

Lake Local Agency Formation Commission

ADDENDUM TO THE JULY 18, 2018 REGULAR MEETING AGENDA

July 18, 2018 -- 9:30 am

City of Lakeport – City Council Chambers
225 Park Street Lakeport, California

ADDENDUM ITEMS

A. CONSENT AGENDA

A-1. Consent Agenda (Item #5) Addendum

- a. *Action: Review and authorize payment of expenses for May and June 2018*
- b. *Authorization for Staff to work on Complex or Special Projects per agreement with Executive Officer dated January 13, 2003 as amended.*

B. ACTION ITEMS:

A-2. Request by Executive Officer amending Contract dated January 13, 2003 amendment regarding changes and updates to contract language regarding special and complex projects and use of subconsultants

- a. *Action: Review proposed contract language*
- b. *Approve fifth amendment to the Contract for the Provision of Staff Services and Authorize Chair to sign.*

A-3. Begin Review of LAFCo's Travel, Budget and Expenditure Policies.

- a. *Begin Review LAFCo's Travel, Budget and Expenditure Policies adopted in 2002 and 2003 and discuss with Counsel the role of the County Auditor since the Cortese Knox Hertzberg was adopted in 2001.*

A-4. 2018-2019 Budget Amendment to add expenditure appropriation and account to pay State Board of Equalization Fees.

- a. *Adopt Resolution 2018-0007 approving a 2018-2019 budget amendment to include an appropriation and account for payment of State Board of Equalization Fees*

LAKE LOCAL AGENCY FORMATION COMMISSION

MEMORANDUM

DATE: July 18, 2018
TO: LAFCo Commissioners
FROM: John Benoit, Executive Officer
RE: July 18, 2018 Addendum Items A-1b, A-2, A-3 & A-4

After 15 ½ years the County Auditor's office is giving a heightened scrutiny of the wording in the LAFCo Staff Services Contract originally approved on January 13, 2003.

Item A-1 (b): in the past the County Auditor's office did not wish to receive Commission Payment Authorization Forms even though the Commission has been approving the claims authorizations since 2003. The signed authorization will need to be submitted to the Auditor prior to payment of invoices and the Chair will need to sign the "Claim Form" during times we do not have a LAFCo meeting.

The County Auditor's office has never required an actual listing of Commission authorized projects and costs albeit mentioned in the 2013 contract. Estimated costs are required since open-ended contracts are not allowed. These costs may be changed by the Commission based on budget at a later time, as needed. The estimated costs are congruent with the adopted LAFCo Budgets

Item A-2: In the short term there is a need to amend the 2002 contract to provide for the use of sub-consultants, GIS mapping, clarify the expenditure approval process and more clearly defined what is covered. For example, I asked Mark Dellinger to help me with the Kelseyville Water District MSR and SOI his costs are at issue with the Auditor's office. Hopefully, these changes to our procedures and contract amendment will remedy this situation.

However, in the long-term an entirely new contract should be prepared since the existing contract has had several amendments.

Item A-3: In light of this additional scrutiny, It would be prudent for LAFCo to review its adopted Budget and Expenditure Policies to bring them up to current standards and to ask LAFCo Counsel to prepare a legal opinion as to LAFCo's financial role in light of changes to the Cortese-Knox-Hertzberg Act changes since 2001. Since LAFCo is independent, LAFCo should in any case be looking at alternative ways to manage its finances albeit the County Auditor's office has provided good services, has been responsive and affordable over the years.

Item A-4: This item pertains to establishing a budget and appropriation to accommodate payment of State BOE fees by LAFCo for the Cobb Area Reorganization. This is a pass-through item.

LAKE LOCAL AGENCY FORMATION COMMISSION

July 18, 2018

ADDENDUM ITEM A-1(b)

The Executive Officer is hereby authorized to initiate and process the following Special and or Complex projects effective beginning 7.1.2017)

Service Review and Sphere (MSR and SOI) for the Kelseyville Co. Water District – Not to exceed \$10,000

Cobb Area Service Review and Reorganization Project – Not to exceed \$23,000

Street Lighting Districts in Lake County – Not to exceed \$10,000.

FY 2017-2018 initiated projects

Konocti County Water District MSR and SOI (not to exceed \$12,000)

GIS mapping for all districts in Lake County and for all authorized projects (not to exceed \$3,000).

