

ITEM #6

Lake LAFCO

Executive Officer's Report

March 17, 2021

TO: Lake Local Agency Formation Commission

From: John Benoit, Executive Officer

SUBJECT: LAFCO 2020-0001 – Jackson, Polanco and Rancheria Annexation (JPR Annexation) to the Callayomi County Water District (CCWD)

The Diana Jackson, Pablo Polanco and the Middletown Rancheria of Pomo Indians of California herein referred to as the Middletown Rancheria has requested annexation of 27.87 acres more or less (APN 014-160-09,05,01 &10) to the Callayomi County Water District (CCWD) to receive domestic water services as in-district water service from the Callayomi County Water District for the proposed annexation territory located two miles south Middletown and west of Highway 29. This application was made by landowner petition requesting the Commission take proceedings for the annexation of the 27.87 acres.

The properties are located at 22223 South Highway 29, 22063 So State Highway 29, 21943 Shevland Road and 21973 S. St Highway 29 in Middletown, and contains Residential and Rural open space property for future development and is currently is receiving Callayomi County Water District water from the Callayomi County Water District.

EXECUTIVE OFFICER'S RECOMMENDATIONS: Adopt the proposed Resolution 2021-0004 approving a Sphere of Influence amendment (see Attachment #1)) and resolution 2021-0005 (Attachment #2) approving an annexation of 27.87 acres more or less to the Callayomi County Water District (APN 014-160-09,05,01 &10) to receive domestic water services from the Callayomi County Water District for the annexation territory subject to the recommended terms and conditions (LAFCO project 2020-0001).

Suggested Motions:

Adopt proposed Resolution 2021-0004 approving an amendment to the CCWD sphere of Influence to include an additional 27.87 acres.

Adopt proposed Resolution 2021-0005 approving the Annexation consisting of 27.87 acres more or less into the Callayomi County Water District.

I. BACKGROUND:

A. Summary:

Diana Jackson and Middletown Rancheria requested annexation of 27.87 acres more or less to the Callayomi County Water District for APN's 014-160-09,05,01 &10 to receive in district domestic water services as in district customers from the Callayomi County Water District.

The purpose of this annexation is to provide in-district domestic water to the properties, which is currently available by CCWD. Thirty houses are already being served with the Callayomi County Water District along with fifteen additional houses recently approved by LAFCo.

The proposed annexation is not located within the Middletown Urban Development Area of the 2008 Update as well as Community Growth Boundary in the Middletown Area plan adopted in 2010. The site for the proposed annexation territory is zoned and planned for Rural Residential. This property is not contiguous to the district with the exception of the Middletown Rancheria. The County Water District Act allows non-contiguous properties to be annexed to the district.

The 27.87 acres is not in the Callayomi County Water District (CCWD) sphere of influence yet water conveyance infrastructure is available to the site.

Staff recommends the Local Agency Formation Commission approve this Sphere of Influence Amendment and Annexation bringing the 27.87 acres of territory into the CCWD Sphere of Influence (Resolution 2021-0004) and the CCWD boundary subject to the terms and conditions stated in proposed Resolution 2021-0005.

B. Proposal and Justification

The purpose of the proposed project is to annex a total of 27.87 acres more or less into the Callayomi County Water District for reliable domestic water service. The annexation territory is currently uninhabited meaning there is less than 12 registered voters.

The South Lake County Protection District is the area's structural fire service provider. Other services such as law enforcement, road maintenance and wastewater are provided by Lake County.

Annexing this parcel into the CCWD will provide safe and adequate reliable domestic water for structures and most importantly fire protection for the site from a public water system.

This annexation is exempt from CEQA Classes 19 and 20 Annexation of Existing Facilities for lots for exempt facilities and Changes in Organization of Local Agencies and 15061b (3) General Rule Exemption and CEQA Guidelines section 15378(b)(5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

According to the CCWD MSR Adopted on July 17, 2013, The Callayomi County Water District provides the primary source of potable water consumed by the community of Middletown. The district owns, operates and maintains the water system facilities, which include a water treatment plant, three water supply wells, two storage tanks, and a booster station with two pumps, transmission and distribution mains, 70 fire hydrants (1), and 450 metered water services both inside and outside the District boundary (366 active accounts and 84 inactive accounts)(2). The district has an excess of 243,057 gpd. However, exceeds capacity for Peak Demand based on 477 active accounts of which 366 were active at the time (CCWD Water System Master Plan 2007). Much of the infrastructure was destroyed during the Valley Fire but has been rebuilt.

¹ Callayomi County Water District, Water System Master Plan, October 2007, Prepared by Coastland Civil Engineering-Construction Management-Building Department Services, Page 1-1.

² Callayomi County Water District, General Manager/ Board members, June 13, 2013.

C. Location

The property is generally located South of Middletown and west of SR 29

D. Purpose

The purpose of this annexation is to provide for a safe and reliable domestic water supply to serve the four properties

II. ANALYSIS

A. Accepted for filing: February 15, 2021

B. Publication and Posting: February 17, 2021

C. Compliance with CEQA: Exempt (see Attachment #4)

Lead Agency:	CCWD
Responsible Agency:	LAFCo
Environmental Finding:	Notice of Exemption Classes 19 and 20 and General Rule

Date of Finding: February 17, 2019

D. Compliance with applicable Plans:

Lands within the annexation area are planned and zoned Rural Residential

E. Compliance with applicable Spheres of Influence:

The Sphere of Influence for the CCWD was updated (July 2013) and will need an amendment to include the annexation area.

F. Existing Land Use and Zoning:

- LAND USE DESIGNATION:	Rural Residential
- ZONING:	Rural Residential
- DWELLINGS:	8
- POPULATION:	11
- REGISTERED VOTERS:	LESS THAN 12.

G. LANDOWNER (S): The Middletown Rancheria, Diana Jackson and Pablo Polanco

H. Existing Land Use and Zoning for Surrounding Territory:

The current land use for the annexation area is eight dwellings and three barns

- North: RL and AG Vineyard
- South: Middletown Rancheria and Casino
- East: APZ and Vineyard
- West: Rural residential

I. Proposed Development: None Expected

J. Fiscal Data: According to Resolution 2021-08 adopted on January 12, 2021 Board of Supervisors adopted Resolution Pertaining to Tax Revenue Exchange for Annexation to the Callayomi County Water District, there will be no property tax exchange for base property tax and incremental property tax for the territory to be annexed.

K. Existing and Proposed Service Agencies:

Service:	Existing Provider:	Proposed Provider:
School Districts	Middletown Unified School District	Same
Fire Protection	South Lake County Fire Protection District	Same
General Government	Lake County	Same
Police Protection	Lake County Sheriff	Same
Off-site Drainage and Flood Control	Lake County	Same
Water	Well	Callayomi County Water District Septic
Wastewater	Septic	
Street Lighting	Lake County	Same
Roads	Lake County	Same
Emergency Services	South Lake County Fire Protection District	Same

III. SPHERE OF INFLUENCE Policy Analysis

Lake LAFCo Policies updated and adopted in 2020 require an amendment to the adopted sphere of influence plan when an agency seeks to annex territory not within its Sphere of Influence. The CCWD Sphere of Influence was adopted in 2013 and the Lake County General Plan was adopted in 2008.

This analysis is for an amendment to the CCWD Sphere of Influence.

Policy Analysis

Lake LAFCo adopted Policies and Procedures regarding Amendments and Updates of Spheres of Influence (Section 3) on September 16, 2020. Below is a discussion of the applicable policy.

LAFCo will generally treat an update or a proposed amendment to an agency's Sphere of Influence similarly to an application for approval of a Sphere of Influence. Each of the following sets of policies apply to amendments to and updates of Spheres of Influence:

- i) General policies.
- ii) Specific policies and standards for Spheres of Influence and for Updates and Amendments thereto.

General Policies (Section 3.1) require an analysis of four factors as stated in Section 56425 (e) these are discussed below.

The site includes four lots with 6 dwelling units. Since this is the case, land in 17.13-acre area can be feasibly be served by the CCWD as in district services. This sphere amendment is internally consistent with the existing CCWD sphere.

Policy 3.4 (f)

Precedence of Amendments over Annexations. Sphere of Influence amendments shall precede the Commission's consideration of proposals for change of organization or reorganization.

The SOI amendment discussion will precede commission action on the consideration of the annexation proposal.

Policy 3.4 (g)

Demonstrated Need Required. An applicant for amendment to a Sphere of Influence must demonstrate a projected need or lack of need for service.

There is a need for services for this territory to be annexed since water quality is insufficient for domestic purposes. The CCWD has the ability to serve this territory with domestic water, which is the service being requested.

Policy 3.4 (h)

Open Space and Prime Agricultural Land. Amendment proposals involving Sphere expansions, which contain open space or prime agricultural land will not be approved by LAFCo if there is sufficient alternative land available to feasibly be annexed the existing Sphere of Influence.

The purpose of this proposal is to annex and provide service connections to existing dwellings and out buildings. There is no active agricultural activities on the parcels.

Pursuant to Government Code Section 56425, LAFCO must consider four specific issues prior to making written determinations to support its action in amending the Sphere of Influence for the CLOCWD. These are discussed in the following paragraphs:

1. The present and planned land uses in the area, including agricultural and open space lands.

Present and planned land uses in the area include rural lands type uses. The existing land uses surrounding the subject lands consist of small parcels with with commercial and residential lands uses. Land to the South is the Rancheria, and to the North, a vineyard and lands to the west are oak woodland and SR 29 lies to the east. Lands to the South is in the CCWD District and Sphere.

