

Lake Local Agency Formation Commission

Regular Meeting Agenda

Wednesday May 19, 2021 -- 9:30 am

This will be a Physical Meeting at the City Council Chambers in Clearlake

City of Clearlake – City Council Chambers

14050 Olympic Dr. Clearlake, California

Website: www.lakelafco.org

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

The complete agenda, including backup materials and materials related to items on this Agenda submitted to the Commission after distribution of the Agenda Packet, is available for public inspection on the Lake LAFCo website. Agenda materials are also available on the Lake

LAFCO website at www.lakelafco.org

This is a physical meeting but if you wish to attend via zoom, a Zoom Link is provided below:

Instructions for joining meeting via Zoom are as follows:

Topic: Lake LAFCo

Time: May 19, 2021 09:30 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83021215835?pwd=Z0M0SmQvWUhhbkRKTnFST0srNStmZz09>

Meeting ID: 830 2121 5835

Passcode: 018890

Dial by your location

+1 669 900 6833 US (San Jose)

Meeting ID: 830 2121 5835

Passcode: 018890

Find your local number: <https://us02web.zoom.us/u/kd7ic3k3IV>

If you have any problems dialing in call LAFCo at (707) 592-7528

This meeting is also being agendized to allow staff and the public to participate via teleconference, pursuant to the Governor's Executive Orders N-25-20 & N-29-20 and dated March 12, 2020 & March 17, 2020. These Executive Orders authorizes local legislative bodies to hold a public meeting via teleconference or other electronic means and to make public meetings accessible to telephonically to all members of the public and staff in effort to observe Social Distancing Recommendations in effect for the entire country.

"Lake LAFCo oversees orderly development and protects natural resources and agricultural lands"

Commissioners

Dirk Slooten, (City)
Stan Archacki, (Special Dist.)
Jim Scholz (Special District)
Ed Robey, (Public Member)
Moke Simon, Vice Chair (County)
Bruno Sabatier Chair (County)
Stacey Mattina (City)

Commission Alternate Members

Victoria Brandon (Spec. District Alternate)
Suzanne Lyons (Public Alternate)
Tina Scott (County Alternate)
Russ Perdock (City Alternate)

Staff

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

1. Call to Order – Roll Call

2. Approval of Minutes – March 17, 2021

Action: Approve March 17, 2021 minutes

3. Public Comment.

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

4. Consent Agenda

a. Review and authorize payment of expenses for March and April 2021.

5. Discussion regarding Domestic Water Providers in Clearlake

a. This item will be a discussion of issues related to the provision of domestic water services within the City of Clearlake and provide further direction regarding the Sphere of Influence for water within the City.

PUBLIC HEARING:

6. Final LAFCo Budget for FY 2021-2022

- a. *Conduct Public Hearing and consider the final LAFCo budget for FY 2021-2022 by adopting LAFCo Resolution 2021-0007.*

Other Matters:

7. Contract Amendments with John Benoit for Staff Services and Scott Browne for Legal Services

- a. **Amend and consider sixth amendment to the January 2003 contract for Executive Officer Services regarding applicant initiated contracts regarding reimbursement of costs thereby amending Sections 2.1.2 and 2.2.2.**
- b. **Amend and consider fifth amendment to the July 2014 contract between P. Scott Browne for legal services thereby amending compensation amounts in Section II Paragraphs A and B.**

8. Executive Officer's report.

- a. *Cemetery District MSR and SOI for July 21st 2021 meeting*
- b. *South Lakeport Annexation update*
- c. *Upper Lake area MTBE (Methyl tert-butyl ether) Drinking Water Contamination*
- d. *Updated Fee Deposit Schedule*

9. LAFCo Counsel's report

- a. *San Luis Obispo LAFCo v City of Pismo Beach*

10. Commissioner Reports

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

11. Correspondence:

12. Adjourn to LAFCO's next regular meeting: Wednesday July 21, 2021 9:30 AM in Lakeport (or zoom?)

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



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

Public Comment

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

matter jurisdiction.

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

Public Hearings

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

Agenda Materials

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

Accessibility

An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting. The location of this meeting is wheelchair-accessible.