Records retention (not to exceed \$3,000)

Note: Funds have been appropriated in the FY 2017–2018 and FY 2018-2019 LAFCo budgets and are authorized in accordance with Section 2.1.2 of the Contract for the Provision of LAFCo Staff Services dated January 13, 2003, as amended.

DATED: July 18, 2018

APPROVED: July 18, 2018

Chair or Vice-Chair
Lake Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

LAFCO OF LAKE COUNTY
FIFTH AMENDMENT TO AGREEMENT FOR
THE PROVISION OF LAFCO STAFF SERVICES

This is the Fifth Amendment to the Agreement for the Provision of LAFCo Staff Services between the Lake Local Agency Formation Commission, a public agency, and John Benoit, Contractor, dated January 13th, 2003, first amended on July 20, 2005, second amended on July 1, 2007, third amended on May 20, 2015 and fourth amended on July 1, 2017.

Article 2, Sections 2.1.2 and 2.2.2 are amended to read in its entirety as follows:

Section 2.1.2 shall read "The Commission from time to time may authorize the Contractor as Executive Officer to undertake **or manage special or complex projects** including but not limited to complex environmental reviews, Municipal Service Reviews, Sphere of Influence Updates and studies, or other special studies or applicant initiated changes of organization or Sphere Amendments pursuant to LAFCo's purpose and authority as stated in LAFCo's adopted bylaws. Compensation and expenses for said activities shall be on a project or hourly basis and shall be in addition to the Executive Officer's regular budgeted compensation. All such special projects costs shall be paid after they have been approved by the Commission or by the LAFCo Chair where there is no Commission meeting during the month. If the Commission has approved a project budget for the special project, Contractor billings consistent with the budget shall be deemed approved. The Contractor may use Commission Legal Counsel, and subcontractors or staff as Contractor deems appropriate to complete the work and shall base any such project or hourly charges on the hourly service rates set forth in Exhibit "A".

Article 2 Section 2.2.2 shall read In addition, Contractor shall be entitled to reimbursement for any costs which are directly reimbursable by the applicant, such as public notice costs, photocopy costs, property owner lists, GIS mapping, mileage, registered voter or property owner mailings, costs and time, for special meetings requested by the applicant, reconsideration requests, and conducting authority proceedings and costs and time involved in litigation. Any such expense reimbursement shall be itemized and approved by the Commission as part of warrant approvals prior to payment.

Except as specifically set forth herein, all remaining terms and conditions of the Agreement for Executive Officer Services dated January 13th, 2003, and the hereinabove referenced amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on July 18, 2018.

LAFCo

CONTRACTOR

Chairperson

John Benoit, Contractor

APPROVED AS TO FORM:

Fifth Amendment to Contract
John Benoit and Lake LAFCo
July 18, 2018

P. Scott Browne, LAFCO Counsel

Exhibit A

Hourly Rate Schedule for Special Projects

| | |
|--|---|
| John Benoit | Hourly Rate: \$100 per hour |
| Scott Browne, Legal Counsel | Hourly Rate: \$250 per hour |
| Other Consultants | Rate as charged to Benoit and approved by |
| Commission in proposal plus 10% administrative expense | |

**Resolution 2002-05
of the
Local Agency Formation Commission
Of
Lake County, California**

*Resolution of Local Agency Formation Commission of Lake County
Approving and Adopting
Expenditure and Travel Policies*

WHEREAS, Local Agency Formation Commissions have been created under the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Sections 56000 et. seq. of the Government Code, as independent agencies, with the power to adopt expenditure and travel policies, as necessary, to carry out their functions, (§56384); and

WHEREAS, the conduct of the Lake Local Agency Formation Commission is governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, sections 56000 et. seq.; and

WHEREAS, the Commission adopts and manages an annual budget including revenues and expenditures; and

WHEREAS, the LAFCO Executive Officer is responsible for managing the day-to-day business of the Commission and for directing expenditures for that purpose within the guidelines established by the adopted budget; and

WHEREAS, it is the Commission's desire to adopt written expenditure and travel policies distinct from those of the County of Lake; and

WHEREAS, this Commission held a public meeting on the proposed expenditure and travel policies and at that meeting, this Commission received all oral and written comments with respect to the proposed policies and the report of the Executive Officer.

