

Lake Local Agency Formation Commission

Regular Meeting Agenda

Wednesday September 15, 2021 -- 9:30 am

This will be a Physical Meeting at the City Council Chambers in CLEARLAKE
(A Zoom option is available)

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”

The complete agenda, including backup materials and materials related to items on this Agenda submitted to the Commission after distribution of the Agenda Packet, is available for public inspection on the Lake LAFCo website. Agenda materials are also available on the Lake

LAFCo website at www.lakelafco.org

John Benoit is inviting you to a scheduled Zoom meeting.

Topic: Lake LAFCo

Time: Sep 15, 2021 09:30 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86148167796?pwd=TWVJSU5PMnZUTVA1dUhxZ1RxbjJFQT09>

Meeting ID: 861 4816 7796

Passcode: 499673

One tap mobile

+16699006833,,86148167796#,,,*499673# US (San Jose)

+12532158782,,86148167796#,,,*499673# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

Meeting ID: 861 4816 7796

Passcode: 499673

Find your local number: <https://us02web.zoom.us/u/kee7ldwXWb>

If you have any problems dialing in call LAFCo at (707) 592-7528

This meeting is also being agendized to allow staff and the public to participate via teleconference, pursuant to the Governor's Executive Orders These Executive Orders authorize local legislative bodies to hold a public meeting via teleconference or other electronic means and to make public meetings accessible to telephonically to all members of the public and staff in effort to observe Social Distancing Recommendations in effect for the entire country.

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

Commissioners

Commission Alternate Members

Dirk Slooten, (City)

Victoria Brandon (Spec. District Alternate)

Stan Archacki, (Special Dist.)

Suzanne Lyons (Public Alternate)

Jim Scholz (Special District)

Tina Scott (County Alternate)

Ed Robey, (Public Member)

Russ Perdock (City Alternate)

Moke Simon, (County)

Bruno Sabatier Chair (County)

Stacey Mattina Vice Chair (City)

Staff

John Benoit, Executive Officer

P. Scott Browne, Legal Counsel

Kathleen Moran, Clerk-Analyst

1. Call to Order – Roll Call

2. Approval of Minutes – July 21, 2021

Action: Approve July 21, 2021 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

a. *Review and authorize payment of expenses for July and August 2021.*

5. LAFCo Policy Amendment regarding proposed a Voluntary Indemnification Agreement policy and agreement to pay fees to be added to LAFCo's Policies, Standards and Procedures.

a) *Receive Report from Counsel*

- b) *Consider Resolution 2021-0008 Amending LAFCo Policies to include a policy regarding voluntary indemnification and agreement to pay LAFCo fees.*

Public Hearing re: Cemetery Districts MSR and SOI

6. Public Hearing regarding the Lake County Cemetery Districts MSR and SOI Update

- a) *Conduct public hearing regarding the MSR and SOI for the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts.*
- b) *Consider Resolution 2021-0009 adopting a Service Review for the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts.*
- c) *Consider Resolution 2021-0010 adopting a Service Review for the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts.*

7. Continued discussion regarding Domestic Water Providers in Clearlake and first DRAFT MSR and SOI

- a. *This item is a continued discussion of issues related to the provision of domestic water services within the City of Clearlake and provide further direction regarding the Sphere of Influence for the provision of water services within the City.*

8. Executive Officer' s report.

- a. *South Lakeport Annexion update*
- b. *Upper Lake area MTBE (Methyl tert-butyl ether) Drinking Water Contamination*

9. LAFCo Counsel's report

10. 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.

11. Correspondence:

- a. *Calafco Conference for October 6-8 has been cancelled, Elections and Future Conferences*

12. Adjourn to LAFCO's next regular meeting: Wednesday November 17th , 2021 9:30 AM 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 jbenoit4@icloud.com. Agenda packets are located on the Lake LAFCO Webpage at www.lakelafco.org

LAKE LOCAL FORMATION COMMISSION
MINUTES
July 21, 2021

2

Members Participating

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

Staff Participating

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

Absent: Moke Simon, Vice-Chair/County Member, Tina Scott, County Alternate, Suzanne Lyons, Public Member Alternate.

