

***LAKE LAFCO***

***CITY OF LAKEPORT  
MUNICIPAL SERVICE REVIEW***

***Adopted  
July 18, 2012***

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## **1 INTRODUCTION**

This Municipal Service Review is prepared for the City of Lakeport in Lake County. The Municipal Service Review (MSR) includes the following information:

LAFCO requirements for MSRs;  
City of Lakeport Area background;  
Description of services provided by City of Lakeport; and  
Analysis of City of Lakeport's capability to serve existing and future residents in the area.

### **1.1 LAFCO's Responsibilities**

Local Agency Formation Commissions are quasi-legislative local agencies created in 1963 to assist the State in encouraging the orderly development and formation of local agencies. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56000 *et seq.*) is the statutory authority for the preparation of an MSR, and periodic updates of the Sphere of Influence of each local agency.

The Governor's Office of Planning and Research (OPR) has issued Guidelines for the preparation of an MSR. This MSR adheres to the procedures set forth in OPR's MSR Guidelines and Lake LAFCO's "Local Procedural Guidelines for Municipal Service Reviews."

A Sphere of Influence is a plan for the probable physical boundaries and service area of a local agency, as determined by the affected Local Agency Formation Commission (Government Code §56076). Government Code §56425(f) requires that each Sphere of Influence be updated not less than every five years, and §56430 provides that a Municipal Service Review shall be conducted in advance of the Sphere of Influence update.

### **1.2 Municipal Service Review Requirements**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 as amended by AB1744 and regulations call for a review of the municipal services provided in the county or other appropriate area designated by the LAFCO. The LAFCO is required, as part of the MSR, to prepare a written statement of findings of its determinations with respect to each of the following:

1. Growth and Population
2. Capacity and Infrastructure
3. Financial Ability
4. Shared Facilities
5. Government Structure and Accountability

### **1.3 Lake LAFCO Policies and Procedures Related to Municipal Services**

The Lake LAFCO adopted policies and procedures related to municipal services on March 20, 2002. These policies were amended by action of the Lake LAFCO on July 16, 2003 and November 28, 2007.

#### **1.4 Preparation of the MSR**

Research for this Municipal Service Review (MSR) was conducted during the summer and fall of 2010. This MSR is intended to support preparation and update of the City of Lakeport Sphere of Influence, in accordance with the provisions of the Cortese-Knox-Hertzberg Act. The objective of this Municipal Service Review (MSR) is to develop recommendations that will promote more efficient and higher quality service patterns, identify areas for service improvement, and assess the adequacy of service provision as it relates to determination of appropriate sphere boundaries.

While Lake LAFCO prepared the MSR document, LAFCO did not engage the services of experts in engineering, biology, chemistry, accounting, hydrology, geology, water law, fire protection, recreation or other specialists in related fields, but relied upon published reports and Lake County and City of Lakeport staff for information.

Therefore, this MSR reflects LAFCO's recommendations, based on available information during the research period and provided by City of Lakeport staff to assist in its determinations related to promoting more efficient and higher quality service patterns, identifying areas for service improvement, and assessing the adequacy of service provision for the City of Lakeport Service Area.

#### **1.5 Description of Public Participation Process**

The LAFCO proceedings are subject to the provisions California's open meeting law, the Ralph M. Brown Act (Government Code Sections 54950 *et seq.*) The Brown Act requires advance posting of meeting agendas and contains various other provisions designed to ensure that the public has adequate access to information regarding the proceedings of public boards and commissions. Lake LAFCO complies with the requirements of the Brown Act.

The State MSR Guidelines provide that all LAFCOs should encourage and provide multiple public participation opportunities in the municipal service review process. Local MSR policies have been adopted by the Lake LAFCO. Lake LAFCO has discussed and considered the MSR process in open session, and has adopted a schedule for completing the various municipal service reviews and sphere of influence updates for Lake County. Each municipal service review will be prepared as a draft, and will be subject to public and agency comment prior to final consideration by the Lake LAFCO.

#### **1.6 California Environmental Quality Act (CEQA)**

The Municipal Service Review is a planning study that will be considered by Lake LAFCO in connection with subsequent proceedings regarding the City of Lakeport and its Sphere of Influence. The Sphere of Influence review or update that will follow has not been approved or adopted by LAFCO.

This MSR is funded in the Lake LAFCO's 2010-2011 Budget. This MSR includes an analysis, to the extent required by Section 15262 of the CEQA Guidelines, of the environmental factors that may be affected by the Municipal Service Review process, but will not include the preparation of an environmental review document.

