

Lake Local Agency Formation Commission

SPECIAL Meeting Agenda (note special time)

November 18, 2015 -- 1:00 PM

City of Lakeport – City Council Chambers

225 Park Street, Lakeport , California

Website: www.lakelafco.org

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

Commissioners

Ed. Robey, (Public Member)
Frank Gillespie (Special District Member)
Joyce Overton (City Member)
Stacey Mattina, Chair (City Member)
Gerry Mills, (Special Dist. Member)
Anthony Farrington (County Member)
Jim Comstock , Vice Chair (County Member)

Commission Alternate Members

Jeff Smith (County Alternate)
Martin Scheel (City Alternate)
Jim Abell, (Spec. District Alternate)
Suzanne Lyons (Public Alternate)

Staff

John Benoit, Executive Officer
P. Scott Browne, Legal Counsel
Kathie Moran, Clerk to the Commission

1. Call to Order – Roll Call

2. Approval of Minutes – October 14, 2015 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

Action: Review and authorize payment of expenses for September and October 2015

5. **Presentation by Scott De Leon, Lake County Department of Public Works regarding the Sustainable Groundwater Management Act (SGMA) and Lake County's efforts to comply with this State Mandate.**
 - a) *Receive presentation by Scott DeLeon, Director of the Lake County Department of Public Works.*
6. **Discussion regarding Sphere Alternatives for the Sphere of Influence Update for the Lake County Watershed Management District.**
 - a) *Discussion regarding options for the Lake County Watershed Protection District and provide direction to staff regarding a preferred option.*
7. **Middletown Rancheria Annexation to the Callayomi County Water District.**
 - a. *Determine this annexation (LAFCo file 2014-0004) to be considered a "Complex Project" due to the extraordinary time consumption and controversial nature involving a heightened level of environmental review and difficulty in working with the District thereby allowing Counsel and Staff to bill for this annexation at their respective established hourly rates.*
8. **Out of Area Service agreement for the Hidden Valley Lake CSD necessitated by the Valley Fire. Provide direction to LAFCo Staff.**
9. **Discussion of Fire District Financing and Revenue Sources for Fire Districts (*general discussion*)**
10. **Set LAFCo meeting Schedule for 2016**
 - a. *Review and Set LAFCo Regular meeting schedule for 2016*
11. **Executive Officer's report**
Clearlake Oaks County Water district and CSA #16 Annexation and Dissolution for January 20, 2015
Rancheria Annex to the Callayomi Co. Water District
Hidden Valley Lakes CSD MSR and SOI update
Lake County Vector Control MSR and SOI update
12. **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.
13. **Correspondence**

14. Adjourn to LAFCO's next regular meeting: Wednesday January 20, 2016 in Clearlake

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 are 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 johnbenoit@surewest.net or by fax at (916) 797-7631. Agenda items are located on the Lake LAFCo Webpage at www.lakelafco.org

LAKE LOCAL AGENCY FORMATION COMMISSION
MINUTES OF REGULAR MEETING
OCTOBER 14, 2015

Present:

Stacey Mattina, Chair
Jim Comstock, Vice-Chair
Ed Robey, Public Member
Anthony Farrington, County Member
Frank Gillespie, Special District Member
Gerry Mills, Special District Member
Suzanne Lyons, Public Alternate
Martin Scheel, City Alternate

Staff Present:

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

Absent: Joyce Overton, City Member, Jeff Smith, County Alternate, & Jim Abell, Special District Alternate.

1. Call to Order/Roll Call

Chair Mattina called the meeting to order at 1:00 p.m. in the City of Lakeport Council Chambers. There was a quorum present.

2. Approval of Minutes for the July 15, 2015 Regular Meeting.

Motion by Commissioner Comstock, seconded by Commissioner Robey to approve the Minutes of the July 15, 2015 regular meeting. Motion carried.

3. Public Comment

Betsy Cawn asked that a discussion of financial impacts and revenue sources for fire districts be placed on the next Agenda.

4. Consent Agenda

Motion by Commissioner Robey. Seconded by Commissioner Comstock, to authorize payment of expenses for July and August 2015. Motion carried.

