

Lake Local Agency Formation Commission

Regular Meeting Agenda

September 21, 2016 -- 9:30 am

City of Clearlake – City Council Chambers

14050 Olympic Dr. Clearlake, California

Website: www.lakelafco.org

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

Commissioners

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

Commission Alternate Members

Jeff Smith (County Alternate)
Bruno Sabatier (City Alternate)
Victoria Brandon (Spec. District
Alternate)
Suzanne Lyons (Public Alternate)

Staff

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

- 1. Call to Order – Roll Call**
- 2. Approval of Minutes** – July 20, 2016 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 July and August 2016

PUBLIC HEARING

5. Public hearing regarding a Service Review and Sphere of Influence update for the Lake County Vector Control District.

- a. *Receive Executive Officer's report, conduct public hearing and consider Resolution 2016-0010 adopting a Service Review for the Lake County Vector Control District.*
- b. *Receive Executive Officer's report, conduct public hearing and consider Resolution 2016-0011 updating a Sphere of Influence for the Lake County Vector Control District.*

OTHER BUSINESS

6. Review Lake LAFCo's conflict of interest code and authorize Executive Officer to sign and file the 2016 Local Agency Biennial Notice for filing.

- a. *Review Lake LAFCo's Conflict of Interest and authorize chair to sign the 2016 Biennial Notice for filing*

7. Executive Officer's report

*Two Annexations to Finley Water (CSA #5)
Annexation and SOI Amendment to Spring Valley (CSA #2, Distribution Upgrades)
Consolidation of CSA #16 (Paradise Cove) and Clearlake Oaks County Water District.
Upper Lake & Callayomi Water District Annexations
MSR and SOI: Adams Springs, Street Lighting Districts, HVLCSO, Kelseyville County Water District.
CALAFCo Conference*

8. 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.

9. Correspondence

Calafco Report to the Little Hoover Commission – August 2016 *(posted on the LAFCo Website as Little Hoover Commission: Calafco Testimony)*

10. Adjourn to LAFCO's next regular meeting: Wednesday November 16 , 2016 in Lakeport.

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 area 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 FORMATION COMMISSION

MINUTES

July 20, 2016

REGULAR MEETING

Present:

Stacey Mattina, Chair
Anthony Farrington, County Member
Ed Robey, Public Member
Allen Gott, Special District Member
Gerry Mills, Special District Member
Joyce Overton, City Member
Bruno Sabatier, City Alternate
Victoria Brandon, Special District Alternate
Jeff Smith, County Alternate
Suzanne Lyons, Public Alternate

Staff Present:

John Benoit, Executive Officer
P. Scott Browne, Legal Counsel

Absent: Jim Comstock, County Member.

1. Call to Order – Roll Call

Chair Mattina called the meeting to order at 9:30 a.m. in the City of Lakeport Council Chambers. EO introduced newly elected Special District Representatives as follows: Commissioner Allen Gott, from the Redbud Healthcare District, and Commissioner Victoria Brandon, Special District Alternate, from the Lake County Resource Conservation District.

2. Election of Chair and Vice-Chair for 2016-17

Commissioner Robey nominated Commissioner Mattina for Chair and Commissioner Mills for Vice-Chair. Chair Mattina asked if there were other nominations. None were heard.

Motion by Commissioner Robey, seconded by Commissioner Farrington to elect Commissioner Mattina to serve as Chair and Commissioner Mills to serve as Vice-Chair of Lake County LAFCo for 2016-17. Motion carried.

3. Approval of Minutes

Motion by Commissioner Farrington seconded by Commissioner Overton to approve the Minutes of the May 18, 2016 Regular Meeting, as corrected (typo on page 3, item 8 re: Staff Report from Calafco Annual Conference date, should read 2016, not 2015). Motion carried.

4. Public Comment – None.

5. Consent Agenda

Motion by Commissioner Robey, seconded by Commissioner Farrington to authorize payment of expenses for May and June 2016. Motion carried.