## **2 SETTING**

### **2.1 City of Lakeport Background**

Lakeport is the oldest incorporated (1888) community in Lake County and is the Lake County seat.<sup>1</sup> The City is located along State Highway 29 on the western shore of Clear Lake. The Lakeport area is described as follows:

*The City's permanent trade area population is approximately 35,000. Per capita sales figures are among the highest in the region and are typically higher than the State's average. With a population just over 5,100, Lakeport maintains a small town character and low crime rate. The City of Lakeport provides an opportunity for growth and a number of benefits for business and industry, including a pro-business community, affordable housing, and a variety of buildable sites within the 2.7 square mile City limits.*

Local festivals include the following:

- Lake County Fair
- Lake County Rodeo
- Tule Boat Festival (and the annual Cardboard Regatta)
- Taste of Lakeport
- Summer Concert Series
- Memorial Day Celebration
- July 4<sup>th</sup> Celebration

### **2.2 City of Lakeport History**

The Lakeport area was first occupied by Native Americans several thousand years ago. At the time of early European settlement in what was to become Lake County, the Kabe-Napos, a subtribe of the Pomo people, lived here within their main village. The village name was Kaci-Badon, after the water lily plant Kaci, and "badon," which was the native word for island.<sup>2</sup>

Miners wound their way through Lake County from the gold fields as early as 1847. At the conclusion of the Gold Rush, many miners returned to the County to settle permanently. The farmland was attractive and the climate was so temperate that many of the pioneers who had originally come for gold [and quicksilver] began to stake a claim on the lands around Clear Lake during the 1850's, and among them was William Forbes, who is reputedly the Father of the city of Lakeport.

Forbes would become the first undertaker, the settlement's postmaster for a number of years and, with his partner James Parish, founded the first business in the new town, a blacksmithing and wagon-making shop. Originally named "Forbestown" after Forbes, Lakeport was first a part of Napa County. In 1861, after the settlement broke away from

<sup>1</sup> <http://www.cityoflakeport.com/>, July 4, 2010.

<sup>2</sup> Mauldin, Henry K., "History of Clear Lake, Mt. Konocti and the Lake County Cattle Industry," 1960.

Napa, Forbes deeded 40 acres of his land to the local government in exchange for Forbestown becoming the County seat.<sup>3</sup>

The first post office, called Big Valley, opened at the site in 1858, and changed its name to Lakeport in 1861.<sup>4</sup> On June 14, 1861, Forbestown was officially changed to Lakeport. Some locations still bear the Forbes name, however, such as Forbes Creek and Forbes Street.

### 2.3 City of Lakeport Population

Population growth over the last two decades based on the census was as follows:

<b>City of Lakeport Population Growth 1990-2010</b>					
	<b>1990 Population</b>	<b>2000 Population</b>	<b>Percent Change 1990 to 2000</b>	<b>2010 Population</b>	<b>Percent Change 2000 to 2010</b>
<b>Lakeport</b>	4,390	4,820	9.80%	4,753	-1.39%
<b>Lake County</b>	50,631	58,309	15.20%	64,665	10.90%
<b>California</b>	29,760,021	33,871,648	13.80%	37,253,956	9.99%

Source: 1990, & 2000 and 2010 U.S. Census

The City of Lakeport has more females than males as shown below:

Males: 2,262 (48%)<sup>5</sup>      Females: 2,491 (52%)

This is probably due, in part, to the fact that the median age in Lakeport is higher than that for the State of California as shown below:

City of Lakeport Median Resident Age:      44.2 years<sup>6</sup>  
 State of California Median Resident Age:      35.2years

The median household income for the City of Lakeport was lower than the National household income (as reported in the 2000 Census) and also lower than that for the State of California in 2008:

<b>City of Lakeport Household Income 2000<sup>7</sup> and 2008<sup>8</sup></b>		
	<b>2000</b>	<b>2008</b>
<b>City of Lakeport</b>	\$32,226	\$44,094

<sup>3</sup> [http://www.lakeport.com/lakeport\\_california\\_history.htm](http://www.lakeport.com/lakeport_california_history.htm), July 17, 2010.

<sup>4</sup> Durham, David L. (1998). *California's Geographic Names: A Gazetteer of Historic and Modern Names of the State*. Quill Driver Books. p. 90. ISBN 9781884995149.

<sup>5</sup> <http://www.city-data.com/city/Lakeport-California.html>, July 17, 2010.

<sup>6</sup> Census 2010.

<sup>7</sup> <http://www.epodunk.com/cgi-bin/genInfo.php?locIndex=10389>, July 4, 2010.

<sup>8</sup> <http://www.city-data.com/city/Lakeport-California.html>, July 17, 2010.



<b>California</b>	\$47,493	\$61,021
<b>United States</b>	\$41,994	
Source: 2000 census, U.S. Census Bureau		

The estimated annual per capita income in the City of Lakeport for 2008 was \$21,324 per person.

