meeting held on July 17, 2013, by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this 17th day of July 17, 2013.

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Edward Robey, Chair, Lake LAFCO

Attest:

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John Benoit, Executive Officer  
LAKE LOCAL AGENCY FORMATION COMMISSION