6. Workshop regarding Service Review and Sphere of Influence Update for the Lake County Vector Control District.

Present: Jamesina J. Scott, Ph.D., District Manager and Research Director, Lake County Vector Control District

EO presented Report, and credited Dr. Scott for her assistance in providing comprehensive information. He stated that the District provides critical services to Lake County and he found the District to be very competent in the performance of their duties.

EO advised the draft report concludes existing LCVCD boundaries and Sphere of Influence should remain as is, i.e. coterminous with County boundaries.

Commissioner Brandon referred to page 12 of the Draft Report which states that if the zoning amendment and general plan amendment are approved, the District can begin to develop specific plans for the Esplanade facility, noting that since it has been denied, the section should be revised.

Commissioner Brandon also asked Dr. Scott about the term "sentinel chicken flock". Dr. Scott explained that it is a flock put out in specific locations and monitored by the district for testing purposes.

EO spoke briefly to the City's denial of the amendment, noting that the City Council denied the amendment as it was not in compliance with the General Plan.

Dr. Scott was asked what impact this action will have on the District's plans for the Esplanade Facility.

Dr. Scott responded that the District was surprised by the action. She stated that the District was handling the process as an administrative procedure, working with City staff, etc. and their recommendation to the Council was to approve the Zoning and General Plan amendment. She noted that the amendment had already passed through the Lakeport Planning Commission, but when it came time for the Public Hearing the City Council took input from some citizens who had a different opinion so the Council denied the amendment.

As far as impact on services, Dr. Scott said the district has been carrying out duties at the Esplanade Office since 1948 and though the denial has caused a rework of prioritization, at present the District is finishing up work on a storage facility with workshop space at the Todd Road location. She explained that the District still continue working on a long-term plan for the Esplanade site, will continue to provide services, and will continue to utilize State support for testing services.

Commissioner Mills asked Dr. Scott about the future of the Esplanade Facility upgrade. Dr. Scott responded at present the facility is deemed legal non-conforming which would allow some improvements within the City Code, but right now most of the District's funds are tied up in the Todd Road improvement project, once that is complete the District can begin to accumulate funds to either make improvements to Esplanade or go with another alternative.

Commissioner Mills asked how important is it to have that facility on the lake vs. having it at Todd Road? Dr. Scott responded that about six years ago the District looked into the possibility of relocating the Agency to the Todd Road site. She explained that because the site has been excavated for ponds in the past the soil lacks adequate compaction to accommodate a sewer/septic that would meet the capacity of all the employees, further, part of the site is in a flood zone. Dr. Scott noted that since relocation is a long-term project the District wants to ensure the best use of funds wither making improvements to the existing facility or relocating.

Commissioner Gott spoke to the recently released Lake County Grand Jury Report, which contained a section on LCVSD, noting that most of the issues addressed in the report were determined either to be unfounded complaints or, adequate responses were provided by the District, but it did point out that the District needs to educate/ interact more with the community. Dr. Scott acknowledged this and provided recent examples positive community interaction.

Commissioner Farrington asked about the septic issue at the Todd Rd facility, specifically if they were able to bring in fill accommodate a septic system. Dr. Scott restated that due to previous excavations at the site, the Todd Rd. facility cannot accommodate anything larger than the small system they have for the workshop.

Commissioner Farrington stated that he spoke with a LCVCD board member who mentioned one option for the Esplanade Road Facility was making it a two-story structure. Dr. Scott responded that the idea was brought up as a possible solution to improving the facility, but it was not pursued as they didn't think a two story project would be consistent with the surrounding residential areas, would not be well received by neighbors and would obstruct lake views.

Chair Mattina stated that the City Council is happy to have the district there but wants to preserve the lakefront and views of the lakefront for everyone.

Commissioner Sabatier asked how Lake County is preparing to deal with the Zika Virus. Dr. Scott responded that the State has developed a model program for the Districts and that Lake County has plans in place. However, she cautioned that this type of mosquito is much harder to defend against.