The estimated median house or condo value in the City of Lakeport for 2008 was \$282,357 (\$116,200 in 2000) which was significantly lower than that for the State of California (\$467,000).

**2.4 City of Lakeport Economy**

The General Plan describes the City of Lakeport and the surrounding area as having almost a majority of the employment within the County:<sup>9</sup>

*The City of Lakeport supports approximately 45 percent of all jobs in Lake County. Additionally, the majority of Lake County Government offices are located within the City of Lakeport. There are six business centers in the Lakeport area, including the historic downtown area which is designated as a California Main Street City. The City’s permanent retail trade area population is approximately 30,000, and per capita sales figures are among the highest in the region, and generally higher than the State average. This can be attributed to at least three characteristics of the Lakeport area: a high level of spendable income by residents; the recognition of Lakeport as a local retailing center; and the impact of tourism.*

*Lakeport is known as a regional recreational destination and this attribute should be maximized in any effort undertaken by the City to encourage and foster economic development. The clean air, natural beauty, and the multitude of recreational opportunities afforded by Clear Lake and the surrounding areas are great assets to the community and provide an economic advantage to visitor-serving businesses.*

*The largest business sectors (in terms of the number of businesses) in Lakeport’s economy are services (45 percent), followed by retail trade (19 percent), and then finance, insurance and real estate (9 percent). These three sectors account for 639 businesses or 73 percent of all businesses in Lakeport.*

*The classification of “services” includes some of the larger revenue-generating businesses such as the hospital and other health care providers, but also many of the small “mom and pop” businesses such as repair services, child care, building maintenance, and beauty shops. Total employment in the services sector is 2,342 persons.*

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<sup>9</sup> City of Lakeport General Plan 2025, Economic Development Element, August 2009, Pages VI-1.

Since the City of Lakeport has a prominent position in Lake County, both because it is the County Seat and because it has a good economic position, the City should plan for growth that will maintain the economy and jobs in the area.

## **2.5 City of Lakeport Schools**

Lakeport is and has been the home of Mendocino College Lake Center for the past 20 years.<sup>10</sup> The Lakeport Unified School District operates the following six schools:

Lakeport Elementary School 150 Lange St., Lakeport, CA 95453-3297	Phone Number 707-262-3000
Terrace Middle School 250 Lange St., Lakeport, CA 95453-3230	Phone Number 707-262-3000
Clear Lake High School 350 Lange St., Lakeport, CA 95453-3247	Phone Number 707-262-3000
Natural Continuation High School 100 Lange Street, Lakeport, California 95453	Phone Number 707-262-3000
Lakeport Alternative School 100 Lange Street, Lakeport, California 95453	Phone Number 707-262-3000
Lakeport Community Day School 100 Lange Street, Lakeport, California 95453	Phone Number 707-262-3000

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<sup>10</sup> <http://www.lakeportmainstreet.com/>, July 17, 2010.

### **3 CITY OF LAKEPORT**

#### **3.1 City of Lakeport Management**

##### **3.1.1 City of Lakeport Mission Statement**

The City of Lakeport Mission Statement is as follows:<sup>11</sup>

*We serve the community through the efficient and effective administration and delivery of a vast array of activities, services and policy directives intended to address the community vision, areas of emphasis and goals of the Lakeport City Council.*

##### **3.1.2 City Administration**

###### **A. City Council<sup>12</sup>**

The City Council for the City of Lakeport, comprised of five council members, provides policy direction to the City Manager. The Council adopts ordinances to control the affairs of the City. The Council oversees the fiscal affairs of the City and approves and adopts the annual City budget. The Council also provides policy direction for the enforcement of City ordinances and may pass emergency ordinances for the immediate preservation or protection of public health, property, or safety. The Council enters into contracts and cooperative or joint activities with other government bodies.

In addition to the regularly scheduled meetings, council members serve as committee members on various agencies and committees and attend numerous other meetings, including the Lake County/City Area Planning Council, the Lake County Solid Waste Management Task Force, the Lake County Abandoned Vehicle Abatement Service Authority, the SB 621 Indian Gaming Funds Committee, the Local Agency Formation Commission, Lake County Airport Land Use Commission, Lake County's Clean Water Program Advisory Council, and the Clear Lake Advisory Committee.

The City Council is elected to staggered four-year terms. There is an election each November of even numbered years with either two or three seats up for election. The Council selects a mayor and mayor pro tem from among its members to serve a one-year term. The mayor presides over the Council meetings, which are held on the first and third Tuesday of each month. Normally, Council meetings begin at 6:00 p.m. in the City Council Chamber, 225 Park Street. The public is invited to attend all Council meetings.

