

LOCAL AGENCY FORMATION COMMISSION OF LAKE COUNTY
MINUTES OF MEETING
November 14, 2012

PRESENT:

Marc Spillman, Public Member
Jim Abell, Special Districts Member
Suzanne Lyons, City Member
Jim Comstock, County Member
Denise Rushing, County Member
Gerry Mills, Special District Member
Jeri Spittler, City Member

ALSO PRESENT:

Jeff Smith, County Alternate
Scott Browne, Legal Counsel
John Benoit, Executive Officer
Lora Ceccon, Clerk

1. Call to Order/Roll Call

The meeting was called to order at 9:40 a.m. There was a quorum present.

2. Approval of Minutes

S. Lyons stated that the word city should not be capitalized under item 6. When mentioned in general terms the word does not need capitalization.

Commissioner J. Comstock moved to approve the September 5, 2012 minutes with the above noted correction, second by Commissioner D. Rushing; motion carried.

- 3. Public Comment** – Mike Dunlap questioned whether or not Lafco should be suggesting to a department chair that he ask that his department not be under the purview of Lafco. Scott explained that there are some agencies subject to Lafco purview and some agencies are not, and then there is a gray area. An agency can come to Lafco and ask the Commission to decide whether they are subject to Lafco or not, and that is what this is referring to. Mr. Dunlap asked when this issue would be before Lafco, and John responded when an application is received. Mr. Dunlap asked to be included on the mailing list so that he will know when the subject is scheduled for review. He will be speaking against it. He will provide John with three e-mail addresses.

Ms. Cawn stated that Lafco has the obligation, legal requirement and means to do a Watershed Protection District MSR and she is asking Lafco to do so.

4. Consent Agenda

Commissioner J. Comstock moved to authorize payment of the September and October 2012 expenses, second by Commissioner J. Spittler; motion carried.

5. 9:55 a.m. - Closed Session – Significant Exposure to Litigation Pursuant to Gov. Code Section 54956.9(b)(1) – One Potential Case.

Break – 10:45 a.m. – 10:53 a.m.

6. Report from closed Session

S. Browne stated that no reportable action was taken in closed session.

7. Review and Discuss CEQA alternatives when LAFCo acts as a CEQA lead agency and discussion of direction on how the Commission wishes to proceed.

John reviewed the six CEQA policy alternatives. A lengthy discussion followed regarding the alternatives and the possibility of the two entities (County and City of Lakeport) meeting to come up with a solution. S. Browne stated that Lafco can exercise its prerogative to urge agencies to sit and talk. The Lafco Chair can send a letter to the two agencies asking them to work together on a solution.

The consensus of the Commission was to take no action at this time until a meeting is held, and to send a letter urging the two entities to meet at a neutral venue with a neutral facilitator. J. Smith suggested a venue that has the capacity to televise the meeting.

8. Policy Discussion Concerning Disadvantaged Unincorporated Communities.

J. Benoit provided the Commission with a recommended policy implementing California Government Code 56375(a)(8)(A). He stated that the legislature will be taking up this item again in the next session and further changes will be made. The Commission may want to hold off on adopting a policy at this time. Discussion followed.

The consensus of the Commission was to not take any action regarding a policy at this time.

9. Municipal Service Review Outline for Watershed and Water Resource Services

J. Benoit provided a table of contents, outlining what would be included, for the Commissions review and consideration. The purpose of the document is to provide clarity on who does what.

Ms. Cawn spoke on the need for a watershed MSR. Members agreed that the outline looks good.

10. Discussion of the Calafco Annual Conference held in October 2012

John reviewed the Executive Officer's memorandum regarding the CALAFCO 2012 annual conference. A legislative update is included with the memorandum. Next year's conference will be held in September at the Inn at Squaw Creek.

11. Executive Officer's report

- a. Legislative Report – included with packet
- b. Clearlake MSR and Sphere – work has begun; John will attend Clearlake City Council meeting
- c. Lacosan SOI – out for review
- d. Clearlake Oaks MSR and SOI – meeting today; some changes to be made
- e. Callayomi Co. WD MSR and SOI – information is slowly coming in

12. Commissioner reports

G. Mills mentioned attending the Fire Chiefs meeting and letting them know that this is an avenue for them to voice their concerns.

S. Lyons stated that a new vice chair will need to be chosen. Also, that each time we come to a meeting here, the internet can't be accessed.

The meeting was adjourned at 12:09 p.m.