Commissioner Robey suggested the Draft Report either be amended or annotated to reflect the City Council's action on the zoning amendment. EO to revise section on page 12 and back for final approval.

The Commission complimented both the EO and VC District Mgr. for their cooperative efforts in producing the report. Commissioner Lyons added that agency and district cooperation also reduces preparation costs significantly.

7. Authorize Commissioners and staff to attend the Calafco Annual Conference in Santa Barbara October 26-28 2016

EO stated that the Commission budgeted for two attendees. Discussion was held. Commissioners Sabatier and Gott to attend. Commissioner Overton noted that when she was an alternate the option to attend was not offered to alternates. Chair Mattina stated that authorization could be revised to send another attendee. Commissioner Overton declined but stated she may opt to attend and if so she will talk to EO. EO stated at least the registration fee

for a third attendee could be covered. EO asked for clarification that the authorization to attend included staff. Chair responded affirmatively.

8. Calafco Achievement Award Nominations

Commission discussed the Achievement Award criteria. Commissioner Smith recommended Commissioner Robey be nominated. Commission members concurred, except Commissioner Robey, who abstained. Chair directed EO to prepare nomination form for submission to Calafco.

9. Calafco 2016-17 Nominations for Calafco Board of Directors - None were heard.

10. LAFCo Bylaw amendment adding Section 5.11 to the Lake LAFCo Bylaws re: Legislative Process participation.

Motion by Commissioner Robey, seconded by Commissioner Overton to adopt Resolution 2016-0009 amending Lake LAFCo's Bylaws to include a Legislative Process Policy. Motion carried.

11. Executive Officer's Report

- SB-1318 (Wolk) Local government: drinking water infrastructure or services: wastewater infrastructure or services (discussed by Commission in March and May) EO reported that the proposal to include an amendment to CA Govt. Code §56653 failed.
- Paradise Cove Project annexation to Clearlake Cove Water District.
- Service Reviews for various districts.

Commissioner Robey commented on the complex issue of Service Reviews for districts impacted by the Valley Fire.

Commissioner Brandon offered to bring the information re: proposed amendment to GC§56653 to Assembly candidate Cecilia Aguilar-Curry for discussion. Counsel to provide information to Commissioner Brandon.

12. Commissioner Reports - None.

13. Correspondence

EO reported on correspondence from Caltrans re: anticipated highway work around Highway 29.

14. Meeting adjourned at 10:23 a.m.

Next regular meeting: Wednesday September 21, 2016 in Clearlake.

By: _____
Kathleen Moran, Clerk

Lake Local Agency Formation Commission

CLAIMS

July 2016 and August 2016

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
Aug 1, 2016	Staff Services July 2016	\$ 4,590.67
Aug 1, 2016	Special Projects –July 2016	
	Misc VCMSR SOI	\$ 1,266.89
July 20, 2016	Commission Mtg. Stipend	\$ 600.00
6.16-15 to 7.15.2016	Browne- Legal	\$ 525.00
Sept 1, 2016	Staff Svcs Aug 2016	\$ 4,590.67
Sept 1, 2016	Special Projects	
	MSR SOI misc	\$ 990.00
7.16-16 to 8.15-16	Browne Legal	\$ 1,837.00
Aug 15, 2016	Calafco Reg Sabatier&Gott	\$ 920.00
Aug 15, 2016	Public Notice VCD MSR-SOI	\$ 70.34
TOTAL:		\$ 15,690.37

DATED: Sept 21, 2016

APPROVED: Sept 21, 2016

Stacey Mattina, Chair or Gerry Mills, Vice-Chair
Lake Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

c/o John Benoit, Executive Officer P.O. Box 2694, Granite Bay, CA 95746
(707) 592-7528 ph. (916) 797-7631 fax.