The City Council Members are as follows:<sup>13</sup>

Stacy Mattina – Mayor  
Tom Engstrom – Mayor Pro-Tem  
Roy Parmentier - Council Member  
Robert Rumpfelt - Council Member  
Suzanne Lyons – Council Member

<sup>11</sup> City of Lakeport, Budget Fiscal Year 2009/2010, Page 1.

<sup>12</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/home.aspx?deptid=88>, July 13, 2010.

<sup>13</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/contact.aspx?deptID=88>, July 10, 2010.

The City of Lakeport is fortunate to have dedicated citizens willing to serve on the City Council. The job takes more time than just attendance at the City Council meetings. It takes time for the Council members to learn about the operations and budgets of the City departments and to oversee all aspects of the City. The Council members are required to file Conflict of Interest Forms and to learn about the many State and Federal laws which govern City operations.

The contact information for the City of Lakeport is as follows:  
 Lakeport City Hall, 225 Park Street, Lakeport, CA 95453  
 Phone: 707-263-5615

The City Council has a separate Budget as follows:

City of Lakeport Budget City Council Department 1010						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>		\$207,523	\$158,549	\$117,866	\$109,027	102,279
<b>Expenditures</b>						
Salaries/Benefits	\$75,856	\$74,685	\$70,153	\$56,676	\$55,296	55,541
Operating Expense	\$178,473	\$132,838	\$88,396	\$72,291	\$56,731	47,188
Capital Outlay	0	0	0	0	0	0
<b>Total Expense</b>	\$254,329	\$207,523	\$158,549	\$128,967	\$112,027	102,729

The revenue for the City Council comes from the General Fund. Similar to other departments throughout the City, expenditures have greatly declined over the last five fiscal years as shown in the figure. Between FY 2007-2008 and FY 2011-2012, expenses were reduced by 60 percent.

*B. City Manager<sup>14</sup>*

The City of Lakeport City Manager is Margaret Silveira. Contact information for the City Manager is as follows:

Phone: (707) 263-5615, Ext. 32  
 Email: [msilveira@cityoflakeport.com](mailto:msilveira@cityoflakeport.com)

Fax: (707) 263-8584

The City Manager is appointed by the City Council and serves at the pleasure of the City Council. The City Manager provides day-to-day leadership and manages all City departments under the direction of the City Council. The City Manager is responsible for carrying out the City's policies, rules, regulations, and laws, coordinating all municipal programs and services, making recommendations to the Mayor and City Council as appropriate concerning the operation, affairs and future needs of the City; participating in City Council meetings without the right to vote and to keep the City Council advised on the operation, finances and needs of the City.

The City Manager is responsible for managing the City's financial operations, including the accounting of all revenues and expenditures, the preparation and administration of the City's annual budget, and providing customer service to the community. The City

<sup>14</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/home.aspx?deptID=44>, July 13, 2010.

Manager oversees personnel rules and procedures, ensuring compliance with state and federal laws. The budget for the City Manager is combined with the budget for the City Clerk and is shown below in this report.

C. City Clerk<sup>15</sup>

The City Clerk for the City of Lakeport is Janel Chapman. Contact information for the City Clerk is as follows:

Phone: 707-263-5615, x 12

Email: [jchapman@cityoflakeport.com](mailto:jchapman@cityoflakeport.com)

The City Clerk is appointed by the City Council to perform various functions required by the Government Code of the State of California, as well as other duties to provide efficient administration of City services. The Office of the City Clerk has a broad range of responsibilities, including the following four categories:

City Council Support Services

1. Prepares City Council Agendas (including internal distribution of agenda packets, which contain all related reports and documents)
2. Provides agendas to subscribers via mail and e-mail and uploads agendas on the City's website
3. Prepares minutes of the City Council meetings
4. Provides clerical support to the Mayor and the City Council including correspondence, reservations, expenses, proclamations and certificates
5. Conducts recruitment for various City committees and commissions
6. Coordinates annual City Council Reorganization
7. Maintains a database of all commission and committee memberships including: the Parks & Recreation Commission, the Westside Park Committee, the Traffic Safety Advisory Committee, and the ADA Committee.
8. Facilitates the commission and committee application process for all advisory boards

City Administration Support Services

1. Provides clerical support to the City Manager
2. Processes applications for use of City parks and facilities
3. Answers citizen inquiries made by mail, telephone, or in person
4. Acts as Secretary to the Traffic Safety Advisory Committee and the Lakeport Redevelopment Agency
5. Acts as the City's agent for service of legal process
6. Receives and processes all claims filed against the City by the general public
7. Is responsible for the codification of City ordinances into the Municipal Code, including quality checks and distribution of the Code

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<sup>15</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/home.aspx?deptID=43>, July 13, 2010.