Disclosure & Disqualification Requirements

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

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

Contact LAFCO Staff LAFCO staff may be contacted at (707) 592-7528 or by mail at Lake LAFCO c/o John Benoit, Executive Officer P.O. Box 2694, Granite Bay, CA 95746 or by email at j.benoit4@icloud.com. Agenda packets are located on the Lake LAFCo Webpage at www.lakelafco.org

Lake Local Agency Formation Commission

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CLAIMS March and April 2021

Expenses for FY 2020-2021:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
2.16.21 - 3.15.21	Browne Legal	\$ 525.00
Mar 17, 2021	Meeting Stipend	\$ 540.00
Feb 1, 2021	Staff Svcs Mar 2021	\$ 6,247.67
Mar 16, 2021	MRG Facilitation So Lkpt	\$ 6,000.00
April 21, 2021	MRG Facilitation So Lkpt	\$ 5,400.00
3.11. 2021 - 4.15.21	Browne Legal	\$ 1,837.00
May 1, 2021	Staff Svcs April 2021	\$ 6,247.67
Feb 28, 2021	RB-CLO Final Budget	\$ 102.27
TOTAL:		\$ 25,549.61

DATED: May 19, 2021

APPROVED: May 19, 2021

Bruno Sabatier, Chair
Lake Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

LAKE LAFCO
EXECUTIVE OFFICER'S REPORT

Item # 6

May 19, 2021

TO: Local Agency Formation Commission
FROM: John Benoit, Executive Officer
RE: Final Budget for FY 2021-2022

A proposed budget and Budget Justification Report were submitted for consideration at the March 17, 2021 budget hearing. The proposed budget was adopted and there have been no events requiring changes during that time.

Please refer to the aforementioned Budget Justification Report for detailed information on each of the items below.

SUMMARY OF EXPENSES:

Commission Stipend Commission allocated \$5,280 for this item. This is adequate to cover Commissioner stipends at \$60.00 per member, per attended meeting. No change from prior year.

Supplies \$250 allocated. No change from prior year.

Memberships The Commission recommended in its proposed budget \$1,889.00 for Calafco dues, a decrease of \$12.00 from this year.

Books and Periodicals \$200.00 allocation to cover the cost of incidental publications, when needed.

Attorney Contracts The Commission recommended in its proposed budget \$22,044.00 for this item. This figure assumes LAFCO Counsel can attend up to 8 LAFCO meetings.

Clerk/Analyst Support The Commission recommended in its proposed budget \$4,000.00 for this item. This is assuming the Commission meets up to 8 times next fiscal year.

Office Expenses \$7,000 allocation, same as prior year. Amount based on \$550 per month. Includes communications, computer, phones, most copy and postage costs (notwithstanding changes of organization requiring multiple public notices, mileage and misc. office expenses.) No change from last year.

Staff Services [Executive Officer Services] The Commission recommended in its proposed budget \$48,488.00 for this item. Notwithstanding a very complex

reorganization or incorporation project for Lake LAFCO, this amount should cover LAFCO administration. Complex projects would be fee supported thereby increasing revenue to LAFCO to offset an increase in this expenditure. No change from last year.

Legal Notices/Publications Commission recommended \$1,400 based on number of anticipated projects and related publication costs.

Conference Registration and Transportation and Travel \$2,500 & \$5,500 The Commission recommended in its proposed budget \$8,000 for these items. This includes miscellaneous mileage, the Calafco Annual Conference, Staff training and the annual staff workshop. The Calafco conference this year is at the Orange County Airport from October 6th through October 9th. It is anticipated to cost approximately \$2,000 per person including transportation, lodging, and conference registration. As well as the annual staff workshop in April 2021 again at the Orange County Airport.

Insurance \$1,400 allocated. No change from prior year.

Records Retention and Mapping As discussed at the April 15, 2021 meeting \$6,000 was allocated for mapping and for processing and scanning Lake County's LAFCo files, to be conducted in accordance with LAFCo's adopted Records Retention Policy.

Web Site Maintenance Commission recommended \$150 for site maintenance, updates, and changes. No change from prior year.