Also present: Frank Costner, Manager, Konocti County Water District (via Zoom)

1. Call to Order - Chairman Sabatier called meeting to order at 9:37 a.m. in the City Council Chambers, City of Lakeport.

2. Election of Chair and Vice-Chair for FY 2021-2022

Motion by Commissioner Slooten, second by Commissioner Robey to elect Commissioner Sabatier as Chair of Lake County LAFCo for FY 2021-22. Motion carried by the following vote:

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

Motion by Commissioner Slooten, second by Commissioner Robey to elect Commissioner Mattina as Vice-Chair of Lake County LAFCo for FY 2021-22. Motion carried by the following vote:

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

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

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

4. Appoint Suzanne Lyons to serve as LAFCo Public Member Alternate, term ending in May 2024.

Motion by Commissioner Mattina, second by Commissioner Archacki to appoint Suzanne Lyons to serve as Public Member Alternate, term ending May 2024. Motion carried by the following vote:

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

5. Public Comment – None.

6. Consent Agenda

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

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

7. Continued Discussion of Domestic Water Providers in Clearlake

EO reviewed additions made to the Preliminary MSR Determinations from the May 19th meeting which now appear in bold type in the report. EO stated that there is a fire flow problem and although some have been correcting, it is still low. He stated that the land use authority in this matter is the City of Clearlake. He noted that instead of a JPA as was discussed, a development review committee could be formed with input from water, fire and other pertinent entities so that everyone involved knows what the requirements are and can have input from their perspectives. Regarding the service consolidation, voters should have the final say and there needs to be an analysis on who the optimum water provider is. Discussion was held on intertie agreements. Discussion was held on the use of lake water, with Mr. Costner noting that there is an extreme problem with algae in the lake water this year. He has applied for emergency grant funds and is reporting weekly to the state. He stated that Lakeport is on well water right now and as the water gets shallower the algae makes it worse. Commissioner Slooten spoke to Golden State's proposed rate increase. Discussion was held. EO suggested continuing the discussion to the September 15th meeting in Clearlake meeting so all stakeholders can be involved.

Present: Suzanne Lyons, Public Member Alternate (via Zoom)

8. Workshop on Proposed Policy Amendment re: Voluntary Indemnification Agreement policy and agreement to pay fees to be added to LAFCo's Policies, Standards and Procedures.

In a related on-going policy matter, Mr. Browne explained that LAFCo does not have an expiration date policy in place for those applications that are deemed incomplete with notice given but no response or action is received. Mr. Browne recommends that for those applications if no action is taken within two years, the application should be terminated. Commissioners agree. Draft policy to be placed on an upcoming agenda, along with the LAFCo proposed indemnification policy and agreement to pay fees. Both items will be brought back for consideration/action.

9. Workshop for the Lake County Cemetery Districts MSR and SOI for the Glenbrook Hartley, Kelseyville, Lower Lake, Middletown, and Upper Lake Cemetery Districts.

EO noted that it has been difficult to obtain information from some of the districts as they have very limited resources. However, all information obtained has been reviewed. EO stated that consolidating any of these districts would not solve any of the problems. The districts have very dedicated and experienced managers who really care about what they are doing. Brief discussion is held. The MSR and SOI will be on the next agenda for public hearing and consideration to adopt.

10. Authorize Commissioners to attend the CALAFCo Annual Conference in Newport Beach October 6-8, 2021

EO stated that if Commissioners were interested in attending, to please let him know.

11. Discussion on the future use of Zoom and meeting technology for LAFCo meetings

This is a relevant topic because of COVID and in light of changing Executive Orders from the state regarding remote meetings. EO stated that there is a great advantage to offering a Zoom option, and he is hoping for some rule changes to make the option permanent. Commissioners agree it is a good option for the public and participants as it is cost effective and increases accessibility.

Present: Kevin Ingram, City Manager, City of Lakeport

12. Executive Officer's Report

a. South Lakeport Annexation update on draft tax agreement. Consultant has prepared a Resolution, now under review by legal counsel and is moving forward.