NOW, THEREFORE, the Local Agency Formation Commission of the County of Lake DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. LAFCO of Lake County adopts Lake County's fiscal, expenditure and travel policies as amended by the County Board of Supervisors from time to time with the following exceptions:

a) References to the Lake County Board of Supervisors and County Administrator in the (County Expenditure and Travel Policies or other relevant Administrative Policies) for the purposes of activities within the LAFCO budget shall be interpreted as referring to the LAFCO Commission and LAFCO Executive Officer, respectively. Likewise, references to County Counsel shall be LAFCO Counsel.

b) Mileage Reimbursement shall be that amount established by the Internal Revenue Service, as annually amended.

c). Members and alternate members will be reimbursed, for reasonable meal expenses as determined by the Commission, on occasions when a Commission meeting must be recessed for a meal break.

d). LAFCO Commission shall receive an incidental allowance up to 8 dollars per day for actual expense without receipts for travel outside the County.

2. The LAFCO Executive Officer shall be responsible for managing the day-to-day business of the Commission and for directing expenditures for that purpose within the guidelines established by the adopted budget. This responsibility shall include the power to enter into contracts on behalf of the Commission, provided that the Executive Officer shall obtain the concurrence of the Chair and consult with Staff Counsel prior to entering into any contract outside the scope of day-to-day business, including contracts for attorney, consultant, or other professional services. Staff shall promptly notify the members of the Commission regarding establishment of contracts entered into on the Commission's behalf.

3. Members and alternates will be reimbursed, consistent with an amount as determined from time to time by the Commission, for reasonable and necessary expenses incurred for meeting attendance. Each member and alternate member in attendance at any Commission meeting shall receive a \$60.00 stipend per meeting as established by the Commission. LAFCO shall inform the Lake County Auditor's office of changes to meeting stipend rates.

6. These expenditure and travel policies are not intended to conflict with or modify LAFCO's duties and obligations under the Cortese-Knox-Hertzberg Local Government Reorganization Act, as amended.

7. In the event of a conflict between any County Fiscal, Expenditure and Travel policy or ordinance, with the adopted LAFCO's Bylaws, Policies, Standards and Procedures, Fee Resolution, or any other adopted LAFCO policy, the LAFCO regulation or policy shall prevail.

8. So long as the County Auditor is handling LAFCo financial transactions, amendments to Bylaws, Fee Resolutions, Policies, Standards and Procedures or any other adopted LAFCO policy shall be transmitted to the County Clerk/Auditor upon adoption. Any dispute or disagreement with the Auditor regarding reimbursement or payment of any claim shall be referred to the Local Agency Formation Commission for final determination. A minute order reporting the Commission's action shall be transmitted to the County Auditor.

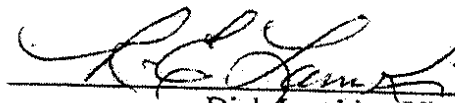
The foregoing resolution was introduced at a Regular Meeting of the LOCAL AGENCY FORMATION COMMISSION of the County of Lake on the 16th day of October 2002, on motion of Commissioner Lewis, seconded by Commissioner McMurray, and adopted by the following vote of the Commission:

AYES: Lewis, McMurray, Davis and Lamkin

NOES:

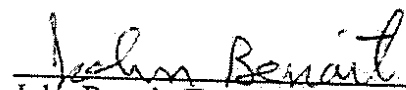
ABSTAIN:

ABSENT: Smith



Dick Lamkin, Vice Chairman
Local Agency Formation Commission of
Lake County

ATTEST:



John Benoit, Executive Officer
LOCAL AGENCY FORMATION COMMISSION,
Lake County

Resolution 2003-04

of the

**Local Agency Formation Commission
of
Lake County, California**

*A Resolution of Local Agency Formation Commission of Lake County
Amending Bylaws to include Budgeting Policies.*

RESOLVED, the Local Agency Formation Commission of the County of Lake, State of California, that

WHEREAS, the Local Agency Formation Commission of Lake County adopted Bylaws on March 20, 2002 and approved Resolution #2002-02.

WHEREAS, there is a need to link annual budget appropriations to the commission's annual work program; and

WHEREAS, the proposed and final budget shall be equal to the budget adopted for the previous fiscal year unless the commission makes findings that reduced staffing or program costs will nevertheless allow the commission to fulfill its purposes and programs as required by the LAFCO law; and

WHEREAS, this Commission called for and held a Public Hearing on the proposed bylaw amendment on July 16, 2003 and at the Hearing, this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposed Bylaw amendment and the Report of the Executive Officer.