Finance Agreement Commission recommended \$2,500 for this item per agreement with the City of Clearlake. This amount will be paid to the City of Clearlake for being LAFCo's banker. No change from prior year.

Sphere of Influence Updates Commission allocated \$20,000 for Sphere of Influence updates as required by the LAFCO Act.

Municipal Service Reviews Commission allocated \$21,000 to initiate and continue Service Reviews for the upcoming year.

Contingency Fund \$10,000.00

General Reserve \$70,000 allocated to General Fund Reserves.

SUMMARY OF ANTICIPATED REVENUE

The Commission recommended in its proposed budget anticipated revenue of \$10,000. To help reduce general fund contributions by the Cities, Districts and the County unanticipated revenues have been placed into expenditures for municipal service reviews and sphere updates.

The Final Expenditure Budget will be \$244,601.50 (including a \$70,000 reserve and \$10,000 contingency and \$15,000 for paid special projects), the amount to be requested from the Cities, the County and the Independent Special Districts will be \$134,601.00 (The County, Cities and Independent Special Districts will each pay \$44,867.00). The apportionment will be: Cities – 33%, County - 33%, and Independent Special Districts – 33%.

Recommendation:

- a. Review, discuss, amend, and consider the 2021-2022 Final Budget. A budget justification report for FY 2021-2022 including a Service Review and Sphere of Influence work plan was prepared by staff for the adopted proposed budget at the March 2021 meeting.
- b. Adopt LAFCO Resolution 2021-0007 approving a final budget for Fiscal Year 2021-2022.

Resolution 2021-0007

of the

Lake Local Agency Formation Commission

Resolution of the Lake Local Agency Formation Commission of Adopting

its Final 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 which was adopted on March 17, 2021; and,

WHEREAS, the Executive Officer has prepared a final budget including a budgeted carryover, and contingency; and

WHEREAS, the Executive Officer has given notice of hearing in the form and manner specified by law for adoption of the final 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, Lake Local Agency Formation Commission does hereby determine, resolve, and order the following:

1. That Lake LAFCO hereby adopts the attached final 2021-2022 budget totaling \$244,601.00 in which \$164,601 are operational expenditures for LAFCO and \$80,000.00 to consist of carryovers and encumbrances from the FY 2020-2021 budget as shown in Exhibit A.
2. Directs the Executive Officer to transmit the final budget to the Auditor and all parties specified in Government Code Section 56381 (a) as promptly as possible.
3. To implement a Commission directive, establish a reserve account and direct the Executive Officer to deposit 20% of any unallocated rollover into said reserve account up to \$100,000 once the final rollover (carryover from previous budgets) once the audited carryover balance is determined.
4. Request the Lake County Auditor collect the funds as required in Section 56381 of the

government code in the amount of \$134,601.00 to be apportioned as per Government Code 56381 and to transfer said funds to the City of Clearlake on behalf of LAFCo.

5. In the event of non-payment of LAFCO funds by any agency subject to the LAFCO's apportionment, the Commission hereby requests and authorizes the Auditor to collect the funds from property tax revenues or any other revenue source and deposit the funds into the LAFCO account for transfer to the City of Clearlake.

PASSED AND ADOPTED by the Lake Local Agency Formation Commission at a regular meeting of said Commission held on May 19, 2021 by the following roll call vote:

AYES: -

NOES: -

ABSTAINS: -

ABSENT: -

Signed and approved by me after its passage this 19th day of May 2021.

Bruno Sabatier, Chair
Lake LAFCO

Attest:

John Benoit, Executive Officer
Lake LAFCO

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LAKE LOCAL FORMATION COMMISSION
MINUTES
March 17, 2021

Members Participating

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

Staff Participating

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

Absent: Tina Scott, County Alternate, Suzanne Lyons, Public Member Alternate.

1. Call to Order - Chairman Sabatier called meeting to order at 9:30 a.m. via teleconference and Zoom.

2. Approval of Minutes - Motion by Commissioner Mattina, second by Commissioner Robey to approve the Minutes of the January 20, 2021 meeting. Motion carried by the following vote:

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

NOES: None.

