

LAKE LOCAL FORMATION COMMISSION
MINUTES
May 19, 2021

Members Participating

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

Staff Participating

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

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

1. Call to Order - Chairman Sabatier called meeting to order at 9:40 a.m. in the City Council Chambers, City of Clearlake.

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

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

NOES: None.

ABSTAIN: None.

3. Public Comment – None.

4. Consent Agenda

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

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

NOES: None.

ABSTAIN: None.

Present: Jeff Stanley, Board Member, Konocti County Water District
Frank Costner, Manager, Konocti County Water District
Alan Flora, City of Clearlake
Keith Ahart, Golden State Water District

5. Discussion on Domestic Water Providers in Clearlake

EO opened discussion of domestic water services within the City of Clearlake. EO reviewed report "Preliminary MSR Determinations" which contains detailed information on the water service providers. The Preliminary MSR addresses concerns which have come up in discussions at Lake LAFCo meetings regarding possible consolidation of services. EO agreed that there needs to be a point of coordination amongst the entities to foster better communications and cooperation. The entities were formed and operate under different rules, which they follow. The report details operations, finances, funding, information on

maintenance, safe drinking water and fire flows. The report includes some recommendations on the issue of shared facilities for water service providers in Clearlake, local accountability and governance. It further includes a recommendation that the districts work with each other as much as possible to provide better and more dependable service. EO noted that in compiling information for this report, all three entities were responsive to requests for information and that all three maintain current information available to the public on their websites.

After going through each point of the Preliminary MSR Determinations, EO concluded that there is no compelling reason one service provider should be replaced with another service provider or service provider type. Further, it is unclear if consolidation of service providers will result in cost savings. Commissioner Slooten expressed disagreement that consolidation would not result in cost savings.

Extensive discussion was held on the report. Commissioners agreed that uniform testing needs to occur through coordinated efforts by the water providers and the fire districts. Funding sources for improvements, replacement and repairs were discussed, as was the availability and use of grant monies.

EO noted that if the Commission was interested in pursuing consolidation much more information and review would be required. However, LAFCo would not be the appropriate entity to initiate consolidation. EO stated that the city should take the lead if they wanted a consolidation of water service.

Extensive discussion was held on rates, hydrant testing, fire flow data, map inconsistencies and inaccuracies. Regarding the map issues, EO stated that he is working on it with the involvement of the Yolo County Flood Control District, noting that all the maps require updating and that it is a priority. Discussion to be continued until the next LAFCo meeting.

6. Public Hearing Final LAFCo Budget FY 2021-2022

Chair opened public hearing. No comments heard. Chair closed hearing.

Motion by Commissioner Slooten, second by Commissioner Scholz to adopt Resolution No. 2021-0007 A Resolution of the Lake Local Agency Formation Commission Adopting its Final Budget for 2021-2022 and authorizing the Chair to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSTAIN: None.

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

Motion by Commissioner Mattina, second by Commissioner Robey to 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 and authorize the Chair to sign. Motion carried by the following vote:

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

Motion by Commissioner Mattina, second by Commissioner Robey to 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. Motion carried by the following vote:

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

8. Executive Officer' s report.

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

9. Mr. Browne updated the Commission on the status of San Luis Obispo v City of Pismo Beach.

10. Commissioner Reports

Commissioner Slooten suggested some Sphere of Influence changes for Clearlake.

11. Correspondence – None.

11:45 a.m. Meeting adjourned.

Next regular meeting: Wednesday July 21, 2021 9:30 a.m. in Lakeport.

By: Kathleen Moran, Clerk