2. The present and probable need for public facilities and services in the area.

The current uses within the 27.87 -acre territory requires public water. The CCWD provides public water. Since the territory is planned and zoned for Rural Residential the need for reliable public water exists.

3. The present capacity of public facilities and adequacy of services that the agency is authorized to provide.

The CCWD provides water service to existing and proposed development in the area. However, this territory is not included in the Sphere of Influence but does receive CCWD water. The CCWD does not anticipate any restrictions in being able to provide water service to the parcels.

4. The existence of any social or economic land communities of interest in the area if the Commission determines that they are relevant to the community.

The subject territory is located contiguous to the CCWD Rancheria area and is proposed to be included within its boundaries and its Sphere of Influence. The CCWD is the only safe and reliable domestic water service provider within the area.

5. A determination regarding Disadvantaged Unincorporated Communities is required for Sphere amendments involving Domestic Water, Wastewater and Fire protection.

There are no Disadvantaged Unincorporated communities not receiving domestic water services within or coterminous to this proposal.

Conclusion:

The above considerations are the basis to support the inclusion of 27.87 acres to the Sphere of Influence for the CCWD. Recommended actions are presented in accordance

with the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 as they apply to the Sphere of Influence Studies.

IV. POLICY ANALYSIS - Annexation

1. GOVERNING LAW

LAFCO is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Act to its decisions regarding annexations, incorporations, reorganizations, and other changes of government. Section 56668 of the Government Code states the following:

Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

- (a) **Population, and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.**
- (b) **The Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation; formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**

“Services,” as used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.
- (c) **The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.**
- (d) **The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns, of urban development, and the policies and priorities set forth in Section 56377.**
- (e) **The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.**
- (f) **The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.**
- (g) **A regional transportation plan adopted pursuant to Section 65080, and consistency with city or county general and specific plans.**

- (h) **The proposal's consistency with city or county general and specific plans.**
- (i) **The sphere of influence of any local agency which may be applicable to the proposal being reviewed.**
- (j) **The comments of any affected local agency or other public agency.**
- (k) **The ability of the newly formed or receiving entity to provide the services which area the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.**
- (l) **Timely availability of water supplies adequate for projected needs as specified in Section 65352.5**
- (m) **The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with section 65580) of Chapter 3 of Division 1 of Title 7.**
- (n) **Any information or comments from the landowner or landowners, voters or residents of the affected territory.**
- (o) **Any information relating to existing land use designations.**
- (p) **The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.**
- (q) **Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.**

These factors will be reviewed with regard to the proposed Annexation to the Callayomi County Water District.

- (a) Population, and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

This annexation area consists of up to 8 dwelling units.

- (b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation; formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the

area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

This project includes the provision of adequate and reliable water supply to serve the existing homes.

- (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

The CCWD serves the Community of Middletown. Growth of the District depends upon growth in and around the community of Middletown.

- (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in (Government Code) Section 56377.

The annexation is contiguous with the Middletown Rancheria together are not contiguous with the district boundary.

- (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

There should be no impacts.

- (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The boundary are definite and certain and includes four assessor parcels

- (g) Consistency with city or county general and specific plans.

The proposed annexation is consistent with Rural Residential designation in the Lake County General Plan and Zoning Ordinance and the Middletown Area Plan.

- (h) The sphere of influence of any local agency, which may be applicable to the proposal being reviewed.

The proposed annexation is within the Sphere of Influence for the Callayomi County Water District, as amended. The annexation does not conflict with the Sphere of Influence of any other district.

- (i) The comments of any affected local agency.

No comments received excepting a property tax resolution from the South Lake County Fire Protection District.

- (j) The ability of the newly formed or receiving entity to provide the services which area the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The CCWD has the ability to provide the annexation area with municipal water service.

- (k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5

The CCWD provides domestic water service this area already yet needs to be officially included in the district to sustain its water supply.

- (l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with section 65580) of Chapter 3 of Division 1 of Title 7.

N/A

- (m) Any information or comments from the landowner or owners.

None reported

- (n) Any information relating to existing land use designations.

The area is zoned Rural Residential and Rural Open Space

- (o) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

There are no issues associated with environmental justice with this proposal.

- (q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

Not applicable

Lake LAFCO General Policies

Policy		Comment
Communication between local agencies is encouraged.	N/A	N/A
Urban development proposals shall include annexation	N/A	

to a city where possible.		
LAFCO will normally deny proposals that result in urban sprawl.	N/A	This project does not induce growth already has water service.
Environmental consequences (CEQA) shall be considered.	Consistent	Exemption Class 19/20 & General Rule
LAFCO will consider the impact of a proposal on the regional supply of housing for all income levels.	N/A	
LAFCO will favor proposals that promote compact urban form and infill development.	N/A	
Government structure should be simple, accessible, and accountable.	Consistent	There is no indication of unnecessary complexity or lack of accessibility or accountability.
Agencies must provide documentation that they can provide service within a reasonable period of time.	N/A	The CCWD supports this annexation and has the capacity to continue to serve.
Efficient services are obtained when proposals: Utilize existing public agencies. Consolidate activities and services. Restructure agency boundaries to provide more logical, effective, and efficient services.	N/A	
Adverse impacts on adjacent areas, social and economic interests and the local government structure must be mitigated.	N/A	
Conformance with general & specific plans required.	Yes	
Boundaries: Definite boundaries are required. Boundaries that are favored: Create logical boundaries & eliminate islands or illogical boundaries. Follow natural or man-made features and include logical service areas. Boundaries that are disfavored: Split neighborhoods or communities. Result in islands, corridors, or peninsulas. Drawn for the primary purpose of encompassing revenue-producing territories. Create areas where it is difficult to provide services.	Consistent	
Revenue neutrality required for all proposals.	Consistent	

<p>Agricultural and Open Space Land Conservation Standards:</p> <p>Must lead to planned, orderly & efficient development.</p> <p>Approved Sphere of Influence Plan required.</p> <p>Findings with respect to alternative sites required.</p> <p>Impact on adjacent agricultural/open space lands assessed.</p> <p>Agricultural Buffers</p>	Consistent	
<p>Need for services exists when:</p> <p>Public health and safety threat exists.</p> <p>The residents have requested extension of non-growth-inducing community services.</p> <p>Subject area is likely to be developed for urban use within 5 years.</p>	Consistent	
<p>Exceptions are justified on the following grounds:</p> <p>Unique.</p> <p>Standards Conflicts.</p> <p>Quality/Cost.</p> <p>No Alternative.</p>	Consistent	No policy exceptions are needed or requested.

Annexation and Detachment Policies—Lake LAFCO General

Policy		Comment
Proposals must be consistent with LAFCO general policies.	Consistent	
A proposal must be consistent with the agency's Sphere Plan and Master Service Element.	Consistent	The proposal is within the CCWD sphere of Influence, as amended
Plan for Services required.	N/A	
Subject territory must be contiguous to the agency's boundaries if required by law, or if necessary for efficient service delivery.	N/A	This territory is not contiguous with the existing district boundary.
The detachment is necessary to ensure delivery of services essential to Health and Safety.	N/A	
The Successor provider will be the most efficient service provider	N/A	
The service plans for districts, which lie within a City's Sphere of Influence should provide for orderly detachment of territory from the district or merger of the district as district territory is annexed to the City.	N/A	
Detachment from a City or Special District shall not relieve the landowners within the detaching territory from existing obligations for bonded indebtedness or other indebtedness previously incurred.	N/A	
Adverse impact of detachment on other agencies or service recipients is cause for denial.	N/A	

Action options include: Approval. Conditional approval to require only a portion of the area to be detached. Denial.		
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IV. Comments from the public and public agencies.
NA

V. Staff Recommendations

Staff recommends the Commission approve this annexation of 27.87 acres more or less and adopt Resolution 2021-0004 and Resolution 2021-0005 including terms and conditions.

Respectfully Submitted,

John Benoit,
Executive Officer

Attachments:

Attachment #1	Resolution 2021-0004 Amending the CCWD Sphere of Influence
Attachment #2	Resolution 2021-0005 Annexing 27.87 acres more or less to the CCWD
Attachment #3	Notice of Exemption for CCWD Annexation of 27.87 acres

Resolution 2021-0004
Lake Local Agency Formation Commission
Lake County, California

*Making Determinations and Approving a Sphere of Influence
Amendment for the Water Sphere of Influence to include 27.87 additional acres more or less in the
Callayomi County Water District (CCWD) Sphere of Influence*

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission ("LAFCo") adopt Spheres of Influence for all agencies in its jurisdiction and to review those spheres for possible update every five years; and

WHEREAS, proceedings for adoption, update and amendment of a Sphere of Influence are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 et seq. of the Government Code; and

WHEREAS, Government Code Section 56425 defines the purpose of a Sphere of Influence Plan as assisting a LAFCo to carry out its responsibilities for planning and shaping 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, such a plan will be utilized by members of the public, public agencies, service providers and affected property owners to ascertain the timing of development and expected scope and provision of public services; and

WHEREAS, the Sphere of Influence Plan is a flexible document that may be amended to accommodate changes in development patterns and local circumstances and, further, will be reviewed in five years, as necessary; and

WHEREAS, California Government Code Section 56430 requires the Commission to conduct service reviews of the provision of municipal services prior to or in conjunction with action to update or adopt a sphere of influence; and

WHEREAS, on July 17, 2013, following a public hearing, Lake LAFCo adopted Resolution 2013-0007 approving a Sphere of Influence update for the CCWD; and

WHEREAS, it is the desire for the landowners to receive public water thereby requiring an amendment to the CCWD Water Sphere of Influence; and,

WHEREAS, there is no other service provider in the Callayomi County Water District area who can provide the desired water services; and,

WHEREAS, The CCWD has prepared a Notice of Exemption using Class19-Annexations of existing facilities.