ABSENT: Commissioners Simon and Archacki.

3. Public Comment – None.

*9:37 a.m. Commissioner Archacki is present.

4. Consent Agenda

Motion by Commissioner Robey, second by Commissioner Scholz to review and authorize payment of expenses for January and February 2021. Motion carried by the following vote:

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

NOES: None.

ABSENT: Commissioner Simon.

Present: James Berger, Landowner-Applicant, Richard Carlyle, Civil Engineer, Berger Annexation Project.

5. Public Hearing LAFCo 2019-0007 – Annexation and Sphere of Influence amendment request in Paradise Valley known as the Berger Annexation to the Clearlake Oaks County Water District

EO reviewed staff report. This new application is to adjust the boundary of the COCWD to match an approved minor lot line adjustment. This will modify the district boundary to encompass the entire area of the Paradise Valley Ranch Plan of Development approved by the Lake County Board of Supervisors on December 10, 2013. The subject property was to be included in the original annexation request. This does not change or increase the scope of the project but will ensure that the District encompasses the entire project.

March 17, 2021

Chair opened Public Hearing.

The recommendations in EO's staff report were discussed. Applicant confirmed the request is being made to correct the original approval.

Chairman Sabatier asked that a discussion of LAFCo's role re: infill vs. expansion, smart growth and future expansion be agendaized.

Hearing no further comments Chair closed Public Hearing.

Motion by Commissioner Mattina, seconded by Commissioner Scholz to adopt Resolution 2021-0002 A Resolution making Determinations and Approving a Sphere of Influence Amendment to include 17 additional acres more or less in the Clearlake Oaks County Water District Sphere of Influence and authorize the Chair to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: Commissioner Simon.

Motion by Commissioner Mattina, second by Commissioner Scholz to adopt Resolution 2021-0003 A Resolution Making Determinations and Approving the Annexation of 17.13 acres to the Clearlake Oaks County Water District – LAFCo File 2017-0004 and authorize the Chair to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: Commissioner Simon.

6. Public Hearing LAFCo 2020-0001 – Jackson, Polanco and Rancheria Sphere of Influence Amendment and Annexation (JPR Annexation) to the Callayomi County Water District.

Chair opened Public Hearing. EO reviewed staff report and stated that the area proposed for the annexation, comprised 27.87 acres, is currently receiving water from the Callayomi County Water District.

Hearing no further comments, Chair closed the Public Hearing.

Motion by Commissioner Robey, seconded by Commissioner Mattina to adopt Resolution No. 2021-0004 A Resolution 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 and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: Commissioner Simon.

10:13 a.m. Commissioner Simon joined the meeting.

7. Public Hearing - Lake LAFCo Proposed Budget FY 2021-2022

EO briefly reviewed proposed budget. Final budget will be on the May 19th Agenda. EO stated the proposed budget is much the same as in previous years and deferred to Counsel for information that could have great a fiscal impact on LAFCo's statewide.

Mr. Browne spoke to a recent court case out of the Second District Court of Appeal that could have significant implications for how LAFCo's handle indemnification for fees incurred in legal challenges to LAFCo actions. The case is San Luis Obispo LAFCo v. City of Pismo Beach, et. al. In that case, SLO LAFCo sued the City of Pismo Beach and the developer for attorneys' fees incurred in successfully fighting the Defendants challenge to its denial of an annexation to the City. The claim for fees was based on an indemnification agreement signed by the City and developer as applicants for the annexation. Defendants challenged LAFCo's right to attorney's fees arguing that it was a basic violation of due process and their right to petition for redress. The Court ruled that LAFCo has a statutory duty to process applications, so absent statutory authority, it cannot require indemnification as a condition for processing an application. The court found that the existing authority for LAFCos to charge fees only applied to costs associated with the administrative process, and ended once a certificate of completion was filed. Mr. Browne stated that the court's decision was not final yet, and he will keep the Commission apprised but the outcome could greatly affect future budgets.