5. Consolidation of the East Lake and West Lake Resource Conservation Districts and Formation of the Lake County Resource Conservation District.

EO advised that staff has received a request to continue this item.

Motion by Commissioner Comstock, seconded by Commissioner Robey to continue the matter of consolidation of the East Lake and West Lake Resource Conservation Districts and Formation of the Lake County Resource Conservation District for an indefinite period of time. Motion carried.

6. Public Hearing on Sphere of Influence Update for the City of Lakeport.

This is a LAFCO initiated Sphere of Influence (SOI). EO stated that LAFCO is required by law to periodically review and update SOI's for local government agencies within its jurisdiction. Since the SOI update was not requested by the City as an amendment it does not require a City-County meeting to negotiate the Sphere of Influence. EO reported the update is in accordance with the environmental documents and General Plan amendments approved by the City on February 17, 2015, noting the update is not an annexation proceeding and that there may be some confusion on that matter. The SOI represents a reduction of approximately 600 acres. Discussion was held on prior revisions.

EO referenced letter from City of Lakeport dated October 8, 2015 in support of Staff Report Option. EO referenced letter from the County dated September 8, 2015 requesting removal of commercial corridor along South Main Street/Soda Bay Road, or Option 4 a coterminous SOI.

EO stated that the proposed Sphere is consistent with LAFCO's mission, and that a draft Resolution has been provided.

Commissioner Farrington referred to EO report page 13 re: residential land/housing needs and asked for clarification on the why the North Lakeport residential section was removed from the SOI and the commercial corridor left in. EO responded that the residential area is served by other agencies.

Commissioner Comstock asked if annexation could occur without the updated SOI. EO responded that LAFCO laws require all agency SOI's to be periodically reviewed and updated, that this action is separate from an annexation but does not prohibit annexation. He noted that should annexation be considered in the future, an SOI consistent with the general plan would be necessary.

Commissioner Mills referred to the last meeting and his decision to recuse himself and asked if there would be a quorum because the Special District Alternate is not present. EO confirms that there is a quorum should he recuse himself today. Commissioner Mills recused himself and moved to the audience.

Commissioner Farrington questioned the need for recusal based on merely owning property within the Sphere. Marsha responded that in light that he recused himself at the last meeting, then he likely should do it now. If there were Mills I live in the current SOI, under the new plan I would be excluded, that is the only conflict. Ms. Burch stated that she didn't see an actual or financial conflict for Commissioner Mills. Chair asked Commissioner Mills what he would like to do. Commissioner Mills stated that he did not feel he has a conflict. All commissioners concurred and Commissioner Mills returned to his seat.

Chair Mattina opened Public Hearing.

Matt Perry thanked LAFCO for extending the hearing. He spoke to recent wildfires, which have devastated the area and acknowledged the cooperative efforts of the County and City as well as all emergency workers and expressed appreciation to all.

Mr. Perry spoke to the comments presented in the EO's report and the County's letter. Mr. Perry concurred that annexation is not being discussed today, but is a future consideration. Mr. Perry spoke to the tax sharing agreements, the issue of revenue neutrality and the ability to deliver services in the subject areas. EO responded that the only revenue neutrality provision in the LAFCo law is for city incorporations, also Lake LAFCO has a revenue neutrality provision on annexations, noting that if the city were to annex to a revenue producing area LAFCO would look at the effect on other agencies to make sure they would not be negatively impacted by loss of revenue/inability to deliver services.

Mr. Perry expressed concern with the SOI's fiscal implications as the South Main/Soda Bay corridor generates approximately 25% of the county's general purpose tax revenue noting that the county has a larger scope of responsibility than the city. He further questioned the removal of the residential area and retention of the commercial area. Commissioner Mattina stated that services are already being provided to the north area by the Special Districts.

Richard Coel, Community Development Director for Lake County, stated that county staff has a number of concerns with the proposed SOI; primarily the amount of existing vacant commercially zoned land currently within the city with a high vacancy rate. He advised focusing on infill rather than expansion and stated that if the county loses that commercial area it would create a significant loss that would be difficult to recover from. Mr. Coel stated that the business owners in the south area do not support future annexation. He stated that he has been hearing complaints on the city's business processes for some time and that he hopes that the city will allow the new director to address these critical issues. He stated that the County wants to be as helpful as possible and share what has worked for them with the city.