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 upon the amendment of the sphere of influence of CCWD; 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 determines the following:

1. *The Commission's purposes and responsibility.*

The proposed amendment and update of the sphere of influence of the district, including the conditions established herein, is consistent with the Commission's policies, purposes and responsibility 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.

2. *Considerations specified in Government Code Section 56425(e).*

The Commission has considered the documentation in this matter, including the Municipal Service Review and Sphere of Influence Plan documentation provided and comments submitted by the district and other interested agencies and individuals as they relate to the following considerations stated in Government Code Section 56425(e): (1) the present and planned land uses in the area, including agricultural and open space lands; (2) the present and probable need for public facilities and services in the area; (3) the present capacity of public facilities and adequacy of public services which the agencies provide or are authorized to provide; (4) the existence of any social or economic communities of interest in the area; (5) the presence of Disadvantaged Unincorporated Communities, as detailed below:

a. *The present and planned land uses in the area, including agricultural and open space lands.*

Land use designations in the County General Plan allow for the existing residence in the territory for the densities, which exist.

b. *The present and probable need for public facilities and services in the area.*

Current development requires the water services provided by the district.

c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

The CCWD has sufficient capacity to extend services to the territory proposed to be included in its sphere of influence.

d. *The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.*

No relevant communities of interest are noted excepting the parcel is in the Callayomi Water District Service area.

e. *The existence of Disadvantaged Unincorporated Communities.*

There are no Disadvantaged Unincorporated Communities within and around the sphere amendment area that currently do not receive domestic water.

NOW, THEREFORE, the Lake Local Agency Formation Commission also makes the following findings and determinations:

1. The Commission finds that the amendment of the Sphere of Influence Plan for the CCWD is consistent with the land use designations of the County of Lake.
2. The Commission, as a Responsible Agency for the purposes of the California Environmental Quality Act (CEQA), hereby recognizes that there is no substantial evidence, in light of the whole record, that the amendment of the District's sphere of influence to include additional

territory, will result in a significant effect on the environment and no unusual circumstances exist.

AND, FURTHER, the Commission resolves and orders the following:

- 1) The CCWD Sphere of Influence Map, amended to include the subject territory is included herein as *Exhibit A*, is hereby adopted by the Commission.
- 2) All changes of organization or reorganization for CCWD must be consistent with the updated Sphere of Influence Plan and Map.
- 3) All changes of organization or reorganization for the CCWD must be consistent with adopted LAFCo Policies and Procedures.
- 4) The Commission hereby affirms the Notice of Exemption pursuant to Section 15319 of the CEQA Guidelines.
- 5) The foregoing resolution was duly passed by the Lake Local Agency Formation Commission at a meeting held on March 17, 2021, by the following roll call vote:

Ayes:

Noes:

Abstentions:

Absent:

Signed and approved by me after its passage this 17th day of March 2021.

Bruno Sabatier, Chair
Lake LAFCo

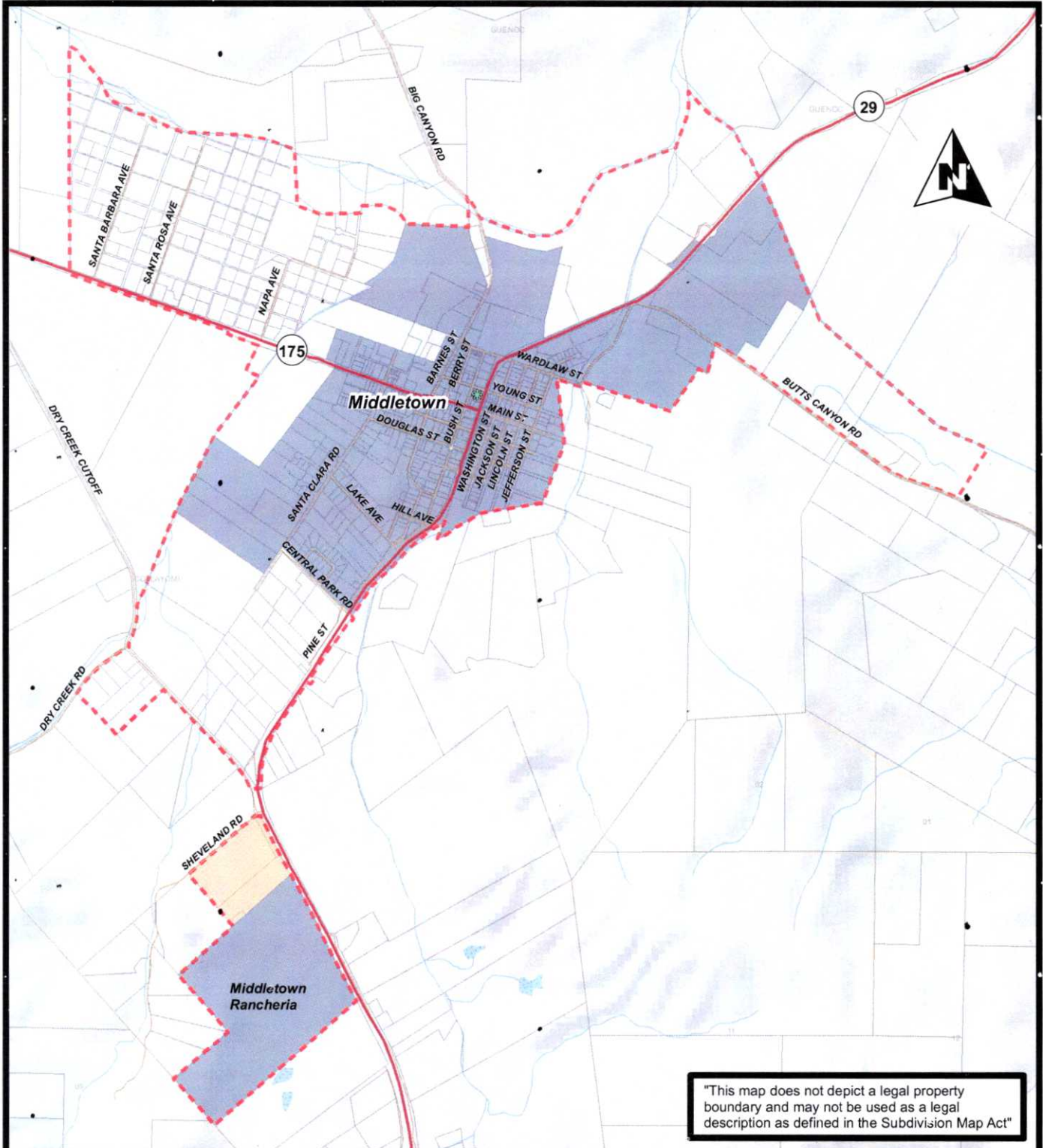
Attest:

John Benoit, Executive Officer

LAKE LOCAL AGENCY FORMATION COMMISSION CALLAYOMI COUNTY WATER DISTRICT

Range 07 West

Township 10 North



"This map does not depict a legal property boundary and may not be used as a legal description as defined in the Subdivision Map Act"



- | | | |
|---------------|--------------|---|
| Legend | Communities | Callayomi County Water District Boundary |
| | Highways | Callayomi County Water District Proposed Sphere of Influence Boundary |
| | Parcels | Callayomi County Water District Proposed Annexation and Sphere Amendment Area Rancheria Annexation #2 |
| | Roads | |
| | Water Bodies | |

Callayomi County Water District
Middletown Rancheria Annexation #2
Resolution:
Adopted:

Callayomi County Water District
Sphere of Influence
Resolution:
Adopted:

Source: Lake County LAFCo

0 320 640 1,280 1,920 2,560 Feet

Map Created 3/9/2021

Resolution # 2021-0005

**LAKE LOCAL AGENCY FORMATION
COUNTY OF LAKE,
STATE OF CALIFORNIA**

A Resolution Making Determinations and Approving the Annexation of 27.87 acres more or less to the Callayomi County Water District –LAFCO File 2020-0001

WHEREAS, the Middletown Rancheria, Diana Jackson and Pablo Polanco have filed an application to annex 27.87 acres into the Callayomi County Water District (CCWD) known as LAFCO File 2020-0001, Jackson, Polanco and Rancheria (JPR Annexation) Annexation to the CCWD.

