

LAKE LOCAL FORMATION COMMISSION  
MINUTES  
March 20, 2019 Regular Meeting

**Members Present**

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

**Staff Present**

John Benoit, Executive Officer  
Marsha Birch, Legal Counsel  
Kathleen Moran, Clerk

Absent: Tina Scott, County Alternate

Present: Kevin Ingram, Community Development Coordinator, City of Lakeport  
Scott De Leon, County Public Works Director

**1. Call to Order**

Chairman Sabatier called meeting to at 9:30 a.m. in the Council Chambers, City of Lakeport.

**2. Approval of Minutes** - Motion by Commissioner Simon, seconded by Commissioner Robey to approve the Minutes of the January 16, 2019 Regular Meeting. Motion carried.

**3. Public Comment** - Chair called for a period of public comment. None were heard.

**4. Consent Agenda**

Motion by Commissioner Robey, seconded by Commissioner Mattina to approve Consent Agenda Items as follows: Review and authorize payment of expenses for January and February 2019. Motion carried.

**5.** Chairman declared time for Public Hearing re: Consideration of Service Review and Sphere of Influence Update for Kelseyville County Waterworks District #3.

Mr. Ingram requested clarification, referring to the map of KCWD #3 Sphere Addition and Finley Service Area #6 (in agenda packet), noting the areas are not contiguous. He asked if the physical area where the pipelines connect is to be a part of the District. EO responded no, that the CSA #6 portion is only for water, not sewer. Mr. Ingram stated that the City is aware that the County is looking at a potential USDA application that would include provision of water from this area to serve the South Main Street area. He asked the Commission to clarify that the action before the Commission today does not place the South Main area in the Sphere of Influence or involve those boundaries and that any such action would be considered under separate action. EO confirms

Motion by Commissioner Robey, seconded by Commissioner Simon to adopt Resolution No. 20019-0001, a Resolution Approving a Municipal Service Review of Services Provided by Kelseyville County Waterworks District #3 and Adopting Written Determinations Thereon and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

Motion by Commissioner Slooten, seconded by Commissioner Simon to adopt Resolution No. 2019-0002, A Resolution Making Determinations and Approving a Sphere of Influence Update for the Kelseyville County Waterworks District #3 and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

**6.** Chairman declared time for Public Hearing to consider a Resolution of Initiation for the Dissolution of CSA 4 (Lake Pillsbury Lakes), 9 (Gifford Springs Road), 11 (Hodges Tract), 12 (Lucerne Riviera Heights) and 19 (Park Water) as required in Chapter 334, Statutes of 2017 (Senate Bill 448).

EO made opening statement that this action is the first step in the process of officially dissolving inactive districts. EO is working with various entities to verify there are no outstanding district assets or liabilities. EO will continue to update the Commission on the process as it moves forward. Chairman Sabatier asked if CSA #19 has been passed over to Golden State Water. EO stated that he did contact City staff to ask about that, but he has not received a response.

It was noted that there is an error in the title of the Resolution and that it will be corrected to reflect the district designations as shown on the Agenda.

Motion by Commissioner Simon, seconded by Commissioner Slooten to adopt Resolution 2019-0003, A Resolution of the Lake Local Agency Formation Commission Initiating Proceedings for the Dissolution of the County Service Areas CSA 4 (Lake Pillsbury Lakes), 9 (Gifford Springs Road), 11(Hodges Tract), 12 (Lucerne Riviera Heights) and 19 (Park Water) and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

**7.** Chairman declares time for Public Hearing to Review and Consider Lake LAFCo's Proposed Budget for FY 2019-2020.

EO reviewed proposed budget, which is nearly the same as last years, with the exception of two increases, as follows:

1. Increase in memberships of \$151.
2. Increase General Reserve by the previously approved annual amount of \$10,000.

Discussion was held on the Calafco Annual Conference which will be held in Sacramento this year. All agreed that as many members as possible should attend since it's close to home this year.

Chair opened the Public Hearing. There were no comments from the public. Chair closed hearing.

Motion by Commissioner Slooten, seconded by Commissioner Mattina to adopt Resolution No. 2019-0004, A Resolution of the Lake Local Agency Formation Commission Adopting a Proposed Budget for FY 2019-2020 and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

Commission to consider Final FY 2019-2020 budget at the May meeting.

EO again expressed concern that the Lake LAFCo budget/finance administrative responsibilities have yet to be transferred from the County to the City of Clearlake as approved by the Commission on September 19, 2018, despite repeated requests to the County Auditor. EO will continue to report on the status of the transfer. EO to submit claim to the County Auditor to try to expedite the transfer.

**8. Consider a two-month extension until May 15, 2019 for LAFCo Project 2015-0005 (LAFCo Resolution 2016-0003) Paradise Valley Annex to the Clearlake Oaks County Water District.**

EO explained that there are still a couple items to be finished and an extension is needed to complete them.

Motion by Commissioner Archacki, seconded by Commissioner Scholz to approve extension until May 15, 2019 for LAFCo Project 2015-0005 (LAFCo Resolution 2016-0003) Paradise Valley Annex to the Clearlake Oaks County Water District. Motion carried.