Commissioner Robey restated that the commercial corridor is already in the SOI and it has been for many years, we are not adding it in, and the matter being heard today is not an annexation proceeding.

Jan Coppinger, Compliance Coordinator for Lake County Special Districts, spoke to the City of Lakeport's letter and stated that the County has identified a well and has had a hydrologic survey taken and a well pump test. She stated that the County is able to provide water to the corridor area. Ms. Coppinger stated that the Special Districts has made an application to the Department of Resources to fund a water system with the understanding that several small water districts would be consolidating and some inadequate or contaminated wells would be abandoned. The funding agreement has not been approved yet by the Lake County Board of Supervisors or the State.

Bob Bridges made statement in support of a reduced sphere, and in opposition to expansion/annexation. He stated that he feels city services have been diluted and have declined.

Kevin Ingram, Community Development Director for the City of Lakeport addressed the Commission. He restated that the proposed SOI is not an expansion, but a reduction of approximately 600 acres of land from the existing Sphere. He stated that the commercial corridor has been in the SOI for many years, and the city has operated on the fact that it is in the city's sphere. The city provides wastewater treatment as well as first responder emergency services to that area when needed. The City has the ability to provide water to that area. Mr. Ingram stated the retention of the corridor within the City of Lakeport's SOI is consistent with the basic principles for establishing spheres of influence, i.e. a logical boundary for the orderly pattern of growth to effect the most efficient delivery of public services. Mr. Ingram thanked the county for their work on the building inventory report. He recommended that the Commission adopt Option 1, noting that the coterminous option has consequences with other public agency spheres. Mr. Ingram stated that the reason for removing the North Lakeport area is that it is already being served by the county with basic public services, however, if the Commission determined the area should remain in the sphere, the city would likely not oppose.

Mark Brannigan, Public Works Director, City of Lakeport, clarified that the State's objective is to consolidate small water districts into one regulatory body. He stated that the city's water rates are average and on the question of storage their data shows it to be adequate for at least 20 years.

Chair Mattina called for a recess at 2:30 p.m. and reconvened meeting at 2:40 p.m.

Paul Racine, business owner, stated that he does not want the corridor area to be part of the city. He spoke against annexation, and stated that the north residential area should be left in the SOI.

Nancy Ruzicka asked that north area section be left in the SOI and not removed.

EO noted that he does not believe the north area was included in the city's Environmental Document and will need to be included in the Environmental Document.

Scott Lauder owner of Lakeport Cinema speaks to the County's poor water quality, costs, etc. and made statement in support of his property remaining within the Sphere of Influence.

David Ruderman, City Attorney for the City of Lakeport, reminded those present that the issue on the table is the updated SOI as required by LAFCO law. Mr. Ruderman reviewed the role of LAFCO. He stated that Option 1 best balances all interests. He recommended the Commission approve SOI option 1, noting that the city has done everything it has been asked to do in order to proceed with the SOI. He noted that a Sphere of Influence creates boundaries, which can be used in an actual annexation, and brings forth issues to discuss, but annexation cannot take place without public input.

Margaret Silveira, City Manager, City of Lakeport, stated that the county has widespread water problems. She recounted previous actions and agreements between the county and the city re: future annexation plans.

Commissioner Farrington responded and that the purpose of the pre-annexation agreement was to give the Board of Supervisors a comfort level for their actions to invest in infrastructure in the corridor area.

Chair Mattina called for other comments or statements. None being heard, Chair closed Public Hearing at 3:23 p.m.

Commissioner Mills asked EO about information presented at the recent conference in Sacramento on the issue of groundwater. EO noted that a discussion of groundwater issues should be placed on a near future agenda, and Mr. Browne could also present information to LAFCO.