WHEREAS, The annexation include 27.87 acres more or less and is described and depicted in Exhibits “A” and “B”, attached hereto and incorporated herein and filed with the Executive Officer of the Lake Local Agency Formation Commission pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq of the Government Code); and

WHEREAS, the CCWD was formed in 1977 to provide domestic water services as provided for in section 30000 et seq. of the California Water Code; and

WHEREAS, the Executive Officer reviewed the application and determined its completeness within 30 days of their submission and prepared and filed his report with this Commission at least five days prior to the regularly scheduled meeting during which this application is to be considered; and

WHEREAS, the Lake County Board of Supervisors adopted Resolution 2021-08 on January 12, 2021 pertaining to the Tax Revenue Exchange for this annexation; and

WHEREAS, this Commission has considered the application, the report of the Executive Officer, the Notice of Exemption for the 27.87-acre parcel currently receiving domestic water services for existing development, applicable General and Area Plans, LAFCO’s policies and each of the factors required by Government Code Section 56668 to be considered in the review of a proposal; and

WHEREAS, information satisfactory to this Commission has been presented that Middletown Rancheria has consented to this proposal in accordance with Government Code Section 56662; and

WHEREAS, all interested parties and proponents of the proposal were heard at a public hearing held on March 17, 2021.

WHEREAS, it is desired that the proposed annexation to the Callayomi County Water District be subject to the following terms and conditions:

NOW, THEREFORE IT IS HEREBY RESOLVED, DETERMINED AND ORDERED by the Lake Local Agency Formation Commission as follows:

1. The foregoing recitals are true and correct.
2. In reviewing this application, the Commission finds that all property owners and registered voters in said territory have consented to this annexation into the Callayomi County Water District.
3. In reviewing this application, the Commission finds that water service to be provided by the Callayomi County Water District is necessary and that there will not be a duplication of other powers provided by any other service provider.
4. In reviewing this application, this Commission has considered each of the factors required by Government Code Section 56668 and LAFCO's adopted policies.
5. The LAFCO Executive Officer's Staff Report including attachments and recommendation for approval of the proposal is hereby incorporated by reference and hereby adopted.
6. The Geographic Description and Map submitted for this annexation must be approved by the Lake County Surveyor prior to recordation of the Certificate of Completion.
7. Notwithstanding the effective date, the geogrpahic description and map, if rejected by the State Board of Equalization or amended by LAFCO, will be revised at the expense of the applicant. The applicants shall be responsible for any associated costs.
8. The boundaries as recommended by staff or as amended by action of the Commission, are hereby approved as submitted and are as described in Exhibits "A" Geographic Description and "B" Map attached hereto and by this reference incorporated herein subject to the terms and conditions included.
9. As stated in the LAFCO Staff Report of March 17, 2021, the amount of base property tax and tax increment transferred shall be in accordance with Lake County Resolution 2021-08 attached hereto as Exhibit "C".
10. Said annexation territory is found to be uninhabited.
11. The subject proposal is assigned the following short form designation: **JPR Annexation to the CCWD (LAFCO File 2020-0001).**
12. The boundaries of the affected territory are found to be definite and certain.
13. The application for the annexation to the Callayomi County Water District (LAFCO File 2020-0001) is hereby approved to provide domestic water services within the territory subject to the terms and conditions herein.
14. Further protest proceedings are waived and the Commission orders the 27.87-acre more or less annexation to the Callayomi County Water District pursuant to Part 4 of Division 3 of the California Government Code commencing with Section 57000. Satisfactory proof has been given that the subject territory is uninhabited, that all landowners within the affected territory have given their written consent to the proposal and all affected agencies have not objected in writing to the waiver of

conducting authority proceedings (Section 56663 of Government Code). Therefore, The Commission does hereby approve and authorize the conducting authority to annex the territory described in Exhibits "A" and "B", as amended to the Callayomi County Water District without notice and election.

15. All applicable CCWD previously authorized assessments; taxes, fees and charges shall apply to this annexed territory upon recordation of the Certificate of Completion.
16. All LAFCO, Lake County and State of California fees must be paid in full prior to filing the Certificate of Completion. LAFCO will forward invoices and (or) a list of estimated required fees or deposits to the agency prior to filing the Certificate of Completion.
17. The effective date shall be the date the Certificate of Completion is recorded.
18. One electronic copy (PDF), three large copies (18 by 24 minimum) and two 8 1/2 x 11 reductions of all County Surveyor approved maps along with an electronic copy (PDF) and two copies of the final geographic description shall be submitted to LAFCO prior to recordation of the Certificate of Completion.
19. Approval of this annexation is conditioned upon the applicant's obligation to defend, indemnify, and hold harmless the Lake Local Agency Formation Commission and its agents, officers and employees from any claim, action or proceeding against the Commission or its agents, officers, and employees; including all costs, attorney's fees, expenses and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, or void the approval or determinations of this Commission concerning this annexation. The Lake Local Agency Formation Commission shall promptly notify the applicant of any such claim, action, or proceeding and be entitled to representation by counsel of its choosing.
20. The Executive Officer of this Commission is instructed to mail a certified copy of this resolution to those persons so indicated on the application and as required by Government Code Section 56882.
21. The Commission hereby affirms the Notice of Exemption included as part of the Executive Officer's report for this annexation the applicant shall be responsible for payment of any documentary handling fees required by the Lake County Clerk/Auditor.
22. The Executive Officer is directed to record a Certificate of Completion for this proposal upon completion of all proceedings and compliance with the terms and conditions.
23. Completion of proceedings shall be concluded within one year after adoption of this resolution. If the proceedings are not concluded within one year after passage of this resolution, all proceedings shall be terminated.

PASSED AND ADOPTED at a regular meeting of the Lake Local Agency Formation Commission, State of California, on the 17th day of March 2021 by the following votes:

AYES:
NOES:
ABSTAINS:
ABSENT:

Bruno Sabatier, Chair Lake Local
Agency Formation Commission

LAKE LOCAL AGENCY
FORMATION COMMISSION

ATTEST:

JOHN BENOIT
Executive Officer

ANNEXATION No. _____

ANNEXATION TO CALLAYOMI WATER DISTRICT

GEOGRAPHICAL DESCRIPTION

Land situated in the County of Lake in the State of California

The land referred to herein below is situated in the unincorporated area of the County of Lake, State of California, and is described as follows:

That portion of the Callayomi Rancho which lies within the following described boundaries:

Beginning at the most Southeasterly corner of a twenty-five-acre tract, heretofore bonded to Nathan B. Dearborn at a point from which a white oak tree, 30 inches in diameter, bears South 71 Degrees West, 46 Links distant, being the Point of Beginning;

(1) Thence, running North 48 Degrees 30' East, along the most northerly line of that certain tract of land known as the Mary Theresa Tract, 1168.5 feet to a post in a mound of rocks on the West line of the public road, leading from Middletown to Calistoga;

(2) Thence, North 26 Degrees 46'03" West, along the West line of said road, (North 29 Degrees 00' West per Document number 004487), 337 feet;

(3) Thence, North 26 Degrees 46' 03" West, 324.64 feet, along said road,

(4) Thence, continuing along said road, North 27 Degrees 35' West, 282.50 feet;

(5) Thence, North 87 Degrees 35' West, 57.90 feet;

(6) Thence, North 41 Degrees 12' 52" West, 20 feet to the Northerly line of the parcel of land conveyed to Jesse B. Baldwin Et Ux., to the State of California by deed dated September 3, 1959, recorded in Book 319 of Official Records, Page 498, Lake County Records;

(7) Thence, South 48 Degrees 47' 08" West; (South 48 Degrees 30' West in a description of said parcel of land conveyed to the State of California) along said Northerly line 10.15 feet to the most Westerly corner thereof;

(8) Thence, South 48 Degrees 30' West, 1281.5 feet to the most Northwesterly corner of the Frank L. Elliott and Florence Elliot Tract;

(9) Thence, along the South line of the former Frank L. Elliott Tract, South 41 Degrees 30' East, 990.00 feet, to the Point of Beginning.

Assessor's Parcel Numbers 014-160-010, 014-160-050, 014-160-090, 014-160-100

For assessment purposes only. This description of land is NOT a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