Election Services

1. Provides prospective City Council members with candidate filing packets
2. Coordinates with the County of Lake Elections Department to conduct City elections
3. Administers the filings for all appointed and elected officials identified in the Political Reform Act and the City's Conflict of Interest Code

Records Management Services

1. Maintains official City records, available in various media
2. Updates the City of Lakeport Municipal Code
3. Tracks insurance for Council approved projects and agreements
4. Custodian of records and of the City Seal.
5. Certifies the accuracy and validity of certain City documents as official records by signature and by affixing the seal of the City of Lakeport.
6. Develops and maintains the City's records retention schedule to ensure the proper storage, maintenance, and disposal of municipal records city-wide.

The Budget for the City Manager and the City Clerk is combined as follows under the Administration Department

City of Lakeport Budget Administration Department						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>	\$	\$80,249	\$187,129	\$242,135	\$349,537	\$386,727
<b>Expenditures</b>						
Salaries/Benefits	\$40,446	\$49,905	\$168,690	\$209,132	\$314,952	\$324,641
Operating Expense	\$35,129	\$25,094	\$16,730	\$31,145	\$33,085	\$60,086
Capital Outlay	772	5,250	1,710	1,858	\$1,500	\$2,000
<b>Total Expense</b>	\$76,347	\$80,249	\$187,130	\$242,135	\$349,537	\$386,727

The revenue for administration comes from the General Fund; and, as is the case in most administration departments, personnel is the greatest expense. Between FY 06-07 and FY 11-12, expenditures for the department increased by over 400 percent, which is mostly attributable to increased salary and benefit expenditures.

D. City Finance Department

The City of Lakeport Finance Department has the following personnel:<sup>16</sup>

- Dan Buffalo, Finance Director
- Cassandra Benitez - Office Specialist
- Kelley Donaldson - Accountant I
- Martha Huerta - Accounting Technician
- Karen Moreno - Account Clerk

The City of Lakeport Finance Department provides financial management and support services to other City departments, the business community and general public. Services include the following:

1. Accounts receivable and payable
2. Business License renewals

<sup>16</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/contact.aspx?deptID=75>, May 7, 2011.

3. Financial planning including budget development and financial advisory services to other departments
4. Financial reporting and accounting
5. Payroll and benefits administration for all City employees
6. Revenue collection including TOT and CLMSD assessments
7. Treasury services
8. Utility Billing - water, sewer and garbage

The Budget for the Finance Department is as follows:

City of Lakeport Budget 2009/2010 Finance Department						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>	\$	\$325,187	\$648,829	\$603,487	\$519,828	\$395,374
<b>Expenditures</b>						
Salaries/Benefits	\$233,716	\$305,964	\$386,542	\$289,917	\$213,132	\$299,013
Operating Expense	17,870	17,123	262,287	\$312,522	298,846	\$94,488
Capital Outlay	0	2,100	0	\$1,048	7,850	\$1,873
<b>Total Expense</b>	\$251,587	\$325,187	\$648,829	\$603,487	\$342,618	\$395,374

As with the Administration Department, the revenue comes from the General Fund and the major expense is personnel. Expenditures went up by 158 percent between FY 2006-2007 and FY 2008-2009, however it was projected that between FY 2008-2009 and FY 2011-2012 they would go back down by 42 percent.

*E. City Attorney<sup>17</sup>*

Steven Brookes is the City Attorney. Contact information is as follows:

Phone: 707-263-5615, Extension 27

Email: [sbrookes@cityoflakeport.com](mailto:sbrookes@cityoflakeport.com)

The City Attorney is responsible for providing legal advice to the City Council and staff in carrying out their duties in the operations of the City government. The Attorney, or special counsel supervised by the Attorney, defends the City in all legal actions and brings about suits on behalf of the City. The City Attorney is not a public defender of citizens.

City of Lakeport Budget 2009/2010 City Attorney Department						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>	\$	\$20,697	\$79,862	\$118,661	\$113,896	\$112,434
<b>Expenditures</b>						
Salaries/Benefits	\$15,634	\$16,258	\$77,233	\$102,631	\$81,083	\$81,771
Operating Expense	10,753	4,440	2,630	\$15,710	32,813	\$296,633
Capital Outlay	0	0	0	\$320	0	\$1,000
<b>Total Expense</b>	\$26,386	\$20,697	\$79,863	\$118,661	\$113,896	\$112,404

The revenue for the City Attorney comes from the General Fund. The City Attorney is a part-time position. Additional information on Local Government Issues is found in Appendix A at the end of this report. Expenditures have not been consistent overtime. Between FY 2006-2007 and FY 2009-2010 they increased by 350 percent. By FY 2011-2012 expenditures are projected to decrease by five percent from FY 2009-2010.

