LAKE LOCAL FORMATION COMMISSION

MINUTES

 July 21, 2021

**Members Participating** **Staff Participating**

Bruno Sabatier, Chair, County Member John Benoit, Executive Officer

Stacy Mattina, City Member P. Scott Browne, Legal Counsel

Ed Robey, Public Member Kathleen Moran, Clerk

Dirk Slooten, City Member

Stan Archacki, Special Districts

Jim Scholz, Special Districts

Russ Perdock, City Alternate

Victoria Brandon, Special District Alternate

Absent: Moke Simon, Vice-Chair/County Member, Tina Scott, County Alternate, Suzanne Lyons, Public Member Alternate.

Also present: Frank Costner, Manager, Konocti County Water District (via Zoom)

**1. Call to Order -** Chairman Sabatier called meeting to order at 9:37 a.m. in the City Council Chambers, City of Lakeport.

2. Election of Chair and Vice-Chair for FY 2021-2022

Motion by Commissioner Slooten, second by Commissioner Robey to elect Commissioner Sabatier as Chair of Lake County LAFCo for FY 2021-22. Motion carried by the following vote:

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

NOES: None.

ABSTAIN: None.

Motion by Commissioner Slooten, second by Commissioner Robey to elect Commissioner Mattina as Vice-Chair of Lake County LAFCo for FY 2021-22. Motion carried by the following vote:

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

NOES: None.

ABSTAIN: None.

**3. Approval of Minutes -** Motion by Commissioner Mattina, second by Commissioner Slooten to approve the minutes the May 19, 2021 meeting. Motion carried by the following vote:

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

NOES: None.

ABSTAIN: None.

**4. Appoint Suzanne Lyons to serve as LAFCo Public Member Alternate, term ending in May 2024.**

Motion by Commissioner Mattina, second by Commissioner Archacki to appoint Suzanne Lyons to serve as Public Member Alternate, term ending May 2024. Motion carried by the following vote:

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

NOES: None.

ABSTAIN: None.

**5. Public Comment –** None.

**6. Consent Agenda**

Motion by Commissioner Slooten, second by Commissioner Robey to review and authorize payment of expenses for May and June 2021. Motion carried by the following vote:

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

NOES: None.

ABSTAIN: None.

**7. Continued** **Discussion of Domestic Water Providers in Clearlake**

EO reviewed additions made to the Preliminary MSR Determinations from the May 19th meeting which now appear in bold type in the report. EO stated that there is a fire flow problem and although some have been correcting, it is still low. He stated that the land use authority in this matter is the City of Clearlake. He noted that instead of a JPA as was discussed, a development review committee could be formed with input from water, fire and other pertinent entities so that everyone involved knows what the requirements are and can have input from their perspectives. Regarding the service consolidation, voters should have the final say and there needs to be an analysis on who the optimum water provider is. Discussion was held on intertie agreements. Discussion was held on the use of lake water, with Mr. Costner noting that there is an extreme problem with algae in the lake water this year. He as applied for emergency grant funds and is reporting weekly to the state. He stated that Lakeport is on well water right now and as the water gets shallower the algae makes it worse. Commissioner Slooten spoke to Golden State’s proposed rate increase. Discussion was held. EO suggested continuing the discussion to the September 15th meeting in Clearlake meeting so all stakeholders can be involved.

Present: Suzanne Lyons, Public Member Alternate (via Zoom)

8**. Workshop on Proposed Policy Amendment re: Voluntary Indemnification Agreement policy and agreement to pay fees to be added to LAFCo’s Policies, Standards and Procedures.**

In a related on-going policy matter, Mr. Browne explained that LAFCo does not have an expiration date policy in place for those applications that are deemed incomplete with notice given but no response or action is received. Mr. Browne recommends that for those applications if no action is taken within two years, the application should be terminated. Commissioners agree. Draft policy to be placed on an upcoming agenda, along with the LAFCo proposed indemnification policy and agreement to pay fees. Both items will be brought back for consideration/action.

9. Workshop for the Lake County Cemetery Districts MSR and SOI for the Glenbrook Hartley, Kelseyville, Lower Lake, Middletown, and Upper Lake Cemetery Districts.

EO noted that it has been difficult to obtain information from some of the districts as they have very limited resources. However, all information obtained has been reviewed. EO stated that consolidating any of these districts would not solve any of the problems. The districts have very dedicated and experienced managers who really care about what they are doing. Brief discussion is held. The MSR and SOI will be on the next agenda for public hearing and consideration to adopt.

10. Authorize Commissioners to attend the CALAFCo Annual Conference in Newport Beach October 6-8, 2021

EO stated that if Commissioners were interested in attending, to please let him know.

**11. Discussion on the future use of Zoom and meeting technology for LAFCo meetings**

This is a relevant topic because of COVID and in light of changing Executive Orders from the state regarding remote meetings. EO stated that there is a great advantage to offering a Zoom option, and he is hoping for some rule changes to make the option permanent. Commissioners agree it is a good option for the public and participants as it is cost effective and increases accessibility.

Present: Kevin Ingram, City Manager, City of Lakeport

**12**. **Executive Officer’s Report**

**a.** South Lakeport Annexation update on draft tax agreement. Consultant has prepared a

 Resolution, now under review by legal counsel and is moving forward.

Mr. Ingram agreed with Mr. Benoit. He stated that agreement is closer now than ever, that the points being mulled over now are not substantive and the Resolution will be ready to present soon.

b. Upper Lake area MTBE Drinking Water Contamination remarks

**13. LAFCo Counsel’s Report.** Mr. Browne reported that he has been continuing to deal with fallout from the San Luis Obispo case, but there is nothing new to report.

**14. Commissioner Reports - none**

**15. Correspondence** – none

10:50 a.m. Meeting adjourned.

Next regular meeting: Wednesday September 15, 2021, at 9:30 a.m. in Clearlake and accessible through the Zoom app.

By: Kathleen Moran, Clerk