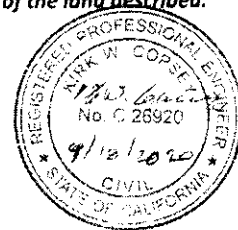
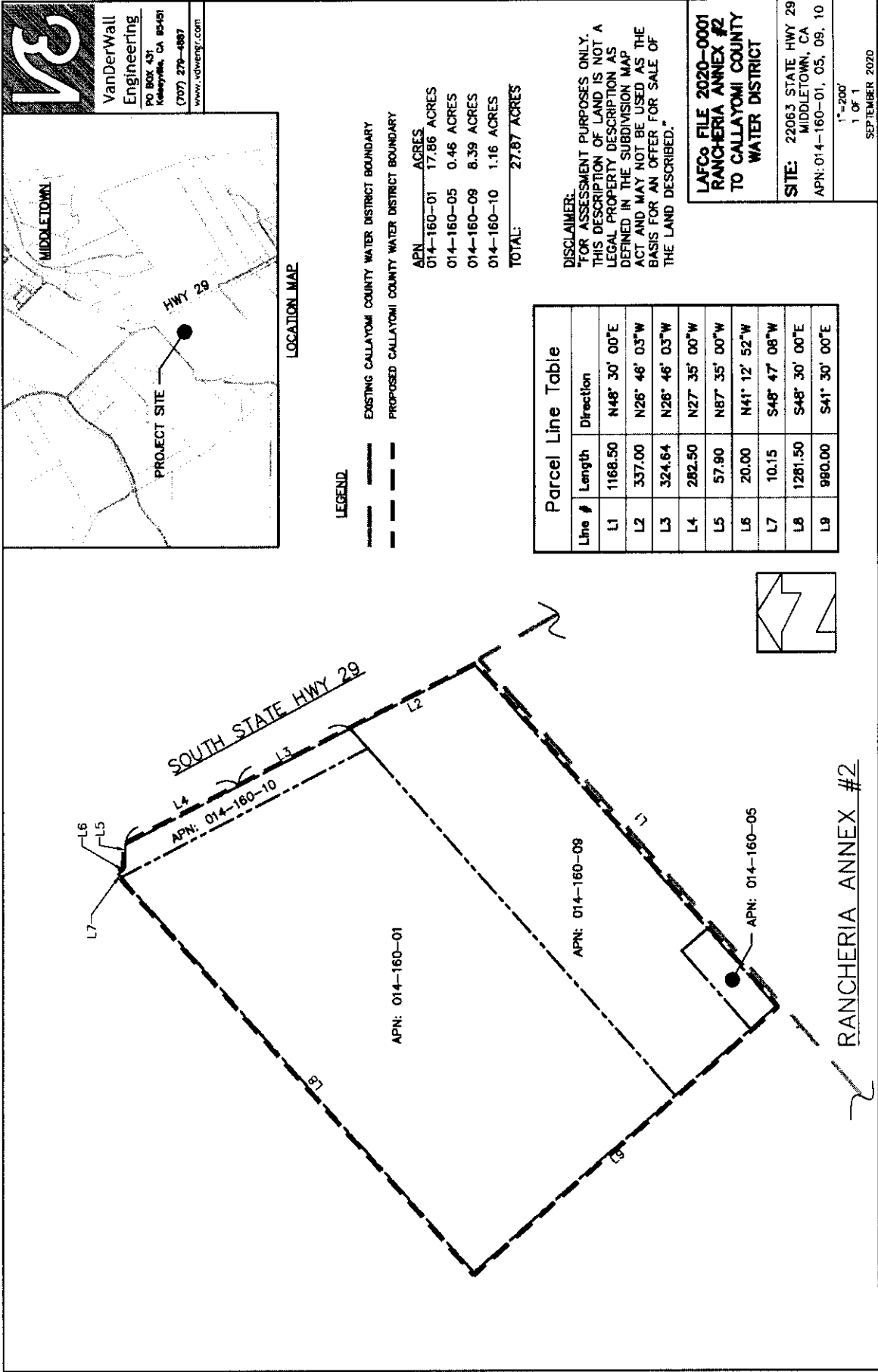


Exhibit B




1 This Resolution was passed and adopted by the Board of Supervisors of the County of
2 Lake at a regular meeting thereof on January 12, 2021 ~~2020~~ by the following vote:


3 AYES: Supervisors Simon, Crandell, Scott, Pyska, and Sabatier

4 NOES: None

5 ABSENT OR NOT VOTING: None

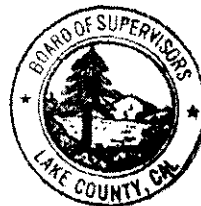
6 ATTEST: Carol J. Huchingson
7 Clerk of the Board

8 By: 
9 Deputy


Chairman, Board of Supervisors

10
11 APPROVED AS TO FORM:
12 ANITA L. GRANT
13 County Counsel

14 



BOARD OF DIRECTORS, SOUTH LAKE COUNTY FIRE PROTECTION DISTRICT
COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. 2020-21- 12

**A RESOLUTION PERTAINING TO TAX REVENUE EXCHANGE
FOR JACKSON, POLANCO AND RANCHERIA ANNEX
TO CALLAYOMI COUNTY WATER DISTRICT (CCWD) –
LOCAL AGENCY FORMATION COMMISSION (LAFCO) PROJECT #2020-001**

WHEREAS, Section 99 of the Revenue and Taxation Code requires, before the LAFCO Executive Officer issues a certification of filing for a proposed annexation, that an exchange of property tax revenue be negotiated between the affected agencies; and

WHEREAS, a proposed annexation has been filed with the LAFCO Executive Officer to certain properties to the CCWD, the LAFCO short form designation for such proposal is LAFCO Project #2020-001 – Jackson, Polanco, and Rancheria Annex to CCWD,

NOW, THEREFORE, BE IT RESOLVED that:

1. Upon finalization of the LAFCO Project #2020-001 – Jackson, Polanco, and Rancheria Annex to CCWD, property tax revenues generated from within annexation area shall be allocated as follows:

Base Property Tax: The base property tax revenue currently allocated to the South Lake Fire Protection District shall not be changed as a result of this annexation.

Future Property Tax Increment: The future property tax increment allocated to the South Lake County Fire Protection District shall not be changed as a result of this annexation.

2. The Clerk of the Board is directed to file a certified copy of this resolution with the Auditor-Controller's Office and LAFCO Executive Officer.

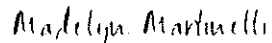
THIS RESOLUTION was introduced and adopted by the Board of Directors of the South Lake County Fire Protection District at a Regular Meeting on the 15th day of December, 2020 by the following vote:

AYES: Bostock, Hoberg, Redford, Martinelli


NOES: None

ABSENT OR NOT VOTING: Comisky

SOUTH LAKE COUNTY
FIRE PROTECTION DISTRICT



MADELYN MARTINELLI
President, Board of Directors

ATTEST: 

Gloria Fong
Clerk to the Board of Directors

NOTICE OF EXEMPTION

TO: County Clerk
County of Lake
Lakeport, CA

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

PROJECT TITLE: Jackson, Polanco and Rancheria Annexation of 27.87 acres more or less (JPR Annexation) to the Callayomi County Water District (CCWD)

PROJECT LOCATION: South of Middletown west of SR 29

DESCRIPTION OF PROJECT:

The proposed project involves the annexation of 27.87 acres of territory to the CCWD currently receiving district water services.

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:

Categorical Exemption, Section 15319 "Annexations of existing facilities and lots for exempt facilities," CEQA Guidelines and 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 Sections 15319 and 15320 of the CEQA Guidelines (Classes 19 and 20) as the Annexation would not result in any change in services since the district already serves the territory which is used for two existing single family residences as replacements for dwelling damaged by fire as allowed under the General Plan and is within the Middletown Community Development Area 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 action is to affirm an existing district service (domestic water). This annexation will not result in further land divisions, there is no possibility that this activity may have a significant effect on the environment since the services are already provided to a portion of the and no conditions have changed nor could be changed as a result. There are no unusual circumstances associated with this annexation.

CONTACT PERSON:
John Benoit
LAFCO Executive Officer

TELEPHONE NUMBER:
(707) 592-7528

By: _____

Date: March 17, 2021

LAKE LOCAL AGENCY FORMATION COMMISSION

ITEM 7

MEMORANDUM

March 17, 2021

TO: Local Agency Formation Commission

FROM: John Benoit, Executive Officer

RE: Proposed Budget for FY 2021-2022

Work Program for 2021-2022

Direct Projects – Projected

1. Small and medium reorganizations - For the 2021-2022 fiscal year staff anticipates two or three small and medium reorganizations (i.e., annexations and detachments involving districts). For example changes to the boundaries of the Konocti Co. W.D and CSA 20 Costs include working with agencies and (or) individuals prior to application submittal, legal counsel, staff time, public inquiries, public hearing requirements including noticing (300 ft from site –voters and landowners), preparation of notices, staff reports and resolutions, LAFCO protest requirements (public noticing), incidental travel, office supplies (copying), webpage posting, seeking comment from county departments (assessor, clerk and auditor), and general accounting.

Significant Municipal Annexations – One significant city proposal (South Lakeport) will continue into 2021-2022 fiscal year. The LAFCo is continuing to work on an annexation of the South Lakeport Area.

Likewise, should litigation for the MAHA development EIR be resolved LAFCo will be asked to modify boundaries of the Callayomi CWD and there is a possibility to create a special district for Water and Wastewater services. This is likely to occur during FY 2021-2022.

Costs include working with agencies prior to application submittal, legal counsel, staff time, public inquiries, public hearing requirements including noticing (300 ft from site –voters and landowners), preparation of notices, staff reports and resolutions, LAFCO protest requirements (public noticing), incidental travel, office supplies (copying), webpage posting, seeking comment from county departments (assessor, clerk and auditor), and general accounting).

2. District Consolidations – Staff has heard of no district consolidations at this time although with the passage of additional requirements stated in SB 244 and other legislation consolidations may occur. Consolidations may occur upon completion of the Cemetery District service review.
3. Dissolution of Districts – At this time, LAFCo has had no further inquiries about the dissolution of Special Districts with the exception of changes necessitated by SB - 244.

Administrative Projects and Operational Provisions

Ongoing administrative activities include:

Budget Justification Report
Lake LAFCO
March 17, 2021

Budget Development and Control

Budget development and control is currently handled by the Executive Officer. During the year, day-to-day administrative tasks (e.g., invoicing, and bill paying) are provided by the Executive Officer. LAFCo works with City and County offices on these issues.

Preparation of the budget and budget justification documents and resolutions are included in these activities. Legal advice when needed is required regarding expenditure requests. The preparation of claim forms for both the Commission and the County Auditor's office is included to ensure proper control. Public inquires regarding expenditures and expenditure priorities are handled by the Executive Officer. Incidental office supplies and communication resources are needed to perform this function.

Special administrative projects such as coordinating agreements i.e. agreements for the provision of insurance or responding to a Commission directive or minute order and Proposal Requests. Insurance is estimated to be about the same next year since LAFCO has had no claims.