<sup>17</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/home.aspx?deptID=74>, July 13, 2010.

### 3.2 Development Services

#### 3.2.1 Planning

The City of Lakeport Community Development Department Planning Division is responsible for implementing City policies that direct the physical development of the City. This is accomplished through administration of the City's development codes, including zoning ordinance, subdivision ordinance, environmental regulations, the Lakeport General Plan, and related ordinances and policies.

Planning staff has responsibility for many other work priorities, including the General Plan Update and administration, code enforcement, nuisance abatement, vehicle nuisance abatement, environmental review and mitigation monitoring, storm water regulations, GIS, and other programs.<sup>18</sup>

The staff for the Planning Department is as follows:

Richard Knoll, Community Development/Redevelopment Director  
 Phone: 707-263-8840 Email: [rknoll@cityoflakeport.com](mailto:rknoll@cityoflakeport.com)

Andrew Britton, Housing Specialist-Associate Planner  
 Phone: 707-263-5613 x 28, Fax: 707-263-8584 Email: [abritton@cityoflakeport.com](mailto:abritton@cityoflakeport.com)

The budget for the Planning Department is as follows:

City of Lakeport Budget Planning Department						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>	\$	\$204,684	\$321,898	\$308,106	\$301,131	\$227,772
<b>Expenditures</b>						
Salaries/Benefits	\$163,328	\$158,938	\$222,788	\$228,715	\$229,763	\$150,536
Operating Expense	81,945	45,553	96,881	\$79,274	71,368	\$76,986
Capital Outlay	19,956	194	2,228	\$117	0	\$250
<b>Total Expense</b>	\$265,228	\$204,684	\$321,897	\$308,106	\$301,131	\$227,772

A majority of the revenue for the Planning Department comes from the General Fund. Expenditures have increased from FY 2006-2007 to FY 2008-2009 by 21 percent; they are projected to go back down between FY 2008-2009 and FY 2011-2012 by 29 percent.

<sup>18</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/home.aspx?deptID=39>, October 28, 2010.



### 3.2.2 Building

Tom Carlton is the Building Official for the City of Lakeport. Contact information for the Building Department is as follows:

Phone: 707-263-3056 x 14 Fax: 707-263-9413 Email: [tcarlton@cityoflakeport.com](mailto:tcarlton@cityoflakeport.com)

Cheryl Smart is the Department Secretary , [csmart@cityoflakeport.com](mailto:csmart@cityoflakeport.com)

The City of Lakeport Community Development Department Building Division is responsible for enforcement of the California Building Standards Code. These are the State laws that regulate the construction of all buildings and structures.

The Building Division reviews and approves construction plans, and issues building permits. Once permits are issued, the building inspector inspects the construction projects to ensure compliance with approved plans and state and local laws. When the projects have passed all inspections and have met all other requirements of the City, County, and State agencies, the Building Inspector will sign off on the permit and in some cases issue a Certificate of Occupancy. The Building Division does not have jurisdiction over public schools, hospitals, or for tenant spaces within mobile home parks. Permits are required for retrofitted manufactured home foundations and structures separate from the manufactured home on private land.

Building permit records and copies of approved plans are kept on file at the City as required by state law. These records are available for public access at the Building Department located at City Hall. There is a retrieval fee for any records that are requested that have been archived.<sup>19</sup>

The Budget for the Building Inspection Department is shown below:

City of Lakeport Budget Building Inspection Department						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>	\$	\$131,724	\$154,584	\$157,010	\$171,835	\$164,583
<b>Expenditures</b>						
Salaries/Benefits	\$112,457	\$117,859	\$140,417	\$138,495	\$143,955	\$136,122
Operating Expense	16,640	13,866	11,978	18,398	27,880	\$28,211
Capital Outlay	0	0	2,189	117	0	\$250
<b>Total Expense</b>	\$129,098	\$131,724	\$154,584	\$157,010	\$171,835	\$164,583

The Building Inspection Department is financed entirely through the General Fund. The main expense is for salaries and benefits. Unlike many other departments, the Building Inspection Department has shown a general increase in total expenditures over the last six fiscal years, with an overall increase of 27 percent between FY 07 and FY 12.

### 3.2.3 City Engineer

The City Engineer is Scott Harter. The contact information is as follows:

<sup>19</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/home.aspx?deptid=81>, October 28, 2010.