NOW, THEREFORE, the Local Agency Formation Commission of the County of Lake DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

A Resolution of Local Agency Formation Commission of Lake County
Amending Bylaws to include Budgeting Policies

1. The attached Bylaw amendment shall guide the Commission in preparing its annual work program and budget and aid in complying with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and
2. That the Executive officer is hereby authorized and directed to file a copy of the Bylaw amendment with the Lake County Clerk's office.
3. That the Bylaw amendment attached as Exhibit "A" is hereby adopted and incorporated into LAFCO's Bylaws.

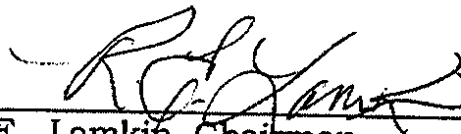
The foregoing resolution was offered at a Regular Meeting of the LOCAL AGENCY FORMATION COMMISSION of the County of Lake on the 16 day of July, 2003, by Commissioner Lewis, and adopted by the following vote of the Commission:

AYES: Davis, Lamkin, Smith, McMurray and Lewis

NOES:

ABSTAIN:

ABSENT:



R. E. Lamkin, Chairman
or Gary Lewis, Vice Chairman
Local Agency Formation Commission of
Lake County

Approved as to form:



P. Scott Browne, Counsel
LOCAL AGENCY FORMATION COMMISSION,
Lake County

EXHIBIT "A" - BYLAW AMENDMENT

Section 3.2. Budgeting Policies

1. LAFCO shall adopt a work program for the next fiscal year prior to its adoption of the proposed budget. The work program shall be developed considering the following factors.
 - a. Statutory requirements for preparation of Municipal Service Reviews and Updates to Sphere Plans.
 - b. Anticipated Projects.
 - c. Efficient delivery of LAFCO services to the Community.
2. LAFCO's budget for the next fiscal year shall normally be set a level that allows the agency to complete the essential tasks of the approved work program. If the Commission determines that it cannot reasonably require funding at the level necessary to fund the work program, the commission shall eliminate or modify items in the work program to reflect the reductions in funding prior to approval of the reduced budget. The proposed and final budget shall be equal to the budget adopted for the previous fiscal year unless the commission finds that reduced staffing or program costs will nevertheless allow the commission to fulfill its purposes and programs as required by the LAFCO Law. (56381).
3. Where feasible, LAFCO shall re-budget rollover from the prior fiscal year to reduce costs to the funding agencies. Alternatively, LAFCO may wish to use rollover monies to fund a General Reserve Fund. Appropriations and Expenditures from the General Reserve Fund shall require Commission approval.

Resolution 2018-0007
of the
Lake Local Agency Formation Commission

*Resolution of the Lake Local Agency Formation Commission of Adopting
An amendment to its 2018-2019 Budget*

WHEREAS, Lake LAFCO is required by Government Code Section 56381(a) to adopt annually, following a noticed public hearing, a proposed budget by May 1st and a final budget by June 15th; and,

WHEREAS, the Commission has prepared a proposed budget for public review which was adopted on March 21, 2018; and,

WHEREAS, the Executive Officer has prepared a final budget including a budgeted carryover, and contingency, which was adopted on May 16, 2018; and

WHEREAS, an amendment to the Adopted FY 2018-2019 Budget has become necessary to establish an appropriation and expenditure for State Board of Equalization Fees to be paid by LAFCo for the Cobb Area Reorganization Project (LAFCo File 2017-0001).

WHEREAS, the Commission has considered the attached Budget Amendment in light of the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

NOW THEREFORE, Lake Local Agency Formation Commission does hereby determine, resolve, and order the following:

1. That Lake LAFCO hereby adopts and amendment to its final 2018-2019 budget to include an appropriation of \$6,400.00 to pay State Board of Equalization Fees for the Cobb Area Reorganization Project (LAFCo File 2017-0001) as shown in Exhibit A.
2. That Lake LAFCo hereby adopts an amended revenue appropriation in its 2018-2019 budget to include and additional \$6,400.00.
3. Direct the Executive Officer to transmit a copy of this resolution along with its Exhibit "A" to the Lake County Auditor.

PASSED AND ADOPTED by the Lake Local Agency Formation Commission at a regular meeting of said Commission held on July 18, 2018 by the following roll call vote:

AYES: -

NOES: -

ABSTAINS: -

ABSENT: -

Signed and approved by me after its passage this 18th day of July 2018.