Motion by Commissioner Robey, seconded by Commissioner Slooten to adopt Resolution No. 2021-0006 A Resolution of Lake Local Agency Formation Commission Adopting a Proposed Budget for FY 2021-2022 and authorize the Chair to sign. Resolution passed and adopted by the following vote:

AYES: Commissioners Slooten, Archacki, Scholz, Simon, Robey, Sabatier and Mattina.
NOES: None.
ABSENT: None.

8. Contract amendment with Municipal Resource Consultants (MRG) for continued facilitation services for the South Lakeport Annexation Project

Motion by Commissioner Slooten, seconded by Commissioner Scholz to approve Contract Amendment for additional facilitation services for the South Lakeport Annexation Project, in the maximum amount of \$11,700 and authorize the Chair to sign. Motion carried by the following vote:

AYES: Commissioners Slooten, Archacki, Scholz, Simon, Robey, Sabatier and Mattina.
NOES: None.
ABSENT: None.

9. Executive Officer's Report

- a. Cemetery District MSR and SOI
- b. South Lakeport Annexation
- c. Form 700 due April 1, 2021 – file with Auditor-Clerk
- d. Public Member Alternate Recruitment 2021 – appointed by LAFCo

Lake LAFCo Meeting Minutes

March 17, 2021

e. Updated Fee Deposit Schedule

10. LAFCo Counsel's Report. Information given under Agenda item 7.

11. Commissioner Reports - none

Chair requested to place a discussion on next Agenda re: Meeting formats, i.e., in person, Zoom or a hybrid model.

12. Correspondence – Calafco 2021 Event Calendar

10:36 a.m. Meeting adjourned.

Next regular meeting: Wednesday May 19, 2021 9:30 a.m. either in Clearlake or Zoom.

By: Kathleen Moran, Clerk

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

This is the Sixth 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, fourth amended on July 1, 2017 and fifth amendment on July 18, 2018.

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 authorizes the Executive Officer to undertake or manage special or complex projects including but not limited to environmental reviews, Municipal Service Reviews, Sphere of Influence Updates and studies, or other special studies. Compensation and expenses for said activities shall be compensated on an hourly basis.

Article 2 Section 2.2.2 shall read In addition, Contractor shall be entitled to reimbursement for any costs which are directly reimbursable by an applicant, such as public notice costs, photocopy costs, property owner lists, GIS mapping, mileage, registered voter or property owner mailings CEQA compliance, applicant initiated changes of organization or Sphere Amendments costs and time, for special meetings requested by an applicant. The Executive Officer's contract shall include up to ten hours work on applicant initiated projects. Executive Officer's compensation in excess of ten hours shall be billed at the hourly staff rates approved by the Commission. Projects involving an excess of 10 hours of work shall be deemed a "Complex Project" Complex changes of organization shall also include, reconsideration requests, conducting authority proceedings and staff costs and time involved in litigation. Any such expense reimbursement shall be approved by the Commission as part of warrant approvals prior to payment in the same manner as other expenses.

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 May 19, 2021.

LAFCo

CONTRACTOR

Chairperson

John Benoit, Contractor

APPROVED AS TO FORM:

P. Scott Browne, LAFCO Counsel

LAFCO OF LAKE COUNTY
FIFTH AMENDMENT TO AGREEMENT FOR
LEGAL SERVICES

This is the Fifth 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, first amended on July 18, 2007, second amended on May 15, 2015, third amended on July 19, 2017 and forth amended on July 18, 2018.

Section II, Paragraphs A and B are amended to read in its entirety as follows:

A. Compensation

LAFCo shall pay Contractor One-Thousand-Eight hundred and thirty-seven dollars per month (\$1,837.00) for legal services rendered pursuant to this Agreement effective July 1, 2021.

Funding for this Agreement is included in the LAFCO budget and payment shall be made upon monthly submission of an itemized statement.

Should the parties hereto contemplate any renewal of this Agreement, the amount of compensation paid to Contractor shall be reviewed and adjusted on an annual basis coinciding with an evaluation of performance and the preparation and approval of the LAFCO budget.

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 May 19, 2021.

LAFCo

CONTRACTOR

Bruno Sabatier, Chair

P. Scott Browne, Contractor

APPROVED AS TO FORM:

P. Scott Browne, LAFCO Counsel