Lake LAFCo
September 21, 2016

Memorandum

TO: LAFCo Commission

FROM: John Benoit, Executive Officer

RE: Lake County Vector Control District Errata and Recommendation

In July you received a copy of the MSR-SOI for the Lake County Vector Control District. PLEASE BRING THIS COPY WITH YOU TO THE SEPTEMBER 21ST MEETING.

Errata:

There are three corrections needed for this draft.

1. On page 10 fifth paragraph down and first sentence: The word "*the*" is to be eliminated.
2. On page 12 bottom of the page delete the words: "*If the zoning amendment and general plan amendment are approved*"

Add the following:

"Although denied by the City the LCVCD staff is planning to meeting the neighbors this fall to further discuss the Esplanade facility in hopes of gaining support to revisit the general plan and zoning. Should the general plan and rezoning be approved,"

3. On page 20 under 7.3.3 eliminate the words "*if of*" and replace with "*is*"

Recommendation:

Staff recommends the Commission adopt he following:

- a. Consider Resolution 2016-0010 adopting a Service Review for the Lake County Vector Control District.
- b. Consider Resolution 2016-0011 updating a Sphere of Influence for the Lake County Vector Control District.

Resolution 2016-0010 of the

Lake Local Agency Formation Commission

*Approving a Service Review of Services Provided by the Lake County Vector Control District and
Adopting Written Determinations Thereon*

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission ("LAFCO") adopt and periodically review Sphere of Influence Plans for all agencies in its jurisdiction; and,

WHEREAS, California Government Code Section 56430 requires that a LAFCO conduct a review of the services provided by and within an agency prior to updating or adopting its Sphere of Influence Plan; and,

WHEREAS, if circumstances or conditions change with respect to the Sphere of Influence for the Vector Control District, an updated Service Review will need to be prepared within five years of adoption of this resolution.

WHEREAS, the Sphere of Influence Plan is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO; and,

WHEREAS, on April 17, 2002, the Commission adopted its Work Plan and included a schedule for initiation of Service Reviews (MSRs) and Spheres of Influence and has implemented that schedule as able given budget constraints; and

WHEREAS, the Commission adopted guidelines for conducting MSRs, which applies to this MSR for services provided by the Lake County Vector Control District; and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission for services provided by the Lake County Vector Control District, including approval of the report and adoption of the written determinations contained therein; and,

WHEREAS, the Commission hereby determines that the hearing draft of the Service Review for services provided by the Lake County Vector Control District and written determinations contained therein will provide information for updating the Sphere of Influence for the Lake County Vector Control District, and is otherwise consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities; and,

WHEREAS, in making this determination, the Commission has considered the documentation on file in this matter; and,

WHEREAS, the Commission has considered oral and written testimony at public hearing on September 21, 2016; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing; and

NOW, THEREFORE, the Lake Local Agency Formation Commission hereby resolves, orders and determines the following:

- 1) The Service Review for Services provided by the Lake County Vector Control District, attached hereto as Exhibit A, is approved and the written determinations presented in the Service Review report are hereby adopted.
- 2) Direct staff to prepare a final Vector Control District MSR per the direction of the Commission after the conclusion of the public hearing.
- 3) LAFCO staff is further ordered to forward copies of this resolution containing the adopted Service Review to the Lake County Vector Control District.

The foregoing resolution was duly passed by the Lake Local Agency Formation Commission at a regular meeting held on September 21, 2016 by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this 21st day of September 2016.