Phone: 707-263-5615 x 11, Fax: 707-263-9413      Email: [sharter@cityoflakeport.com](mailto:sharter@cityoflakeport.com)

Brian Everhart is the Engineering Technician with contact information as follows:

Phone: 263-5614 x19      Email: [beverhart@cityoflakeport.com](mailto:beverhart@cityoflakeport.com)

The City of Lakeport Engineering Division performs the following five functions:

1. Provides pre-development engineering information to builders and developers (the City maintains an extensive GIS system to map utilities and infrastructure)
2. Develops and maintains standards for public facility installation by developers
3. Reviews and recommends action on proposed subdivisions of land
4. Provides engineering review of developer plans and specifications for public and semi-public improvements including grading, drainage, and streets, as well as inspecting such improvements when installed
5. Provides engineering design of projects as directed by the City Manager and the City Council

The Engineering Division supervises the maintenance of engineering drawings and files for and within the City limits, which are located at City Hall.

The five goals of the Engineering Division are as follows:

- Provide various engineering services, surveying services, and technical assistance to the various City departments.
- Provide timely engineering review for proposed development projects.
- Provide engineering review and inspection oversight for projects constructed on public property.
- Provide floodplain administration, solid waste disposal administration and associated public information services.
- Provide consultation regarding city engineering for the City Manager and the City Council.<sup>20</sup>

The Budget for the City Engineer Department is as follows:

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<sup>20</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/home.aspx?deptid=38>, October 28, 2010.

City of Lakeport Budget City Engineer Department						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>	\$	\$53,049	\$177,789	\$198,215	\$203,405	\$240,472
<b>Expenditures</b>						
Salaries/Benefits	\$43,281	\$41,935	\$167,647	\$183,839	\$187,052	\$220,856
Operating Expense	15,409	10,986	10,142	14,376	\$15,953	\$19,410
Capital Outlay	0	127	0	0	400	\$206
<b>Total Expense</b>	\$58,689	\$53,049	\$177,789	\$198,215	\$203,405	\$240,472

The City Engineer Department is financed primarily from the General Fund and the main expense is for salaries and related benefits. The departmental expenses have consistently increased overtime by 310 percent from FY 07 to FY 12.

### **3.3 Fire Protection**

#### **3.3.1 Fire Protection - Issues**

The following is a general discussion of matters of interest and standards related to fire protection, including mutual aid, dispatch, response times, staffing and water supply:

##### **A. Fire Protection Mutual Aid**

Most of the fire protection and EMS providers primarily serve their own jurisdictions. Given the critical need for rapid response, however, there are extensive mutual aid efforts that cross jurisdictional boundaries.

Mutual aid refers to reciprocal services provided under a mutual aid agreement, a pre-arranged plan and contract between agencies for reciprocal assistance upon request by the first-response agency. In addition, the jurisdictions rely on automatic aid primarily for coverage of areas with street access limitations and freeways.

Automatic aid refers to reciprocal services provided under an automatic aid agreement, a prearranged plan or contract between agencies for an automatic response for services with no need for a request to be made.

*B. Fire and EMS Dispatch*

Dispatch for fire and medical calls is increasingly becoming regionalized and specialized. This increased regionalization and specialization is motivated by the following nine factors:

- 1) Constituents increasingly expect emergency medical dispatching (EMD), which involves over-the-phone medical procedure instructions to the 911 caller and requires specialized staff.
- 2) Paramedics increasingly rely on EMD, which also involves preparing the paramedic en route for the type of medical emergency and procedures.
- 3) Dispatch technology and protocols have become increasingly complex.
- 4) Modern technology has enabled better measurement and regulatory oversight of Fire Department (FD) response times, and increased pressure for FDs to meet response time guidelines.
- 5) FDs need standard communication protocols, due to their reliance on mutual aid.
- 6) Dispatching of calls from cell phones is particularly inefficient due to multiple transfers, length of time the caller spends on hold, and lack of location information. Response times are further delayed when callers that are unfamiliar with the area are unable to describe rural locations to the dispatch personnel.
- 7) All new cell phones are now equipped with GPS; however, it will take a few years for all old phones to be replaced by phones with GPS capability and/or construction of specialized cell phone towers.
- 8) The National Fire Protection Association (NFPA)<sup>30</sup> recommends a 60-second standard for dispatch time, the time between the placement of the 911 call and the notification of the emergency responders. The Center for Public Safety Excellence recommends a 50-second benchmark for dispatch time.
- 9) There are clear economies of scale in providing modern fire and medical dispatch services.

*C. Fire Protection and EMS Response Time*

Response times reflect the time elapsed between the dispatch of personnel and the arrival of the first responder on the scene. For fire and paramedic service, there are service standards relating to response times, dispatch times, staffing, and water flow. Particularly in cases involving patients who have stopped breathing or are suffering from heart attacks, the chances of survival improve when the patient receives medical care quickly.

