

LAKE LOCAL FORMATION COMMISSION
MINUTES
JANUARY 20, 2016
REGULAR MEETING

Present:

Stacey Mattina, Chair
Jim Comstock, Vice-Chair
Ed Robey, Public Member
Frank Gillespie, Special District Member
Gerry Mills, Special District Member
Joyce Overton, City Member
Jeff Smith, County Alternate

Staff Present:

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

Absent: Anthony Farrington, County Member; Suzanne Lyons, Public Alternate;
Martin Scheel, City Alternate; Jim Abell Special District Alternate

1. Call to order/Roll Call

Chair Mattina called the meeting to order at 9:30 a.m. in the City of Clearlake Council Chambers.

2. Approval of Minutes - November 18, 2015 Special Meeting

Motion by Commissioner Comstock, seconded by Commissioner Robey to approve the Minutes of the November 18, 2015 Special Meeting. Motion carried.

3. Period of Public Comment. None were heard.

4. Consent Agenda

Motion by Commissioner Robey, seconded by Commissioner Overton to authorize payment of expenses for November and December 2015. Motion carried.

5. Public Hearing – Amendment to the Clearlake Oaks County Water District and CSA #16 (Paradise Valley) Spheres of Influence and Annexation of the territory within CSA #16 (Paradise Valley) into the Clearlake Oaks County Water District and concurrent dissolution of County Service Area #16 (Paradise Valley)

EO stated this was requested by the County and Clearlake Oaks County Water District. The proposal would allow Clearlake Oaks Co. Water District to extend its domestic water sphere to include the territory currently within CSA #16, authorize Lake Local Agency Commission to dissolve CSA 16 (Paradise Valley) and annex that area within CSA #16 to the Clearlake Oaks Co Water District for domestic water services. Wastewater/sanitation services would continue to be provided by Lake County Sanitation District.

EO reviewed report to the Commission, four proposed resolutions with attachments, and a “Pre-Annexation and Annexation Agreement” signed by the Lake County BOS and the Clearlake Oaks County Water District Board of Directors.

EO referred to letter submitted this day from Alan Gardner, General Manager, Clearlake Oaks County Water District, and Mark Dellinger, Lake County Special District Director. Copies were distributed to the Commission and to those in attendance. EO reviewed letter and expressed agreement with the contents. Counsel requested the letter be attached to Resolution 2016-003 as “Exhibit E”.

Commissioner Robey asked EO for confirmation that approval of the four resolutions does not complete the process. EO confirmed that when all conditions have been met a Certificate of Completion is filed and recorded, completing the process. The dissolution documents and the annexation documents will be recorded concurrently and sent on the Board of Equalization.

Commissioner Mills asked about representation from CSA # 16 Paradise Valley on the Clearlake Oaks Water Board. EO responded that when the process is finalized, there will be an election and those qualified could run.

9:43 Chair opened the Public Hearing.

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Mr. Gardner expressed his appreciation to the district managers and their staffs for their cooperative efforts. He stated that board member Richard Kuehn wanted the Commission to be aware that at some point the board would like a physical connection between the two districts, noting Mr. Kuehn understands that is a separate matter and a separate proceeding.

Mike Dunlap asked to be on record as continuing to object to what he sees as an expenditure of public funds for the benefit of a developer. He stated that if the water line is going to be used to build out a subdivision it should be paid for by the developer. He also expressed objection that the line is being run under the ground on Highway 20 with no fire hydrants, and that he does not see anything in the documentation that that requires sprinklers for new homes. Chair Mattina responded that any new development would require sprinklers, per code.

Mr. Gardner responded that four water hydrants are included in the project, as recommended by the Fire Marshall. The Fire Marshall had told the Interim General Manager that the provision was adequate, and that based on the location of the hydrants a pipe could be run from the Lake.

Jan Coppinger Compliance Coordinator for Lake County Special Districts responded to Mr. Dunlap's comments re: developer. She stated that CSA #16 has been under a connection moratorium for approximately 10 years. Property owners have been unable to build homes. The annexation/dissolution will benefit the CSA and property owners within the CSA. She stated that the developer has provided funds to help CSA #16 get to the point where the issue can be addressed, adding that all of the properties are privately owned, not developer owned.

