

Lake Local Agency Formation Commission

Regular Meeting Agenda

Wednesday September 21, 2022 -- 9:30 am

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

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”

In person meeting: Required for all Commissioners.

Zoom meeting for public: LAFCo has decided to make public meetings accessible telephonically or otherwise electronically to all members of the public. Members of the public are encouraged to observe and participate in the teleconference.

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

Zoom Meeting Information:

Topic: Lake LAFCo

Time: Sep 21, 2022 09:30 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84568100189?pwd=MkdKLzZvTzNDd2JoN2hDR3E1ekh5QT09>

Meeting ID: 845 6810 0189

Passcode: 561900

One tap mobile

+16699006833,,84568100189#,,,,*561900# US (San Jose)

+16694449171,,84568100189#,,,,*561900# US

+1 669 900 6833 US (San Jose)

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

Commissioners

Commission Alternate Members

Dirk Slooten, (City)

Vacant (Spec. District Alternate)

Stan Archacki, (Special Dist.)

Suzanne Lyons (Public Alternate)

Jim Scholz (Special District)

Vacant (County Alternate)

Ed Robey, (Public Member)

Ken Parlet (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 20, 2022

Action: Approve July 20, 2022 minutes

4. 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.

5. Consent Agenda

a. *Review and authorize payment of expenses for July and August 2022.*

b. *Renew authorization by adopting Resolution 2022-0012 for remote (teleconference/videoconference) meetings by finding, pursuant to Assembly Bill 361, that (a) the COVID-19 pandemic state of emergency is ongoing, and (b) meeting in person would present imminent risks to the health or safety of attendees.*

ACTION ITEMS:

6. Continued discussion of Domestic Water Services in Clearlake and surrounding area

- a. *This item is a continued discussion from January 2022 regarding issues related to the provision of domestic water services within the City of Clearlake and discussion of fire flows and other related issues*

7. Biennial Review of LAFCo's Conflict of Interest Code.

- a. *Review LAFCo's Conflict of Interest Code*
- b. *Authorize the Executive Officer to sign the Biennial Conflict of Interest Code review form and transmit to the Code Reviewing Body.*

8. LAFCo Bylaws Update

- a) *Consider LAFCo Resolution 2022-0013 adopting updated bylaws for Lake LAFCo*

9. Executive Officer's report.

- a. *Upper Lake area MTBE (Methyl tert-butyl ether) Drinking Water Contamination – no further progress has been made*
- b. *Lower Lake CWD MSR and Sphere*
- c. *LAFCo Projects – Middletown Rancheria*
- d. *SB 938 – Protest proceedings and potential changes to LAFCO's MSR process*
- e. *Calafco Conference 19-21 October in Santa Ana*

10. LAFCo Counsel's report

11. 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.

12 Correspondence: BOS letter of support for the annexation of the Noble Project to the Upper Lake County Water District

13. Adjourn to LAFCO's next regular meeting: Wednesday November 16, 2022 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 j.benoit4@icloud.com. Agenda packets are located on the Lake LAFCo Webpage at www.lakelafco.org