Commissioner Farrington submitted a set of letters which were sent out to landowners/business owners in the South Main Street/Soda Bay Road Commercial and Industrial Area which asked the recipients "Assuming the County provides a community water system, please indicate your preference below: [] I prefer to stay in the County of Lake unincorporated area, or [] I prefer to annex the South Main Street/Soda Bay Road area. The letter asked recipients to return the letter within 10 days in an enclosed postage paid envelope. Commissioner Farrington stated that 45 out of 46 responded indicated they prefer to remain in the unincorporated area.

Commissioner Farrington made extensive statement regarding the proceedings. He expressed opposition to annexation, and asked the commission to consider public input.

Chair Mattina stated that the survey asked about annexation, which is not the issue before the Commission today and further, the information was not presented to the Commission or the public in a timely manner for consideration today.

Chair Mattina asked the Commission what they wished to do with the information. The consensus was to reopen the Public Hearing for this item only. Mr. Scheel and Mr. Ingram concur made statements in concurrence.

Mr. Ingram pointed to flaws in the "survey" format, i.e. misinformation and incomplete information, and that the information was not brought forward in a timely manner for the commission or the public.

Discussion was held. Ms. Burch advised that the Brown Act requires that any documents made available to the staff and Commission must be made available to the public. She stated that the documents submitted today were not available prior to the meeting; therefore the public had no opportunity to review the information in advance of the meeting. Ms. Burch stated that the survey was directed toward the question of annexation and the Commission can disregard it, as it does not apply to today's agenda item.

4:00 p.m. Chair closed Public Hearing. Chair asked Commissioners how they would like to proceed.

Commissioner Comstock stated he didn't mind disregarding the survey, as the issue is the Sphere of Influence.

Suzanne Lyons agreed that the Sphere is the issue and that is all that should be considered.

Martin Scheel stated he favors Option 1.

Commissioner Mills and Gillespie favor Option 1.

Commissioner Robey stated that he favors Option 1.

Commissioner Farrington stated that he favors Option 4.

Commissioner Scheel made a motion to adopt Resolution 2015-0009 adopting a Sphere of Influence Update for the City of Lakeport Option #1 by LAFCO staff, per the request LAFCO made to the City to amend its Environmental Impact Report and General Plan. Commissioner Robey seconded the motion. Resolution passed and adopted by the following vote:

AYES: Commissioners Robey, Gillespie, Scheel, Mills and Mattina.

NOES: Commissioners Farrington and Comstock.

ABSENT: Commissioner Overton.

7. Follow-up letter and request for the Watershed Protection District (WPD) Board of Directors to provide LAFCo with a written progress report with respect to items included in the WPD Service Review

a. Discussion and possible action regarding the Watershed Protection District follow up regarding items addressed in the WPDMSR.

EO stated this matter has been agenda item at the request of Mr. Dunlap. He stated that when LAFCO adopted the MSR for the Watershed Protection District a letter was sent to the county and we have never received a response. EO stated that with today's adoption of the City of Lakeport SOI, he wants to start on the Watershed Protection District SOI and begin discussions at the next meeting.

Mr. Dunlap made extensive statement regarding the importance and urgency in activating the district in light of the recent wildfires. He stated that the fires have created potentially toxic and caustic ash, which will affect the waterways via heavy rainfall and mudslides. He made extensive statement regarding the impact of the ash, cleanup plans, and the need to keep the materials such as the ash out of the watershed. The MSR approval called for a response from the county, and he urges the county to do so.

Commissioner Farrington stated that the county will revisit the request.

Betsy Cawn noted that the agency has not met for over two years and needed services have not been provided. She spoke to the need for compliance with the water quality permit, and with the fires the need for an effective Watershed Protection District is critical.

Commissioner Lyons asked if the letter was a request to meet. Commissioner Farrington stated he had no response other than he would look into the matter. Chair Mattina asked Commissioner Farrington if it would be soon. Commissioner Farrington stated he would look into the matter.

8. Executive Officer's report

Clearlake Oaks County Water district and CSA #16
Rancheria Annex to the Callayomi Co. Water District
Hidden Valley Lakes CSD MSR and SOI update

9. Calafco Annual Conference in Sacramento.

Meeting and workshops discussed. EO reported on legislation effecting LAFCO's and recent bills signed into law by the Governor, as well as vetoed.

10. Commissioner Reports – none.

11. Correspondence - none.

Meeting adjourned at 4:35 p.m.