Mark Dellinger made further statement re: input from Fire Chief Jay Beristianos on the number and location of hydrants.

Chair Mattina closed Public Hearing.

a. Motion by Commissioner Comstock, seconded by Commissioner Robey to adopt Resolution 2016-0001 A Resolution Making Determinations and Approving a Sphere of Influence Plan Amendment for Domestic Water Services provided by the Clearlake Oaks County Water District.

Counsel recommended the following amendments to the Resolution:

1. Add "whereas the district has adequate water to service this area".
2. Attach the Managers Letter as "Exhibit E" to the Resolution package.

The maker of the motion and the seconder agree to amendments as shown above.

Resolution passed and adopted by the following vote:

AYES: Commissioners Mattina, Comstock, Robey, Gillespie, Mills, Overton, and Smith.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Farrington.

b. Motion by Commissioner Comstock, seconded by Commissioner Robey to adopt Resolution 2016-0002 A Resolution Making Determinations and Approving an Amendment to the Sphere of Influence for County Service Area #16 – Paradise Valley to a zero Sphere of Influence, with additional amendments as shown in motion to approve Resolution 2016-0001.

Resolution passed and adopted by the following vote:

AYES: Commissioners Mattina, Comstock, Robey, Gillespie, Mills, Overton, and Smith.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Farrington.

c. Motion by Commissioner Comstock, seconded by Commissioner Robey to adopt Resolution 2016-0003 A Resolution Making Determinations and Approving the Annexation of 181 acres more or less to the Clearlake Oaks County Water District – LAFCO File 2015-0005, with additional amendments as shown in Resolution 2016-0001. Resolution passed and adopted by the following vote:

AYES: Commissioners Mattina, Comstock, Robey, Gillespie, Mills, Overton, and Smith.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Farrington.

d. Motion by Commissioner Comstock, seconded by Commissioner Robey to adopt Resolution 2016-0004 A Resolution Making Determinations and Approving the Dissolution of County Service Area #16 – Paradise Valley, with additional amendments as shown in Resolution 2016-0001.

Resolution passed and adopted by the following vote:

AYES: Commissioners Mattina, Comstock, Robey, Gillespie, Mills, Overton, and Smith.

NOES: None

ABSTAIN: None.

ABSENT: Commissioner Farrington.

6. Designation of a Complex Project, Dissolution of CSA #16 and Annexation to the Clearlake Oaks County Water District and related Sphere of Influence.

Motion by Commissioner Robey, seconded by Commissioner Comstock to designate the Dissolution of CSA #16 and Annexation to the Clearlake Oaks County Water District and related Sphere of Influence as a Complex Project due to extraordinary staff time required for preparation of the EO reports and completion of the project thereby allowing Counsel and Staff to bill for the annexation at their respective hourly rates. Motion carried.

7. Authorize staff to attend the Calafco Annual Staff Workshop in Los Angeles March 30 through April 1, 2016.

Motion by Commissioner Robey, seconded by Commissioner Overton to authorize staff to attend the Calafco Annual Workshop to be held in Los Angeles March 30 through April 1, 2016, cost of which is to be shared between EO's LAFCO's. Motion carried.

8. Executive Officer's report

EO reported on the following projects:

Cobb Area reorganization

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WPD Sphere of Influence
Hidden Valley Lakes CSD MSR and SOI update
Lake County Vector Control MSR and SOI update

Reminder: Form 700's due April 1st, available electronically at www/fppc.ca.gov.

Special District members' terms expire in May. EO reviewed process.

EO reported that he submitted a legislative proposal to Calafco to allow electronic delivery of notices and it was accepted.

9. Commissioner Reports

Commissioner Comstock reported on the January 19, 2016 Recovery Task Force Meeting. Discussion was held.

10. Correspondence - None.

Mr. Dunlap reported that the Watershed Protection District still has not met.

Meeting adjourned at 10:16 a.m.

Next regular meeting: Wednesday March 16, 2016 in Lakeport.

By: _____

Kathleen Moran, Clerk