Mr. Ingram agreed with Mr. Benoit. He stated that agreement is closer now than ever, that the points being mulled over now are not substantive and the Resolution will be ready to present soon.

b. Upper Lake area MTBE Drinking Water Contamination remarks

13. LAFCo Counsel's Report. Mr. Browne reported that he has been continuing to deal with fallout from the San Luis Obispo case, but there is nothing new to report.

14. Commissioner Reports - none

15. Correspondence – none

10:50 a.m. Meeting adjourned.

Next regular meeting: Wednesday September 15, 2021, at 9:30 a.m. in Clearlake and accessible through the Zoom app.

By: Kathleen Moran, Clerk

Lake Local Agency Formation Commission

4

CLAIMS July and August 2021

Expenses for FY 2021-2022:

<u>Date of Claim</u>	<u>Description</u>	<u>Amount</u>
6.16.21 - 7.15.21	Browne Legal	\$ 1,837.00
July 21, 2021	Meeting Stipend	\$ 540.00
August 1, 2021	Staff Svcs July 2021	\$ 5,197.67
7.16.2021 - 8.15.21	Browne Legal	\$ 1,837.00
August 1, 2021	Staff Svcs Augst 2021	\$ 5,535.17
July 1, 2021	MSR and SOI Spec Project	\$ 4,965.00
TOTAL:		\$ 19,911.84

DATED: September 15, 2021

APPROVED: September 15, 2021

Bruno Sabatier, Chair
Lake Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

Resolution 2021-0008
of the
Lake Local Agency Formation Commission

*A Resolution of the Lake Local Agency Formation Commission
Amending its Policies, Standards and Procedures to include a policy regarding
Indemnification Agreements*

RESOLVED, the Lake Local Agency Formation Commission in the County of Lake, State of California, that

WHEREAS, policies, standards and procedures are necessary to guide the Lake Local Agency Formation Commission in making determinations on future projects; and

WHEREAS, the Commission has reviewed, revised and updated the policies, standards and procedures adopted by LAFCO on September 16, 2020; and

WHEREAS, In July 2021, the Commission conducted a workshop regarding the proposed Policies, Standards and Procedures amendments to include a policy regarding *Indemnification Agreements*; and

WHEREAS, this Commission called for and held a meeting on this Policies, Standards and Procedures amendment on September 15, 2021 and at the meeting, this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this amendment and the report of the Executive Officer.

NOW, THEREFORE, the Lake Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

1. The attached updated Policies, Standards and Procedures Amendment shall guide the Commission in compliance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended.
2. Replacing Section 6.4c and adding new Sections 6.4c and 6.4c1 regarding indemnification are hereby added to Lake LAFCo's Policies, Standards and Procedures as shown in Exhibit A.
3. Any conflicting LAFCO Policies, Standards and Procedures regarding Indemnification and expiration of applications previously approved by the Commission are hereby repealed in favor of this amendment.

Lake Local Agency Formation Commission
Policies, Standards and Procedures Amendment (Indemnification and Expiration of Applications)
Resolution 2021-0008
September 15, 2021

The foregoing resolution was offered at a Regular Meeting of the LAKE LOCAL AGENCY
FORMATION COMMISSION on the 15th day of September 2021, and adopted by the
following vote of the Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Bruno Sabatier, Chair
Lake Local Agency Formation Commission

ATTEST:

John Benoit, Executive Officer
LAKE LOCAL AGENCY FORMATION COMMISSION,

Exhibit A

Proposed Policy Amendment Language:

Delete existing 6.4 (c) (under application Requirements)

6.4 (c) Delete *“The application shall also include an agreement to pay costs and indemnification. The agreement to pay costs and indemnification must be signed by the applicant for the application to be deemed complete”.*

Replace with:

6.4 (c) : **Agreement to pay fees.** The application shall also include an agreement to pay costs. The agreement to pay costs must be signed by the applicant for the application to be deemed complete.

6.4 (c) 1: **Voluntary Indemnification Agreement.** As part of the application, applicant shall be asked to sign and submit the voluntary indemnification agreement approved by the Commission concurrent with the adoption of this policy for all reasonable expenses and attorney fees incurred from proceedings brought by a third party in connection with the application. While LAFCo retains the discretion in all cases to decide whether to defend an action, the Applicant’s voluntary agreement to indemnify LAFCo will provide applicant an opportunity to have significant input on LAFCo’s decision whether to defend its decision.