Stacey Mattina, Chair or Gerry Mills, Vice-Chair

Lake LAFCO

Attest:

John Benoit, Executive Officer
LAKE LOCAL AGENCY FORMATION COMMISSION

LAKE LOCAL AGENCY FORMATION COMMISSION

*A Resolution Making Determinations and Approving A Sphere
of Influence Update for the Lake County Vector Control District*

WHEREAS, Government Code Section 56425 requires each Local Agency Formation Commission to adopt and periodically review and update a sphere of influence for each local governmental agency within its jurisdiction; and

WHEREAS, the Lake Local Agency Formation Commission, in compliance with the aforementioned requirement, is providing a "plan for the probable physical boundaries and service area" for the Lake County Vector Control District; and

WHEREAS, the Commission has set the initial hearing date of September 21st, 2016 for the update of the Sphere of Influence for the Lake County Vector Control District and has noticed this hearing at the times and as otherwise prescribed by Government Code Section 56427, *et seq.*; and

WHEREAS, the Commission has heard and adopted a Municipal Services Review of services provided by the Lake County Vector Control District in accordance with Gov. Code section 56430; and

WHEREAS, the Commission has reviewed and considered the proposed Sphere of Influence update report and the proposed Sphere of Influence Update map which are attached hereto and incorporated herein; and

WHEREAS, Lake LAFCO prepared and a notice of exemption for such action; and

WHEREAS, the Commission has considered those factors determined by it to be relevant to the proposed Sphere of Influence update, including, but not limited to, those factors specified in Government Code Section 56425, *et seq.*, and has heard from interested parties and considered requests for amendment and/or revision of the proposed updated sphere boundary, if any;

NOW, THEREFORE, BE IT RESOLVED that the Lake Local Agency Formation Commission does hereby find and determine as follows:

1. That the proposed sphere of influence update with respect to the Lake County Vector Control District complies with the provisions of Government Code Section 56000, *et seq.*
2. The Commission hereby adopts a Sphere of Influence for the Lake County Vector Control District. This sphere is to be countywide.
3. That, pursuant to Government Code Section 56425, the Commission makes and adopts those determinations set forth in the Sphere of Influence Study are attached hereto and incorporated herein.
4. The Commission has reviewed and adopts a Notice of Exemption prepared for this Sphere of Influence update and makes a specific finding that there is no substantial evidence in light of the whole record before Lake Local Agency Formation Commission that this Sphere Update for the Lake County Vector Control District may have a significant adverse effect on the environment.

5. Pursuant to Government Code Section 56425 (i) the Lake County Vector Control District is authorized to provide services within the territory set forth in Attachment "A" (countywide).
6. That the Sphere of Influence Update Report, Executive Officer's Report, and Map for the Lake County Vector Control District and updated Sphere is hereby adopted and approved as set forth in Attachment "A".

The foregoing resolution was duly passed by the Lake Local Agency Formation Commission at a regular meeting held on September 21st, 2016, by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this 21st day of September 2016.

LAFCO

Stacey Mattina, Chair or Gerry Mills, Vice-Chair, Lake

Attest:

John Benoit, Executive Officer
LAKE LOCAL AGENCY FORMATION COMMISSION

NOTICE OF EXEMPTION

TO: County Clerk
County of Lake
Lakeport, CA

FROM: Lake LAFCO
P.O. Box 2694
Granite Bay, CA 95746

PROJECT TITLE: Sphere of Influence Update: *Lake County Vector Control District*

PROJECT LOCATION: Entire Lake County

DESCRIPTION OF PROJECT:

The proposed project involves the determination of a Sphere of Influence Update for the Lake County Vector Control district with the same boundary as currently exists.

NAME OF PUBLIC AGENCY APPROVING PROJECT:

Lake Local Agency Formation Commission

NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT:

Lake Local Agency Formation Commission

EXEMPT STATUS:

Class 20 Categorical Exemption, "Changes in Organization of Local Agencies," CEQA Guidelines Section 15320, Changes in Organization of Local Agencies and 15061b (3) General Rule Exemption.

REASONS WHY THIS PROJECT IS EXEMPT:

This action is Exempt from the California Environmental Quality Act pursuant to Section 15320 of the CEQA Guidelines (Class 20) as the Sphere of Influence Update would not result in any change in services since the district already serves its respective Sphere of Influence territory and 15061 b(3) whereby this activity is covered by the general rule that CEQA applies only to project which have the potential for causing a significant effect on the environment. Since this Sphere of Influence Update is only affirming existing functions, there is no possibility that this activity may have a significant effect on the environment since the services are already provided and no conditions have changed nor could be changed as a result of affirming the existing Sphere of Influence.