Chairperson
Lake LAFCO

Attest:

John Benoit, Executive Officer
Lake LAFCO

Exhibit A - FINAL Budget
F.Y. 2018-2019
Lake LAFCo
AMENDED
JULY 18, 2018

BUDGET: 419-8803

LAFCo Resolution 2018-00

| | B | C | D | E | F | G | H |
|----|---|----------------|----------------|---------------|-----------------|---------------|----------------|
| 3 | | | | | | | |
| 4 | | | | | | | |
| 5 | | 2015-2016 | 2016-2017 | 2017-2018 | 2018-2019 | 2018-2019 | 2018-2019 |
| 6 | | Final Budget | Final Budget | FINAL Budget | Proposed Budget | FINAL Budget | FINAL Budget |
| 7 | Expenditure Classification | | | | | | AMENDED |
| 8 | | | | | | | |
| 9 | 8803-880.01-12 COMMISSIONERS STIPEND | \$ 5,280.00 | \$ 5,280.00 | \$ 5,280.00 | \$ 5,280.00 | \$ 5,280.00 | \$ 5,280.00 |
| 10 | 8803-840.22-70 SUPPLIES | \$ 250.00 | \$ 250.00 | \$ 250.00 | \$ 250.00 | \$ 250.00 | \$ 250.00 |
| 11 | 8803-840.20-00 MEMBERSHIPS | \$ 785.00 | \$ 840.00 | \$ 899.00 | \$ 926.00 | \$ 926.00 | \$ 926.00 |
| 12 | 8803-840.22-72 BOOKS AND PERIODICALS | \$ 200.00 | \$ 200.00 | \$ 200.00 | \$ 200.00 | \$ 200.00 | \$ 200.00 |
| 13 | 8803-840.23-98 ATTORNEY CONTRACTS | \$ 16,000.00 | \$ 18,633.00 | \$ 18,633.00 | \$ 18,633.00 | \$ 18,633.00 | \$ 18,633.00 |
| 14 | 8803-840.23-79 Lafoo Clerk Svcs | \$ 3,000.00 | \$ 4,000.00 | \$ 4,000.00 | \$ 4,000.00 | \$ 4,000.00 | \$ 4,000.00 |
| 15 | 8803-840.23-79 Office Expenses | \$ 7,000.00 | \$ 7,000.00 | \$ 7,000.00 | \$ 7,000.00 | \$ 7,000.00 | \$ 7,000.00 |
| 16 | 8803-880.23.80 BOE Filings | | | | | | |
| 17 | 8803-840.23-79 Staff Off. Svcs | | | | | | |
| 18 | 8803-880.24-00 LEGAL NOTICES/PUBLICATIONS | \$ 48,488.00 | \$ 48,488.00 | \$ 48,488.00 | \$ 48,488.00 | \$ 48,488.00 | \$ 48,488.00 |
| 19 | 8803-840.29-50 TRANS AND TRAVEL (CALAFCO) | \$ 1,000.00 | \$ 1,000.00 | \$ 1,000.00 | \$ 1,000.00 | \$ 1,000.00 | \$ 1,000.00 |
| 20 | 8803-880.29-50 CONF REGISTRATION | \$ 2,000.00 | \$ 3,500.00 | \$ 5,500.00 | \$ 5,500.00 | \$ 5,500.00 | \$ 5,500.00 |
| 21 | 8803-880.23-78 - INSURANCE | \$ 1,000.00 | \$ 1,000.00 | \$ 2,500.00 | \$ 2,500.00 | \$ 2,500.00 | \$ 2,500.00 |
| 22 | 8803-840.23-80 Records Retention and Mapping. | \$ 1,400.00 | \$ 1,400.00 | \$ 1,400.00 | \$ 1,400.00 | \$ 1,400.00 | \$ 1,400.00 |
| 23 | 8803-880.23-18 Web Page | \$ 7,500.00 | \$ 7,500.00 | \$ 6,000.00 | \$ 6,000.00 | \$ 6,000.00 | \$ 6,000.00 |
| 24 | 8803-880.23-80 AUDITOR-Agreement | \$ 150.00 | \$ 150.00 | \$ 150.00 | \$ 150.00 | \$ 150.00 | \$ 150.00 |
| 25 | 8803-840.23-79 Spheres of Influence | \$ 2,500.00 | \$ 2,500.00 | \$ 2,500.00 | \$ 2,500.00 | \$ 2,500.00 | \$ 2,500.00 |
| 26 | 8803-840.23-79 Municipal Service Reviews | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 |
| 27 | Total General Services and Supplies Expenditures | \$ 25,000.00 | \$ 21,000.00 | \$ 21,000.00 | \$ 21,000.00 | \$ 21,000.00 | \$ 21,000.00 |
| 28 | | \$ 131,553.00 | \$ 132,741.00 | \$ 134,800.00 | \$ 134,827.00 | \$ 134,827.00 | \$ 141,227.00 |
| 29 | 8803-880.90-91 Contingency | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 10,000.00 |
| 30 | 0000 General Reserve | \$ 20,000.00 | \$ 30,000.00 | \$ 40,000.00 | \$ 50,000.00 | \$ 50,000.00 | \$ 50,000.00 |
| 31 | | | | | | | |
| 32 | TOTAL Expenditure Budget & contingency & reserve | \$ 131,553.00 | \$ 172,741.00 | \$ 184,800.00 | \$ 194,827.00 | \$ 194,827.00 | \$ 201,227.00 |
| 33 | | | | | | | |
| 34 | Est Carryover Balance July 1, 2018 | | | | | | |
| 35 | 8803-461.66-10 Est. OTHER REVENUE | \$ (20,000.00) | \$ (30,000.00) | \$ -60,000.00 | \$ -70,000.00 | \$ -70,000.00 | \$ -70,000.00 |
| 36 | 8803-456-56.30 BOE FEES | \$ (10,000.00) | \$ (10,000.00) | \$ -10,000.00 | \$ -10,000.00 | \$ -10,000.00 | \$ -10,000.00 |
| 37 | | | | | | | |
| 38 | Total exp less anticipated carryover and revenues | \$ 131,553.00 | \$ 132,741.00 | \$ 114,800.00 | \$ 114,827.00 | \$ 114,827.00 | \$ 114,827.00 |
| 39 | | | | | | | |
| 40 | | | | | | | |
| 41 | 456.56-30 City/County and Ind. Spec District Contrib. | \$ 131,553.00 | \$ 132,741.00 | \$ 114,800.00 | \$ 114,827.00 | \$ 114,827.00 | \$ 114,827.00 |
| 42 | | | | | | | |
| 43 | | | | | | | |
| 44 | | | | | | | |
| 45 | 0000 General Reserve | \$ 20,000.00 | \$ 30,000.00 | \$ 40,000.00 | \$ 50,000.00 | \$ 50,000.00 | \$ 50,000.00 |