**Resolution 2021-09 of the
Lake Local Agency Formation Commission**

Approving a Municipal Service Review of Cemetery District Services Provided by the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts 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 municipal services provided by and within an agency prior to updating or adopting its Sphere of Influence Plan; and,

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 Municipal Service Reviews (MSRs) and Spheres of Influence; and

WHEREAS, the Commission adopted guidelines for conducting MSRs, which applies to this MSR for services provided by the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts; 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 cemetery services provided by the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts, 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 Municipal Service Review for cemetery services provided by the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts and written determinations contained therein will provide information for updating the Sphere of Influence for the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts, 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 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;

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

- 1) The Municipal Service Review for Services provided by the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts, attached hereto as Exhibit A, is approved and the written determinations presented in the Municipal Service Review report are hereby adopted.

2) LAFCO staff is further ordered to forward copies of this resolution containing the adopted Municipal Service Review to the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts.

The foregoing resolution was duly passed by the Local Agency Formation Commission of Lake County at a regular meeting held on September 15, 2021, by the following roll call vote:

Ayes:

Noes:

Absentions:

Absent:

Signed and approved by me after its passage this 15th day of September, 2021.

Bruno Sabatier, Chair
Lake LAFCO

Attest:

John Benoit, Executive Officer
LOCAL AGENCY FORMATION COMMISSION,
Lake County

Resolution No. 2021-0010

LAKE LOCAL AGENCY FORMATION COMMISSION

A Resolution Making Determinations and Approving A Sphere of Influence Update for the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts

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 Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts; and

WHEREAS, the Commission has set the initial hearing date of September 15, 2021 for the update of the sphere of influence for the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts and has noticed this hearing at the times and as otherwise prescribed by Government Code Section 56150, *et seq.*; and

WHEREAS, the Commission has heard and adopted a Municipal Services Review of services provided by the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts 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 spheres of influence update with respect to the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts complies with the provisions of Government Code Section 56000, *et seq.*
2. That no significant protests have been received regarding the establishment of this Sphere of Influence update.
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 Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts may have a significant adverse effect on the environment.

5. Pursuant to Government Code Section 56425 (i) the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts is authorized to provide domestic cemetery services within the territory set forth in Attachment "A". Other services a Cemetery District may provide as stated in the Government Code shall be considered latent powers and LAFCO approval shall be required.

6. That the Sphere of Influence Update Report, Executive Officer's Report, and Map for the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts updated Sphere are hereby adopted and approved as set forth in Attachment "A".

The foregoing resolution was duly passed by the Local Agency Formation Commission of Lake County at a regular meeting held on September 15, 2021, by the following roll call vote:

Ayes:

Noes:

Absentions:

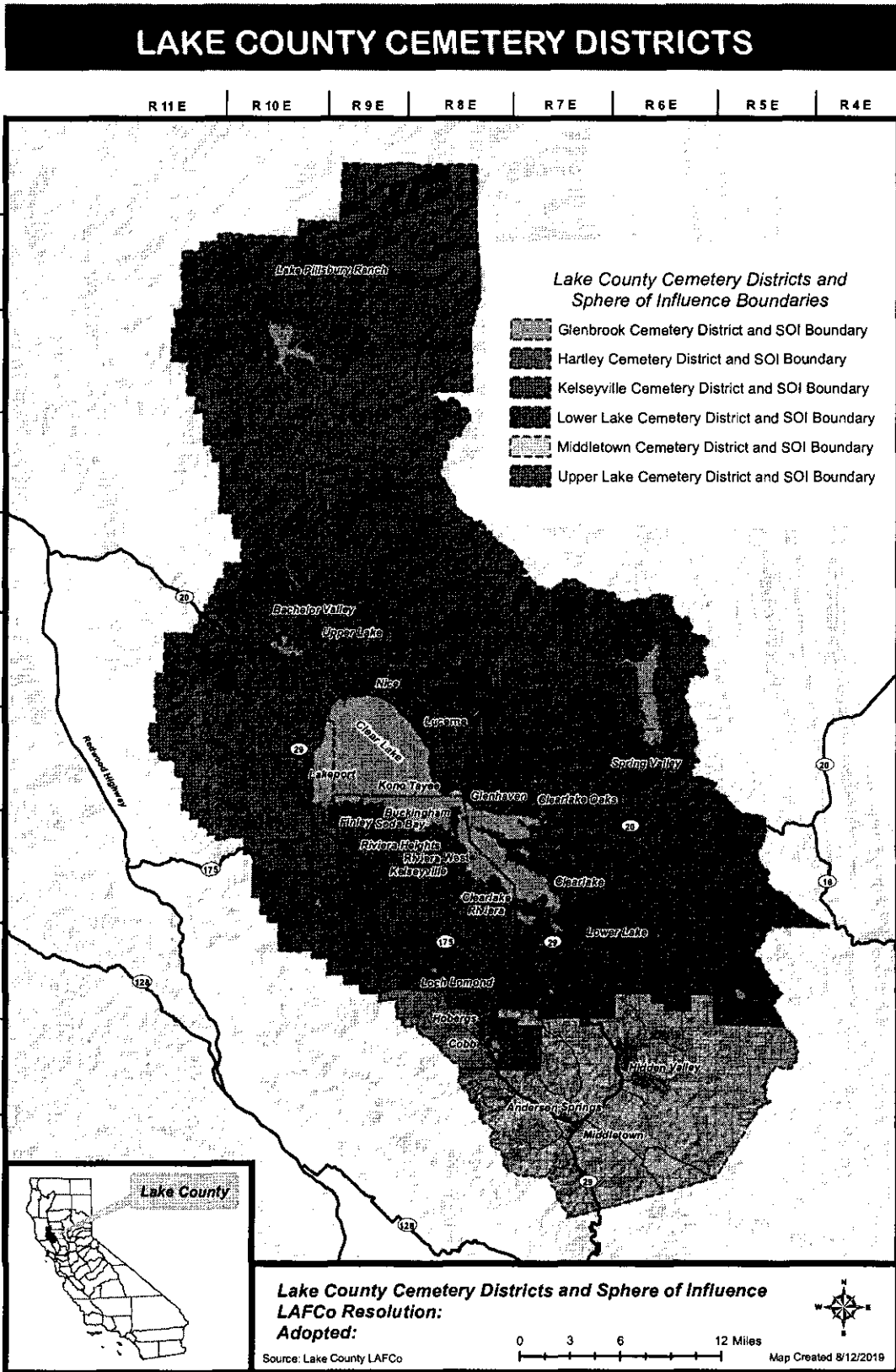
Absent:

Signed and approved by me after its passage this 15th day of September, 2021.

Bruno Sabatier, Chair
Lake LAFCO

Attest:

John Benoit, Executive Officer
LOCAL AGENCY FORMATION COMMISSION,
Lake County



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 Cemetery Districts*

PROJECT LOCATION: Entire Lake County

DESCRIPTION OF PROJECT:

The proposed project involves the determination of a Sphere of Influence Update for the Glenbrook, Hartley, Kelseyville, Lower Lake, Middletown and Upper Lake Cemetery Districts 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 projects 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 there are no unusual circumstances and 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 15, 2021

September 7, 2021

Dear CALAFCO Membership:

We continue to live in challenging times, dealing with the myriad of disruptive changes thrust upon us and our agencies including navigating our way through the roller coaster ride of the pandemic, the drought, unprecedented heat waves, another record-setting wildfire season, and figuring out how to maintain or increase current services with less resources. We remain proud of you, our members and business partners, who continue to demonstrate courage, resilience and leadership in the face of all these challenges.

As we planned our Annual Conference in Newport Beach for October 6 – 8 this year, and time marched on, it became very clear with only five weeks until the Conference that our registration numbers were going to be at an all-time low, with less than half of our normal attendance. After hearing from many of you, we understand there is hesitancy to travel and gather in large numbers with the various strains of COVID-19 continuing to increase. We are also keenly aware that this year many of you have slashed training and travel in your budgets.