Communications

This budget includes conducting annual organizational LAFCO workshops. This should occur at a separate meeting with the Commission and staff and should be part of the Commissions annual work program.

LAFCO needs to continue communication efforts with the County, Cities and Districts. The budget includes a session with these entities as well as an appearance various meetings. One of the legislative intents of LAFCO is to serve as neutral party or "legislature's watchdog" with regards to organizational issues. The budget for these activities includes preparation and meeting with staff and boards and incidental office supplies, legal advice, travel and communication.

Conduct project-oriented workshops, as appropriate. This activity may occur this year for the Community of Lakeport where a major project may be occurring. Other workshops regarding the role of LAFCO may be required.

Work with potential applicants seeking reorganization. This activity requires research and meeting with project proponents to determine approaches to solving service issues. This activity is time consuming. Costs include legal, staff time, incidental travel, office supplies and communication resources. An example is to discuss LAFCO with the grand jury to assist them in their role and taking correct action.

Responding to public inquires. Public inquires regarding service issues are common involving a member of the public who is in need of a service or has a question about a service. This activity includes legal, staff time and communication resources. The LAFCO webpage provides an outlet for LAFCO information. Responding to the public is necessary for informing individuals of LAFCO requirements to facilitate the process. There is no one else who will provide the public with correct and unbiased information about LAFCO. This may cause substantial cost savings for the public by having correct information to make business decisions.

Brown Act, Public Records Act and Political Reform Act compliance. Staff and legal time is required to comply with these laws. Including noticing, Form 700's, public records disclosure, citizen's inquires, general compliance and written responses to records request. These are an ever increasing amount of state laws and must be followed.

Grand Jury. LAFCo staff has recently met with the Grand Jury, which involved information requests and conversations with member. This activity is anticipated to continuously occur.

Calafco Dues. The Calafco Executive Membership voted for a rate increase this year for members. Calafco dues will be decreased from \$1,901.00 to \$1,889.00.

Environmental Reviews: CEQA is required for all LAFCO discretionary projects. Applicants pay direct project costs; Spheres of Influence are LAFCO's responsibility. LAFCO will be a lead agency in this respect. LAFCO is also required and should want to comment on Environmental Reviews from various agencies. These costs include legal, communication, advertising, staff time. It is estimated the cost of this activity will be significant including required fees to pay Fish and Wildlife. This item is necessary to promote better customer service and comply with the CEQA law and CKH act with regard to the role of a responsible agency. Development requiring reorganization will take much longer if LAFCO is not involved in this process as well as cost project applicants significantly more amounts of money. LAFCo Staff has commented on several CEQA reviews this year.

Public Education

Utilize media and speaking opportunities and submit articles about LAFCO to journals and newspapers. This activity is fairly minimal. However, there is a cost of staff time and office supplies to perform this function.

Submit press releases on substantive actions; encourage agencies to request regular LAFCO meeting agendas and update agencies on LAFCO Commission membership.

These activities are important to inform the public and agencies about LAFCO. Numerous inquiries come from citizens needing one service or another. These activities promote better customer service for all agencies by informing the public about what is going on with regards to LAFCO.

Resource Development

Monitor new and proposed relevant legislation. Although LAFCO relies on CALAFCO for this activity, it is important that new legislation reflects our needs. This activity involves communication, staff time, and legal time. Legislation of importance to Lake LAFCO impacts budget process and permit processes.

Special Reports and Projects for the Commission

The CKH act and the Commission's bylaws allow the Commission to undertake special projects. Special projects may include being involved in a General Plan update, assisting in the development agriculture conservation policies, being involved in water planning throughout the County, serving as a neutral party with regards to service issues, assisting the public and agencies with LAFCO applications and processes, developing annexation strategies for cities or

districts and (or) any other proactive activity of benefit to the citizens and agencies as deemed necessary by the Commission.

Commissioner Development – CALAFCO Conference

The justification for this expense is LAFCO Commissioners need to be informed decision makers. Commissioners need the tools to carry out their statutory responsibilities in a responsible manner. Training and interaction with Commissioners from other LAFCO's will assist those Commissioners in attendance to bring back ideas to be shared with the remainder of the Commission. Training is necessary to remain informed of changes in LAFCO law and procedures.

Municipal Service Reviews and Sphere of Influence Updates

Cortese-Knox-Hertzberg (§ 56430)

LAFCO must update all spheres of influence every 5 years, as necessary and must prepare a review of each municipal service before or in conjunction with a sphere of influence update.

The purpose of a MSR is to support preparation and update of Spheres of Influence, in accordance with the provisions of the Cortese-Knox-Hertzberg Act. The objective of a Municipal Service Review (MSR) is to develop recommendations that will promote more efficient and higher quality service patterns; identify areas for service improvement; and assess the adequacy of service provision as it relates to determination of appropriate sphere boundaries based on a specific growth period and a realistic growth rate adopted for that period.

For a MSR to be of value, the Commission needs to review services comprehensively, on a service-by-service basis within logical sub-regions, given consistent and specific target growth periods and a realistic estimate of growth adopted for that period.

Reviews are largely based on information provided to LAFCO by the districts and (or) city or county. A new procedure to be used is for staff to meet twice with district Board of Directors during the data discovery phase and to review a draft prior to the MSR going to the LAFCO Commission.

A service review is required prior to preparing a Sphere of Influence Update. The Sphere of Influence is LAFCO's planning document for the ultimate service boundary for a service provider. Prior to adopting a Sphere of Influence Map and Sphere Policies, the Commission must make determinations based on supporting evidence with regard to the following:

- a. "The present and planned land uses in the area.
- b. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence (for fire, domestic water and wastewater districts).
- c. The present and probable need for public facilities and services in the area.
- d. The present capacity of public facilities and adequacy of public services, which the agency provides or is, authorized to provide.

- e. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency."

In the past the cost figures assumed performing these studies were prepared by the Executive Officer. The Executive Officer oversees the process. This component costs include legal costs, copying, mileage, postage, meetings and incidental administrative costs related to a project.

For the 2021-2022 budget year, I suggest the following work schedule to either complete or initiate the following:

1. **Continue with the Service Review and SOI update for the Konocti Co. Water District (revised) and the Upper Lake County Water District**
2. **Process Applications and special projects.**

The total cost of many of the above projects and activities may exceed the actual budget amount to be requested especially in light of increasing expectations regarding MSR Content. It is unlikely the above activities will be funded by private parties. The Commission may wish to circulate Requests for Proposals for various service reviews and Sphere of Influence updates, for example, the Konocti Co. Water District. Most likely, the cost would increase significantly. The costs of a MSR are directly related to the content expectations of the Commission.

Budget Justification Report

Since the passage of AB-2838 in 2000, LAFCO has become independent from the County. Operational costs of LAFCO were entirely paid by the County including staff time, legal services, miscellaneous office expenses, and insurance. The Legislature took the recommendation of the Commission on Local Governance for the 21st century and concluded that LAFCO costs were to be paid by both the City and County and LAFCO's were to become independent. Many costs are more apparent since LAFCO's costs are separated from a larger agency.

The overall goal of this budget is to conduct LAFCO business publicly in a proactive independent manner involving the Community to meet the overall requirements of the Cortese-Knox-Hertzberg Act given the financial resources LAFCo has.

SUMMARY OF PROPOSED EXPENSES:

Commissioner Stipends A Commissioner Stipend includes time for the meeting and mileage and related expenses. The monthly stipend is \$60.00 per Commissioner and Alternate in attendance. Staff estimates there will be 8 meetings in 2021-2022 and a budget is needed for 11 commissioners at \$60.00 each per meeting. Assuming the Commission will have 8 meetings this upcoming year, this budget is recommended to be \$5,280.00. In the event project activity requires additional meetings, any additional cost can be attributed directly to a specific project.

Office Supplies This category includes supplies needed by commissioners and the LAFCO Clerk for meetings. Most of these supplies are included in the Office Stipend for staff. This item is for the LAFCo Clerk to have adequate supplies for her duties. This budget remains the same as last year at \$250.00.

Memberships It is important LAFCO remain in its statewide professional organization as does the County and the Cities and participate in LAFCO issues of common concern for the benefit of

Lake LAFCO and its agencies. Dues for CALAFCO for rural LAFCO's this year (2021-2022) will \$1,889.00.

Books and Periodicals I am recommending \$200 for this budget. This budget is in place in the event the Commission would be required to purchase LAFCo Law books or any other periodical necessary for LAFCo's operation.

Legal Services I am recommending this budget be changed from \$18,633.00 to \$22,044.00 for this item. This represents a flat rate retainer for Counsel at 1,837.00 per month instead of a lower amount of \$550.00 per month for the months we do not have LAFCo meetings. Since LAFCO has become independent, separate LAFCO Counsel is necessary to represent LAFCO's interest as a neutral party. I rely on Counsel during months we don't have meetings as much as for months we do. This cost would be fixed rate for normal legal services at \$1,837.00 per month. LAFCO Counsel is needed to provide legal direction at meetings of the Commission and to protect LAFCO's interests when required. Project related legal costs are to be billed to the project proponent through LAFCO's fee structure. Other LAFCO's have Counsel in attendance at their meetings. Based on my experience with the exception of workshops, it is important to have Counsel attend LAFCO meetings. I recommend this continue to be the practice in Lake LAFCO. In the event of Litigation, additional appropriations will become necessary.