The next meeting will be held on Wednesday November 18, 2015 in Lakeport at 1:00 p.m.

By: _____
Kathleen Moran, Clerk

Lake Local Agency Formation Commission

Item # 3

CLAIMS

September 2015 and October 2015

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
Oct 1, 2015	Staff Services Sept. 2015	\$ 4,590.67
Oct 1, 2014	Special Projects – Sept 2015	
	Lkpt/Fire/WPD SOI	\$ 1,856.25
8.16-15 to 9.15.2015	Browne- Legal	\$ 525.00
Nov 1, 2015	Staff Svcs Oct 2015	\$ 5,090.00
Nov 1, 2015	Special Projects LKPT	
	SOI	\$ 3,103.28
Oct 14, 2015	Commission Mtg. Stipend	\$ 540.00
9.16-15 to 10.15-15	Browne Legal	\$ 1,750.00
TOTAL:		\$ 17,455.87

DATED: November 18, 2015

APPROVED: November 18, 2015

Stacey Mattina, Chair or Jim Comstock Vice-Chair
Lake Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

[illegible]

Sphere Options for the LCWPD boundary

1. Sphere coterminous with the WPD's existing boundaries.
The Sphere and District Boundary would be the same as the present: Countywide
2. Sphere coterminous with Lake County's Watersheds
(Unsure how this option would be implemented)
3. Only include those watersheds in the Clear Lake Basin area
(this option would send a signal to reduce the size of the WPD to exclude other basins that do not drain into Clearlake)
4. Zero Sphere: This would send a signal the WPD should be dissolved.
(Who is to perform the duties the district currently is undertaking and Who would provide the services?)
5. Other Boundary Options.

Options for Governance of the LCWPD

- A. Remain with the County Board of Supervisors acting as the LCWPD Governing Board
(this option would send a signal no change in governance would occur. The Governing Board may recommend establishment of a WPD Advisory Commission)
- B. Appoint or Elect an independent Board of Directors and separate the LCWPD from County Government.
(this option would require establishment of (conversion to) an independent WPD with an elected or appointed Board of Directors apart from County Government)
- C. Other Governance Options?

Executive Department

State of California

EXECUTIVE ORDER B-35-15

WHEREAS on September 11, 2015 and September 13, 2015, I proclaimed States of Emergency to exist in Calaveras and Lake Counties due to wildfires that ultimately destroyed over 2,000 homes and structures, and collectively burned over 146,000 acres of land; and

WHEREAS these wildfires have caused thousands of residents to be homeless or displaced, and temporary housing options are limited in Calaveras and Lake Counties; and

WHEREAS these wildfires have created a substantial amount of ash, burnt vegetation, and debris in Calaveras and Lake Counties; and

WHEREAS both Calaveras and Lake Counties have declared health emergencies as a result of the wildfires and the large amount of dangerous debris; and

WHEREAS rapid action needs to take place in order to assist the disaster survivors, locate housing, rebuild the communities, repair and restore the environment, and mitigate the hazards for future disasters; and

WHEREAS under the provisions of section 8571 of the Government Code, I find that strict compliance with the various statutes and regulations specified in this Executive Order would prevent, hinder, or delay the mitigation of the effects of the wildfires in Calaveras and Lake Counties.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, in particular, sections 8625 and 8571 of the California Government Code, do hereby issue this Executive Order, effective immediately.

IT IS HEREBY ORDERED THAT:

1. All agencies of the state government shall utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Governor's Office of Emergency Services and the State Emergency Plan.
2. In order to quickly provide housing for those displaced by the fires, the Mobilehome Parks Act, Health and Safety Code section 18200 et seq., Title 25, California Code of Regulations section 1000 et seq., the Special Occupancy Parks Act, Health and Safety Code section 18860 et seq., and Title 25, California Code of Regulations section 2000 et seq., are suspended, as they pertain to Calaveras and Lake Counties, for three years after the date of this Executive Order with regard to:

- (a) Mobilehomes, manufactured homes, and recreational vehicles and their lots held out for lease or rent on any publicly-owned property, even if constructed, operated, or maintained by an entity other than a public agency. The public agency owning the property shall be responsible for adopting and enforcing reasonable guidelines for the park's development and operation to ensure the health and safety for the residents and the community, subject to approval by the Department of Housing and Community Development; and
 - (b) One or more mobilehomes, manufactured homes, or recreational vehicles located on privately owned property when the lots are held out for rent or lease, or owner-occupied.
- 3. The Department of Housing and Community Development and local enforcement agencies with delegated disaster authority will jointly develop permitting, operating, and construction standards to maintain reasonable health and safety standards for the residents and the surrounding communities. Such standards shall provide reasonable consistency with appropriate fire, health, flood, and other factors normally considered in the mobilehome park approval process for the construction of a new mobilehome park or manufactured home installation standards during the three year suspension authorized by this Executive Order.
- 4. The Department of Housing and Community Development, or local enforcement agencies with delegated disaster authority, shall give the highest priority to advising those seeking to develop mobilehome and special occupancy parks and the installation or use of manufactured homes or recreational vehicles in Calaveras and Lake Counties, and shall expedite inspections and the issuance of the necessary permits for this purpose.
- 5. All local land use and zoning ordinances, and other ordinances which would delay or impede prompt development or construction of temporary mobilehome parks or manufactured home installations, or special occupancy parks, or use of recreational vehicles, are suspended for three years after the date of this Executive Order with regard to Calaveras and Lake Counties.
- 6. All fees imposed by the Mobilehome Parks Act, Health and Safety Code section 18500 et seq. and the Special Occupancy Parks Act section 18870 et seq., are suspended for three years after the date of this Executive Order with regard to manufactured home installation and recreational vehicle use in Calaveras and Lake Counties.
- 7. The planning and zoning requirements for manufactured homes in Government Code sections 65852.2 through 65863.13 are suspended for three years after the date of this Executive Order, with regard to housing projects in Calaveras and Lake Counties.
- 8. Any local government ordinances in Calaveras or Lake Counties, which would preclude the placement and use of a manufactured home or recreational vehicle on a private lot for use during the reconstruction of a home, are suspended for three years after the date of this Executive Order for individuals impacted by the fires. Property owners placing manufactured homes or recreational vehicles on lots shall obtain permits as described in paragraph 4 to ensure health and safety standards are met that are consistent with the standards set forth herein.

9. For three years after the date of this Executive Order, the fees required pursuant to Health and Safety Code sections 18114 and 18116 for registering a manufactured home or mobilehome are waived for the residents of Calaveras and Lake Counties who were impacted by the fires.
10. The Franchise Tax Board and the Board of Equalization shall use their administrative powers where appropriate to provide those individuals and businesses impacted by the wildfires in Lake and Calaveras Counties with extensions for filing, audits, billing, notices, assessments, and relief from subsequent penalties.
11. The provisions of Penal Code section 396 prohibiting price gouging in times of emergency shall remain in effect to protect the disaster survivors in Calaveras and Lake Counties. The 30-day time period limitation under subsection (b) is hereby waived.
12. The Orders and provisions contained in Executive Order B-33-15, dated August 27, 2015, remain in full force and effect and apply to Calaveras and Lake Counties.

This Executive Order is not intended to, and does not create any rights or benefits, substantive or procedural, enforceable at law or equity, against the State of California, its agencies, departments, entities, officers, employees or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this order.

IN WITNESS WHEREOF I have
hereunto set my hand and caused the
Great Seal of the State of California to
be affixed this 1st day of October 2015.



EDMUND G. BROWN JR.
Governor of California



ATTEST:



ALEX PADILLA
Secretary of State



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

Policy concerning Permitting of Temporary Dwellings While Recovering from Valley Fire

Due to the extraordinary losses from the Valley Fire, the Governor issued an Executive Order that temporarily suspends (for up to 3 years) certain state and local regulations for the placement and occupancy of recreational vehicles and manufactured homes as temporary dwellings. This temporary suspension of regulations allows the County to issue permits for installation of RV's and MH's and conduct inspections based on minimum health and safety considerations for their installation on private property.