After careful thought and consideration, CALAFCO has decided to cancel this year's in-person Annual Conference which was scheduled for October 6 – 8 in Newport Beach.

The Board met in a special meeting on September 2, 2021 and after considering all the facts (the staff report is posted on the CALAFCO website in the Board of Directors meeting area), unanimously voted to cancel the in-person event this year. The Board of Directors and Executive Director believe CALAFCO has an ethical and corporate responsibility to our members, guests, speakers, and their families. This responsibility includes mitigating as much as possible the spread of the virus and being responsible in our decisions to aid in the containment and protect the health and safety of our members. It also means mitigating any significant financial loss CALAFCO may incur by holding the event.

In addition to our concern for your health and safety, the substantial reduction in attendance would require CALAFCO to withdraw Fund Reserves of over \$33,000 to cover the loss caused by such low registration numbers. At any time, especially in these challenging fiscal times, that is not a responsible financial practice, and we believe we must continue to practice fiscal responsibility as the trusted steward of the Association's finances.

CALAFCO's primary mission is education and providing educational opportunities for our members. The Annual Conference is our signature event and one of the best ways we do that. And, this year is CALAFCO's 50th anniversary. Not holding the event this year is another year away from you, our membership. And we miss you!

We thank those of you who registered or planned to register and attend the Conference. We thank all of you who chose to sponsor this year's Conference. We also thank all our speakers who were busy preparing and working on their presentations. As we take our mission seriously and the program being planned was a good one, we plan to bring as many of those educational and networking opportunities as possible to you in a virtual format.

So, what's next?

CONFERENCE 2021 & 2022

- Staff successfully negotiated moving the 2021 event with the Hyatt Regency Newport Beach John Wayne Airport to next year with no penalty fees, and no increase in the contracted room rate from this year. We will keep the same dates as we had scheduled for 2022 which is October 19 – 21, 2022. The contract for 2022 which was with Tenaya Lodge in Yosemite was successfully moved to 2024 without penalty. Check the CALAFCO website for locations and dates for the next several years.

- We will celebrate CALAFCO's 50th + 1 next year!
- We will work with each of you to refund all registration payments made online in their entirety without any penalties.
- Any registrations received in the mail with a check will be returned (most checks were held and not cashed).
- For any registration checks received that were deposited, a full refund will be issued.
- We will also work with all our sponsors to do the same.
- All hotel reservations at the Hyatt must be cancelled. You are responsible for cancelling your own reservations, and you are encouraged to do that ASAP to avoid any possible late cancellation fee or no-show charges because this was a detail left undone.

DELIVERY OF EDUCATION SESSIONS

- Staff is working to schedule planned sessions (with exception of topical roundtables and legislative update) over the course of the next several months (October through January).
- A full schedule will be published as soon as we have confirmation from all our speakers on this change.

ANNUAL BUSINESS MEETING - BOARD ELECTIONS - BOARD MEETING - ACHIEVEMENT AWARDS - REGIONAL ROUNDTABLES

- **The annual business meeting will be held as planned on October 7, 2021 at 9:00 a.m. It will be held virtually. The announcement, agenda and packet for the business meeting will be published shortly.**
- **Board elections will be held by all electronic ballot, just as was done in 2020. Watch for details coming out this week. The election committee will meet virtually October 7, 2021 at 8:00 a.m. to count the votes and certify the election (just before the annual business meeting).**
- **The Board meeting scheduled for in person October 8 at 7:30 a.m. will be held on October 8 at 11:00 a.m. virtually. The meeting agenda and packet will be published towards the end of September.**
- **The Achievement Awards will be presented during the Annual Business meeting on October 7, 2021 at 9:00 a.m.**
- **Regional Roundtables are being scheduled for early December (all LAFCo meeting schedules were checked in this planning). Watch for them to be included in the master program schedule.**

If you have any questions, please contact Executive Director Pamela Miller. You can reach her at pmiller@calafco.org.

On behalf of the Board, we thank you for your understanding, patience and support of the Association. We are proud to be of service to you, our members.

Yours sincerely,



Michael Kelley
Chair of the Board



Pamela Miller
Executive Director

CC: CALAFCO Board of Directors