**9. Request from the Callayomi County Water District for an Out of Area Service Agreement to provide domestic water from the Callayomi County Water District for the Middletown Rancheria of Pomo Indians of California in order that the Tribe may construct an additional 15 housing Units (LAFCo file 019-OASA-001).**

Present: Josh Nelson, Counsel for the Middletown Rancheria  
Sally Peterson, Tribe Council Vice-Chair

Commissioner Simon recused himself and left the Chambers stating that he is affiliated with the Middletown Rancheria.

EO briefly explained that Out of Area Service Agreements are authorized under GC 56133. The Rancheria is within the Sphere of Influence and has an existing agreement with CCWD to provide water services to 30 housing units at the Middletown Rancheria. The tribe is requesting CCWD to provide additional water service for 15 additional housing units.

EO stated that the Rancheria had previously filed an application with LAFCo, but it terminated or expired in November of 2015 before all steps were completed. A new application by the Rancheria or the CCWD for reorganization/annexation to the CCWD is required. EO expects the application to be filed within 90 days.

Commissioner Robey asked if the District has provided any documentation that they have the capacity to serve the existing lots. Chairman speaks to the need for adequate water supply for fire suppression.

Commissioner Brandon asked about the acreage, potential expansion, and anticipated land use. Mr. Nelson responded that the District does have the capacity and when the application comes forward it will include documentation for the adequacy. Ms. Peterson stated that the request is for hookups within the existing boundaries, and not an expansion.

Motion by Commissioner Slooten, seconded by Commissioner Robey to approve request from the Callayomi County Water District for approval of an Out of Area Service Agreement to provide domestic water from the Callayomi County Water District for the Middletown Rancheria of Pomo Indians of California in order that the Tribe may construct an additional 15 housing units (LAFCo File 019-OASA-001). Further, to authorize the Chair to sign the Order Approving the Out of Area Service Agreement and the Lake LAFCo approval page of the "Out of Area Limited Service Agreement for Provision of Municipal Water Service". Motion carried.

10:17 a.m. Commissioner Simon returned to chambers.

**10. Review Service Review requirements and conduct a goal-setting workshop for Lake LAFCO with regards to Lake LAFCO's role in orderly growth in Lake County and discuss the need and methods of achieving consolidations of various services.**

EO opened discussion. He stated that Lake County has done a good job at consolidating districts. There is a need for Lake LAFCo to set goals, establish needs and determine the methods necessary to accomplish that. Discussion of LAFCo's role in the General Plan. The role of LAFCo is to promote orderly growth, efficiency in services and awareness of the financial health of districts or agencies, noting that LAFCo performs not as the separate entities it is comprised of, but as an entity itself.

Commissioner Mattina suggested better community education and communication, that many entities/agencies are not aware of LAFCo or its purpose. Discussion is held on Area Plans, the need to update them and the importance of LAFCo being involved in that. This item is a continuing discussion and will be placed on future agendas.

**11. Consider authorizing the Chair to sign letters of Support for AB-213 (Reyes) LF revenue backfill for inhabited annexations and AB-1253 (Rivas) regarding Grants for LAFCo's with Disadvantaged or Severely Disadvantaged Communities.**

Motion by Commissioner Mattina, seconded by Commissioner Slooten to approve letters of Support for AB 213 (Reyes) re: VLF revenue backfill for inhabited annexations, and AB 1253 (Rivas) regarding grants for LAFCo's with Disadvantaged or Severely Disadvantaged Communities and authorize the Chairman to sign. Motion carried.

10:35 a.m. Chairman declares a recess.

10:45 a.m. Call to order.

**12.** Commissioner Brandon gave an informational power point presentation on the Lake County Resource Conservation District. The presentation contained an overview of District Projects, including:

- Ongoing Programs such as Meisenbach Scholarship, Kids in the Creek, Field Day in the Creek, Annual Invasive Weed Tour and Trout in the Classroom.
- Special Projects such as Goats Rue Eradication.
- Reforestation Projects
- Mendocino Complex Erosion Project
- Native Plant Project

**13. Executive Officer's Report**

- a. Lake County Lighting Districts MSR and SOI – in process.
- b. Policy Update
- c. Upcoming LAFCo applications: Upper Lake Mobile Home Park, So. Lakeport, Middletown Rancheria/CCWD.
- d. LAFCo applications received: Valley Oaks Annex to the Hidden Valley Lake CSD & McDowell Annex to the Callayomi Co. Water District.
- e. Status of transition of LAFCo finances from County to the City of Clearlake.
- f. Public Member Recruitment. Appointment set for May meeting.

**14. LAFCo Counsel's Report** - No new information.

**15. Commissioner Reports** – No reports given.

**16. Correspondence.**

Letter from the California Special Districts Association regarding Leadership Training Sessions available through the Association.

11:30 a.m. Meeting adjourned. Next regular meeting Wednesday May 15, 2019 in Clearlake.

By: \_\_\_\_\_  
Kathleen Moran, Clerk