If you lost your home to the Valley Fire we will allow a recreational vehicle or manufactured home to be placed on your property for use as a temporary dwelling, provided that the following health and safety standards can be met:

1. The recreational vehicle or FEMA supplied manufactured home is for the occupancy of the residents of the particular parcel who lost their home on that parcel, unless being placed in a group site developed by FEMA or authorized by the County, or the unit is placed on another parcel in the Valley Fire Area with that property owner's permission as a temporary residence.
2. There is adequate area available on the property to place the recreational vehicle or manufactured home so as not to interfere with or impede the cleanup of the fire debris (if debris are still on the property).
3. There are no standing dead or damaged trees or other hazards in proximity of the unit that could fall upon or otherwise damage the recreational vehicle or manufactured home or harm its occupants.
4. There are no landslide risks to the site or the road providing access to the site that have the potential to trap or harm the occupants. (Dead-end road concern)
5. The site shall contain a water supply consisting of an operating well or community water service connection, with potable water.
6. A functioning septic system or public sewer system connection shall exist at the site. Septic systems need to be inspected by Lake County Environmental Health.
7. The manufactured home or RV shall not be placed on the site in a location that would impede reconstruction of the permanent residence.
8. The floor elevation of the RV or FEMA MH should be located above the 100 year flood elevation.

When these criteria can be met, please apply for a Temporary Dwelling Permit with the Lake County Community Development Department so that we can coordinate the necessary health and safety inspections and authorize electrical service for your temporary dwelling. You can obtain a copy of the permit application form and submit it our office in the Courthouse between 1 and 5 pm Monday through Friday. The form can also be downloaded at:

www.co.lake.ca.us/Government/Directory/Community_Development/Valley_Fire_Information.htm

There is no fee for the permit, which will provide for the following minimum inspections to be completed prior to occupancy:

- a. Verification that unsafe conditions do not exist at the site for the recreational vehicle or manufactured home installation based upon the above stated criteria.
- b. Temporary electrical service.
- c. Inspection of electrical, water and sewer connections to the unit.
- d. Sites with on-site sewage disposal systems also need to be inspected by the Lake County Environmental Health Division to verify that the system was not damaged by the fire.

For those whose properties cannot currently meet the above minimum health and safety criteria, other options are being considered, such as placement of your temporary dwelling on another property owned by a friend or relative within the southern portion of the county, and development of small group sites on larger parcels. Please contact us at 707-263-2221 to discuss possible alternatives. We will do our best to assist you in finding an alternative solution.

Lake LAFCO

2016 Regular Meeting Schedule

3rd Wednesday at 9:30 AM**Regular Meeting Dates:****Alternative Meeting Dates (only as needed):****January 20 Clearlake***February 17**Lakeport***March 16 Lakeport***April 20**Clearlake***May 18 Clearlake***June 15**Lakeport***July 20 Lakeport***August 17**Clearlake***September 21 Clearlake***October 19**Lakeport***November 16 Lakeport***December 21**Clearlake*

Regular meetings of the Commission are scheduled for the third Wednesday of every month at 9:30 a.m. in the Lakeport City Council Chambers, 225 Park St, Lakeport, California or the Clearlake City Council Chambers 14050 Olympic Dr. Clearlake, California. The specific location of each meeting shall be in accordance with the meeting schedule adopted at the January LAFCO meeting. Alternative meeting dates shall remain on the schedule and shall be considered regular meeting dates. For meetings in Lakeport, if the Lakeport Council Chambers are not available, the meeting will occur at the Lake County Board of Supervisor's Chambers, 255 N. Forbes St. Lakeport, CA. The Commission may, at its own discretion, meet at a different time or place from time to time, provided that public notice of such time and place is given in accordance with the Open Meeting Law, Government Code Section 54954 and applicable provisions of the LAFCO Act.

The Chair or Executive Officer may call a special meeting of the Commission. The Chair shall call a special meeting if requested by two or more Commissioners. Any special meetings of the Commission shall be called in the manner provided by Section 54956 of the Government Code. The order calling the special meeting shall specify the time and place of the meeting and the business to be conducted and no other business shall be conducted at that meeting. The special meeting may be called for any day prior to the date established for the next regular meeting of the Commission.