LAFCO OF LAKE COUNTY
FOURTH AMENDMENT TO AGREEMENT FOR
LEGAL SERVICES

This is the Second Amendment to the Agreement for Legal Services between the Lake Local Agency Formation Commission, a public agency, and P. Scott Browne, Attorney at Law, dated July 21st, 2004, amended on July 18, 2007, May 20, 2015 and July 19, 2017,

Section II – A Compensation, Paragraphs to be added as follows:

"The monthly payment is compensation not only for time spent directly on Lake LAFCo business, but also for the substantial Attorney investment of time providing special seminars put on by Lake LAFCo such as AB 1234 training and Best Management Practices for Small Districts, and also working with CALAFCo, the Legislative Committee of CALAFCo, CALAFCo University, and attending and presenting in the CALAFCo conferences, all of which benefits Lake LAFCo.

Client further agrees to reimburse all costs and expenses advanced by Attorney on behalf of client, such as facsimile charges, postage, photocopying, travel, legal research, conference registration fees, etc. When costs are incurred for joint CALAFCo projects and workshops such as those listed above, client will be billed only a proportionate share, i.e., the costs will be shared with Attorney's other flat rate LAFCo clients."

Client further agrees that where the Commission has approved staff work on a special project or program for additional compensation as authorized under the Fifth Amendment to Contract for the Provision of LAFCo Staff Services, Attorney may also bill for his work on the special project, in addition to the regular monthly payment. Such billing shall be at the rate set forth in the Special Project Hourly Rate Schedule set forth in the Fifth Amendment to Contract for the Provision of LAFCo Staff Services. Such special project billing by Attorney shall be subject to the approval for payment by the Executive Officer, Chair of the Commission and/or the Commission, as they shall determine.

Except as specifically set forth herein, all remaining terms and conditions of the Agreement for Professional Services dated July 21st, 2004, and the hereinabove referenced amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on July 18, 2018.

LAFCo

CONTRACTOR

Chairperson

P. Scott Browne, Contractor

APPROVED AS TO FORM:

P. Scott Browne, LAFCO Counsel