Clerk Services I am recommending \$4,000.00 for clerk services assuming up to 8 meetings will occur in the next fiscal year. A LAFCO Clerk is necessary to record meetings to produce an accurate record and provide other miscellaneous duties. In the event project activity requires additional work, additional cost would be attributed directly to a specific project.

Office Expenses: This category includes ongoing communication, Internet, copies and reproductions, computers, software, toner, and maintenance of equipment, mileage for LAFCO related business, phone and fax, postage, paper and misc. office supplies and insurance costs. An additional Supplies budget is in place for miscellaneous supplies needed by the Clerk. The amount is proposed to remain the same at \$7,000.00. Copy and postage costs continue to rise.

Executive Officer - Staff Services This item funds ongoing LAFCO general administrative, pre-project planning with districts/cities/county, Brown and Public Record's Act compliance, CKH Act compliance and updates, public outreach, responding to Grand Jury complaints and inquiries, letters from the public, and inquires from the county/cities/special districts/state, working on the MSR's and SOL's and financial and accounting duties, as required, commenting on land use plans and specific projects and processing LAFCO applications and inquiries and representing Lake LAFCO at CALAFCO events. This would provide a continuing maintenance of effort and presence of LAFCO in Lake County. The budget for this category is \$48,488.00. It is anticipated that if additional appropriation were required in this category, it would be funded through an application or funded through a special project if revenue estimates are exceeded.

A job description was requested in previous years. The following represents the tasks performed by the Executive Officer:

- Administrative duties; including development, oversight, and review of an annual work plan; assignment of work activities, projects and programs; monitoring work flow and the day to day business of the Commission; personnel management, including oversight of consultants; preparation and management of contracts, subject to the review of the Commission.

- ☐ Scheduling and preparing for regular and special meetings of the Commission, including preparation and timely transmittal of the meeting agenda and related reports and recommendations, and presentation of the reports at the meetings.
- ☐ Update Policies and Procedures, Spheres of Influence, MSR's, office files, etc.
- ☐ Processes applications for city and district formation, annexation, reorganization, consolidation, detachments, and extension of services by contract.
- ☐ Prepares notices, filings, agreements, and reports consistent with the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
- ☐ Preparing special reports and studies to the Commission as mandated by statute, such as municipal services reviews and spheres of influence.
- ☐ Preparation of the LAFCO budget, including preparation and implementation of the budget, forecasting revenue and expenses, and identifying and recommending alternatives for implementation of the budget subject to the review of the Commission, as well as scheduling and noticing all budget hearings and communication. Administration of the adopted LAFCO budget by maintaining budget controls, records, files, and making timely payments of claims and deposits of revenues.
- ☐ Planning, assigning, and coordinating the work of support staff.
- ☐ Outreach and Liaison Duties: includes representing the Commission before public and private policy making agencies and community groups, coordinating the LAFCO processes with discretionary actions of other agencies. Facilitates workshops and attends meetings as directed by the Commission to understand community concerns so LAFCO policies, municipal service reviews, and spheres of influence reflect the needs and desires of the community.
- ☐ Prepare necessary California Environmental Quality Act (CEQA) documents (Notices of Exemption, Initial Studies, Negative Declarations, and Mitigation Monitoring Plans) for those actions in which Lake LAFCO is the lead agency. Reviews and prepares comments on CEQA documents prepared by other agencies which affect the responsibilities of the Commission.
- ☐ Monitoring new and proposed State and local legislation that pertains to LAFCO, and preparing reports to the Commission that includes a recommendation of support or opposition to proposed legislation. Actively participates in related organizations, such as the California Association of LAFCO's and professional associations.
- ☐ Coordinating with LAFCO Counsel on legal issues and other matters that may require an oral or written interpretation or opinion from legal counsel.
- ☐ At the direction of the Commission, representing LAFCO before other local governmental agencies, at community meetings, at Calafco, and at other public forums.

Legal Notices/Publications I am recommending \$1,400.00 for this item due to rising costs. Notices are required by state law for most projects and must be prepared for Municipal Service Reviews and Sphere of Influence Updates, all public hearings before the Commission and

protest hearings. Public hearing notices are required for most all LAFCO actions including MSR's and SOI's. Cost overruns in this category will be fee supported through a budget augmentation.

Transportation/Travel & Training I am recommending \$ 5,500.00 for training and \$2,500.00 for travel expense. This amount will provide for a portion of the Executive Officer's attendance at Calafco activities to represent Lake LAFCO as well as for three Commissioners to attend the CALAFCo conference in Newport Beach, California on October 6-8 . If the Commission wishes to send more than 3 Commissioners to the CALAFCo conference, this amount would need to be increased. This year Calafco Conferences were cancelled.

Estimated costs for each Commissioner to attend the Calafco Annual Conference (October 6-8, 2021) in Newport Beach is approximately \$1,900 per person including transportation, lodging for 3 nights (\$600 + taxes and fees and conference registration (\$520) and mileage from San Andreas to Newport Beach (1072 miles RT \$600.00) plus misc. costs \$100.00. This budget may accommodate attendance by up to 3 LAFCo Commissioners and provide a portion for Staff's attendance. If the Commission desires to send additional Commissioners, an augmentation to this budget will be required.

This item also includes funds for a portion of Staff's expense to represent Lake LAFCO at CALAFCO Activities.

Note: A decision as to the actual number of Commissioners anticipating attendance at the conference is needed before the final budget is approved. This budget includes enough funds for three Commissioners and a portion of Staff costs to attend the Annual Conference. This budget includes a portion of staff costs for attendance at the annual staff workshop and provide monies for incidental mileage expenses related to LAFCO operations.

Municipal Service Reviews I am recommending \$21,000 for the costs to continue preparation of Municipal Service Reviews for the upcoming fiscal year.

Sphere of Influence Updates: Sphere of Influence Updates include the Spheres of Influence for the Upper Lake Co. Water District, the Konocti County Water District MSR and SOI and the Cemetery District's MSR and SOI in the amount of \$20,000.

Special Projects: The amount budgeted for special projects is \$15,000. This amount is to complete the South Lakeport Annexation.

Contingency and Reserve If LAFCO has a cost overrun or unanticipated expense during the fiscal year. I am recommending a contingency fund of \$10,000 this year, the same as last year. Likewise, per Commission directive, the general reserve will brought back to the \$70,000 since \$11,700 was used to fund a facilitation for Lakeport during FY 2020-2021.

Insurance: LAFCO is required to have insurance as an independent agency. The CSAC EIA has indicated the Board of Supervisors must approve LAFCO being covered under CSAC's program. The Lake Board of Supervisors has an agreement that LAFCO could be covered under the County's insurance program. \$1,400.00 is in the budget for this purpose.

Records Retention and Mapping: I am recommending \$6,000 for this activity, for both mapping of district boundaries and for MSR's and sphere of influence updates. Several scenarios could be required for Sphere of Influence updates. Development of an electronic map book for all agencies is also necessary. All maps will be in GIS format compatible with the

Cities and the County. This category also includes continuing with creating electronic LAFCo records and misc. clerk services.

Webpage Maintenance: AB 2838 requires LAFCOs to have a webpage. We no longer have a webpage maintained by County staff. LAFCo staff has taken a more pro-active role in the website and the amount to be budgeted should be \$150.00 to cover service costs.

City Finance: The Agreement between the City and LAFCO is \$2,500 for this service.

Carryover: The carryover is expected to be \$100,000.00 this year, which includes the contingency fund of \$10,000 and \$70,000 for the reserve fund.

Anticipated Revenue I am recommending anticipated miscellaneous revenue of \$10,000. LAFCO may increase its appropriations in various budgets if unanticipated revenue is realized. Should there be less than \$10,000 in revenue, other categories will need to be reduced to make up for the shortfall.

Amount to be apportioned per government Code Section 56381:

The amount to be apportioned between the Cities, the Districts and the County is proposed to be \$134,601, which is \$1,201.5 less than this year, which was, \$135,802.00. The last three years, the Commission expressed a desire to increase the reserve fund to \$100,000.00 and did so by adding \$10,000.00 each year. This year if the amount were to be increased another \$10,000.00, the amount to be apportioned would be increased to \$144,601.00.

RECOMMENDATION

1. Conduct Public Hearing.
2. Consider the above budget justification report, discuss and amend report and (or) the proposed budget as necessary.
3. Adopt LAFCo Resolution 2021-0006 approving a proposed budget for fiscal year 2021-2022.

Resolution 2021-0006
of the
Lake Local Agency Formation Commission

*Resolution of Lake Local Agency Formation Commission Adopting
a Proposed Budget for 2021-2022*

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; and,

WHEREAS, the Executive Officer has given notice of hearing in the form and manner specified by law for adoption of the proposed budget and upon the date, time and place specified in said notice of hearing, the Commission heard, discussed and considered all oral and written testimony submitted including, but not limited to, the approved budget priorities for Fiscal Year 2021-2022 and the Executive Officer's report and recommendations; and

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

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

1. That Lake LAFCO hereby adopts the attached proposed 2021-2022 proposed budget (Exhibit A).
2. Directs the Executive Officer to transmit the proposed budget to the Auditor and all parties specified in Government Code Section 56381 (a) as promptly as possible.

PASSED AND ADOPTED by the Lake Local Agency Formation Commission at a regular meeting of said Commission held on March 17, 2021 by the following roll call vote:

AYES: -

NOES: -

ABSTAINS: -

ABSENT: -

Signed and approved by me after its passage this 17th day of March, 2021.