CONTACT PERSON:
John Benoit
LAFCO Executive Officer

TELEPHONE NUMBER:
(707) 592-7528

By: _____

Date: Sept 21, 2016

Lake Local Agency Formation Commission

Memorandum

September 21, 2016

TO: LAFCo Commissioners

FROM: John Benoit, Executive Officer

SUBJECT: Conflict of Interest Code Review.

Attachments: Lake LAFCO's Conflict of Interest Code
2016 Local Agency Biennial Notice

Government code section 87300 et. seq. (the Political Reform Act) requires each local government agency to maintain a conflict of interest code and update it to reflect changes that occur in the organization of an entity. The Local Agency Formation Commission (as well as other local agencies) is required to review and possibly amend its Conflict of Interest code on even-numbered years. A biennial notice is normally sent out by the County Clerk or other official designated by the Board of Supervisors during the summer of even numbered years to each agency required to review its Conflict of Interest Code. After review or approval of the Conflict of Interest Code, LAFCO is required to submit any proposed changes to the Board of Supervisors acting as the code reviewing body.

Government code section 87311 requires review of a conflict of interest code to be carried out under procedures which guarantee to officers, employees, members and consultants of the agency and to residents of the County adequate notice and a fair opportunity to present their views. A conflict of interest code was adopted on March 20, 2002. To engage the public, a notice of Public Hearing was published prior to LAFCO adopting amending its conflict of interest code (which was included in LAFCO's Bylaws). Since that time LAFCO has found no amendments to that code necessary.

Recommendation:

Direct the Executive Officer to sign and transmit the 2016 Local Agency Biennial Notice to the County Clerk (or person designated by the Board of Supervisors) declaring LAFCO has reviewed its Conflict of Interest code and no amendment is required at this time.

John Benoit, Executive Officer johnbenoit@surewest.net
P.O. Box 2694 Granite Bay, CA 95746
(707) 592-7528 ph. (916) 797-7631 fax.

Lake County
Local Agency Formation Commission

Conflict of Interest Code

The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted Title 2, California Code of Regulations, Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings conducted by the Fair Political Practices Commission. Therefore, the terms of Title 2 California Administrative Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the following list of designated and disclosure requirements constitute the Conflict of Interest Code of the Local Agency Formation Commission of Lake County.

Designated officers and employees shall file Statements of Economic Interest (Form 730) with LAFCO, who will retain copies, and forward the original Statements for all Commissioners and the Executive Officer to the Lake County Clerk. The original statements for all other designated employees will be retained by LAFCO.

Designated Employees and Disclosure Requirements

Designated officers and employees include the following:

- A) All members and alternate members of this Commission
- B) The Executive Officer
- C) Legal Counsel to the Commission
- D) Consultants employed by the Commission. The Chair of the Commission may determine in writing that a particular consultant, although a "designated employee," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this Code. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. Such determination shall be a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Designated employees and officers shall disclose the following:

All investments, sources of income or interests in real property within the Lake Local Agency Formation Commission jurisdiction and business positions in which the designated employee or officer is a director, officer, partner, trustee, employee or holds any position of management, and which business does any contracting with the Local Agency Formation Commission, or which is located within the Local Agency Formation Commission jurisdiction.

2016 Local Agency Biennial Notice

Name of Agency: Lake LAFCo

Mailing Address: P.O. B. 2694 Granite Bay, CA 95746

Contact Person: John Benoit Phone No. 707.592.7528

Email: johnbenoit@surewest.net Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

☐ **An amendment is required. The following amendments are necessary:**

(*Check all that apply.*)

- ☐ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☐ Other (*describe*) _____

☐ **The code is currently under review by the code reviewing body.**

☒ **No amendment is required.** (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

9.21.16

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2016**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.