Bruno Sabatier, Chair or Moke Simon, Vice-Chair
Lake LAFCO

Attest:

John Benoit, Executive Officer
Lake LAFCO

Exhibit A - Proposed Budget

F.Y. 2021-2022

Lake LAFCo

March 17, 2021

BUDGET: 419-

LAFCo Resolution 2021-0006

	B	C		D		E		F		G	
		2017-2018		2018-2019		2019-2020		2020-2021		2021-2022	
		FINAL Budget		FINAL Budget		Final Budget		FINAL BUDGET		Proposed BUDGET	
4											
5											
6											
7	Expenditure Classification										
8											
9	500.01 COMMISSIONERS STIPEND	\$5,280.00	\$5,280.00	\$5,280.00	\$5,280.00	\$5,280.00	\$5,280.00	\$5,280.00	\$5,280.00	\$5,280.00	\$5,280.00
10	600.35 SUPPLIES	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00
11	700.51 MEMBERSHIPS	\$899.00	\$899.00	\$926.00	\$926.00	\$1,077.00	\$1,077.00	\$1,001.00	\$1,001.00	\$1,889.00	\$1,889.00
12	700.50 BOOKS AND PERIODICALS	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00
13	750.64 ATTORNEY CONTRACTS	\$18,633.00	\$18,633.00	\$18,633.00	\$18,633.00	\$18,633.00	\$18,633.00	\$18,633.00	\$18,633.00	\$22,044.00	\$22,044.00
14	750.60 LaCo Clerk Svcs.	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
15	750.60 Office Expenses	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00
16	750.60 Staff Off. Svcs	\$48,488.00	\$48,488.00	\$48,488.00	\$48,488.00	\$48,488.00	\$48,488.00	\$48,488.00	\$48,488.00	\$48,488.00	\$48,488.00
17	600.36 LEGAL NOTICES/PUBLICATIONS	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,400.00	\$1,400.00
18	700.53 TRANS AND TRAVEL (CALAFCO)	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500.00
19	700.53 CONF REGISTRATION	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
20	960.95 - INSURANCE	\$1,400.00	\$1,400.00	\$1,400.00	\$1,400.00	\$1,400.00	\$1,400.00	\$1,400.00	\$1,400.00	\$1,400.00	\$1,400.00
21	750.60 Records Retention and Mapping.	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00
22	750.60 Web Page	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
23	750.60 AUDITOR/CITY-Agreement	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
24	750.60 Spheres of Influence	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00
25	750.60 Municipal Service Reviews	\$21,000.00	\$21,000.00	\$21,000.00	\$21,000.00	\$21,000.00	\$21,000.00	\$21,000.00	\$21,000.00	\$21,000.00	\$21,000.00
26	750-60 Special and Complex projects							\$45,125.00	\$45,125.00	\$15,000.00	\$15,000.00
27	Total General Services and Supplies Expenditures	\$134,800.00	\$134,827.00	\$134,827.00	\$134,978.00			\$180,927.00	\$180,927.00	\$164,601.00	\$164,601.00
28											
29	999.99 Contingency	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
30	405.92 General Reserve	\$40,000.00	\$50,000.00	\$50,000.00	\$60,000.00	\$60,000.00	\$60,000.00	\$58,300.00	\$58,300.00	\$70,000.00	\$70,000.00
31											
32	TOTAL Expenditure Budget & contingency & reserve	\$184,800.00	\$194,827.00	\$194,827.00	\$204,978.00			\$249,227.00	\$249,227.00	\$244,601.00	\$244,601.00
33											
34	Est Carryover Balance July 1, 2020										
35	404.30 Est. OTHER REVENUE	-\$60,000.00	-\$70,000.00	-\$70,000.00	-\$70,000.00	-\$70,000.00	-\$70,000.00	-\$70,000.00	-\$70,000.00	-\$100,000.00	-\$100,000.00
36	Special Project Revenue - So Lakeport CLK Water	-\$10,000.00	-\$10,000.00	-\$10,000.00	-\$10,000.00			-\$33,425.00	-\$33,425.00		
37											
38	Total exp less anticipated carryover and revenues	\$114,800.00	\$114,827.00	\$114,827.00	\$124,978.00			\$135,802.00	\$135,802.00	-\$110,000.00	-\$110,000.00
39											
40											
41	404.30 City/County and Ind. Spec District Contrib.	\$114,800.00	\$114,827.00	\$114,827.00	\$124,978.00			\$135,802.00	\$135,802.00	\$134,601.00	\$134,601.00
42											
43											
44											
45	0000 General Reserve	\$40,000.00	\$50,000.00	\$50,000.00	\$60,000.00			\$58,300.00	\$58,300.00	\$70,000.00	\$70,000.00

Lake Local Agency Formation Commission

Item 8

MEMORANDUM March 17, 2021

TO: LAFCo Commission
FROM: John Benoit, Executive Officer
RE: Final Report and proposed agreement with MRG for Facilitation Services

Attachments:

1. Proposal for continued Negotiations for the South Lakeport Annexation

As you are aware, the City of Lakeport has requested annexation of 136.78 acres more or less of land (consisting of approximately 50 parcels) located south of the existing city limits, adjacent to South Main Street and Soda Bay Road, east of State Route 29 with an application to LAFCo on August 19, 2019. This annexation also includes a detachment from the Lake County Sanitation District.

On September 16, 2020 LAFCo authorized entering into an agreement with Municipal Resource Group, LLC (MRG) to facilitate negotiations with City of Lakeport and County. The cost of that agreement was \$11,700 and included 4 facilitated meetings and support.

The City and County have made substantial process in addressing related issues yet several fine points of the tax sharing agreement remain to be resolved.

As a result, LAFCo staff requested a proposal from MRG to facilitate three additional meetings between the City and County as well as meeting individually with the City and the County staff. In addition, MRG will prepare a draft tax sharing agreement for review by the City and County staff. The intention is to have the draft agreement reviewed by both the City and County's legal counsel and adopted by both the City and County so LAFCo can bring the reorganization to a public hearing and file notice with the State Board of Equalization by December 1, 2021.

This cost for these additional services is \$11,700. LAFCo Staff has received concurrence from the LAFCo Chair to go ahead with this contract since time is of the essence.

Lake Local Agency Formation Commission

Recommendations:

1. Review letter dated February 13, 2021 outlining tasks and costs
2. Identify LAFCo budget as the funding source for the additional \$11,700.00.
3. Authorize Chair to sign an agreement authorizing the Contract Amendment.

February 13, 2021

John Benoit, Executive Officer
Lake County LAFCo
PO Box 2694
Granite Bay, CA. 95746



Dear John:

As you are aware, our agreement for services dated September 17, 2020 provides that MRG will facilitate four meetings with the City of Lakeport and County of Lake to support their efforts to negotiate a mutual beneficial tax sharing agreement for annexation of the south Lakeport area. We have now concluded those four meetings.

During the meetings, the City and County have successfully addressed issues related to the road improvement project, provision of water services, the future of sewer services, and the sharing of property tax revenues. In our last meeting, the City and County tackled the difficult issue of sales tax sharing and reached a consensus on shared values and a tax sharing model. However, some of the details of this model remain to be resolved.

At the conclusion of our final meeting, the City and County agreed that additional meetings would likely result in a tentative agreement and requested that MRG facilitate three additional meetings, as well as prepare and facilitate agreement on the resulting tax exchange agreement.

In accordance with their interests, we are proposing two additional tasks.

Task One: MRG will facilitate three additional meetings with the City and County. Initially, these meetings would focus on finalizing the sales tax sharing model, reaching tentative agreement on all terms. Once that is complete, the meetings will focus on reviewing and finalizing the written tax sharing agreement. Just as with our current agreement, our work will include preparing materials for the meetings, research and analysis as needed, and conducting the meetings. Additionally, we will meet with the City and County individually to discuss approaches ahead of the joint meetings, as well as periodic communication with you to provide updates. Similar to our previous agreement, we expect each meeting to require 13 hours of support from MRG, for a total of 39 hours.

Task Two: In addition to the meetings, MRG will prepare a draft tax sharing agreement for review by City, County and LAFCo staff. The draft agreement will be reviewed by the City and County initially to gain concurrence, then reviewed by LAFCo staff and legal counsel, as well as City and County legal counsel. Upon conclusion of our work, the document should be ready for

presentation to the City Council and Board of Supervisors for approval. We anticipate this effort to require 13 additional hours of MRG time.

We recognize that time is of the essence and both the City and County expressed eagerness to conclude this process. Our next meeting with the City and County is tentatively scheduled for February 25, pending approval of this amendment. We believe the tax exchange agreement can be prepared and ready for consideration within 60-90 days, depending on the time necessary for legal review. This should allow sufficient time to conclude LAFCo proceedings by the end of the year as originally scheduled.

Total Contract Amendment Proposal: 52 hours MRG time for a maximum cost of \$11,700.

Currently, we do not anticipate presenting the proposed agreement to the City Council, Board of Supervisors or LAFCo Board; we would be happy to also assist with those presentations at our normal hourly rate.

MRG billing rates and assigned consultants remain unchanged from our existing agreement for services.

We have enjoyed working with the City and County and are very pleased with the progress made to date. We remain hopeful that the City and County can reach agreement on tax sharing, conclude the annexation, and finally provide critical services to residents and property owners in the south Lakeport area.

Sincerely,

Mike Oliver
President