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<sup>30</sup> The National Fire Protection Association is a non-profit association of fire chiefs, firefighters, manufacturers and consultants.

Similarly, a quick fire suppression response can potentially prevent a structure fire from reaching the “flashover” point at which very rapid fire spreading occurs—generally in less than 10 minutes.<sup>31</sup>

The guideline established by the NFPA for fire response times is six minutes at least 90 percent of the time, with response time measured from the 911-call time to the arrival time of the first-responder at the scene.<sup>32</sup>

The fire response time guideline established by the Center for Public Safety Excellence (formerly the Commission on Fire Accreditation International) is 5 minutes, 50 seconds at least 90 percent of the time.<sup>33</sup>

#### *D. Fire Protection Staffing*

For structure fires, NFPA recommends that the response team include 14 personnel—a commander, five water supply line operators, a two-person search and rescue team, a two-person ventilation team, a two-person initial rapid intervention crew, and two support people.

The NFPA guidelines require fire departments to establish overall staffing levels to meet response time standards, and to consider the hazard to human life, firefighter safety, potential property loss, and the firefighting approach.

NFPA recommends that each engine, ladder or truck company be staffed by four on-duty firefighters, and that at least four firefighters (two in and two out), each with protective clothing and respiratory protection, be on scene to initiate fire-fighting inside a structure.

The Occupational Safety and Health Administration (OSHA) standard requires that when two firefighters enter a structure fire, two will remain on the outside to assist in rescue activities.<sup>21</sup>

For emergency medical response with advanced life support needs, NFPA recommends the response team include two paramedics and two basic-level emergency medical technicians.

#### *E. Fire Protection Water Supply*

For structure fires, NFPA recommends the availability of an uninterrupted water supply for 30 minutes with enough pressure to apply at least 400 gallons of water per minute.

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<sup>31</sup> NFPA Standard 1710, 2004.

<sup>32</sup> *Guideline for a full structure fire is response within ten minutes by a 12-15 person response team at least 90 percent of the time.*

<sup>33</sup> Commission on Fire Accreditation International, 2000

<sup>21</sup> 29 CFR 1910.134.

### 3.3.2 City of Lakeport Fire Protection

Lakeport Fire Protection District provides fire protection and emergency medical services in and around the City of Lakeport. The District is the result of a merger in 2000 in which the District merged with the City of Lakeport's Fire Department. The Lakeport Fire Protection District (LFPD) is an independent fire district which serves the City of Lakeport and unincorporated Lakeport areas.

There are two stations in the District as follows:

- 1) Station 50 which is the Main Fire Station, located at 445 North Main Street
- 2) Station 52 is the District's Sub-Station located at 3600 Hill Road.

The main station is staffed with four personnel on duty at all times.<sup>22</sup>

LFPD's website is located at [lakeportfire.com](http://lakeportfire.com). The phone number for the District is 707-263-4396. The ISO rating in town is 4. Fire protection equipment includes the following:<sup>23</sup>

4	Ambulances	1	Utility Truck
1	Air Trailer	4	Engines
1	Water Tender	1	Ladder Truck

The paid staff includes 1 chief, 1 deputy chief, 3 captains, 6 firefighters, and 1 district secretary. (Six of the staff members are qualified as paramedics.) The volunteer staff includes 8 fire apparatus engineers, and 12 firefighters. (Four volunteers are qualified as paramedics.)<sup>24</sup>

The mission of the District is as follows:

*The Lakeport Fire Protection District's mission is to be a leading emergency service Department by:*

- *Meeting the needs of our community in fire prevention, fire suppression, and rescue*
- *Utilizing and improving the dedication and skills of our people*
- *Constantly improving all of our services and operation*

*In carrying out this mission The Lakeport Fire Protection District Will:*

- *Give top priority to firefighter safety and equipment concerns*
- *Encourage the professional and personal development of our members*
- *Work as teams to take full advantage of our skills, knowledge and creativity*
- *Communicate openly and honestly to our members and community to inspire trust and confidence*<sup>25</sup>

The District provides ambulance services. The average response time for Fire/EMS services within the City of Lakeport boundaries is four to seven minutes for emergency calls and ten minutes for non-emergency calls.<sup>26</sup> Travel time to specific emergencies is dependent upon distance from responding stations to the emergency, as well as the

<sup>22</sup> Lakeport Fire Protection District, <http://www.lakeportfire.com/about/>, October 28, 2010.

<sup>23</sup> City of Lakeport, <http://www.cityoflakeport.com/residents/fire.aspx>, October 28, 2010.

<sup>24</sup> Lakeport Fire Protection District, [http://www.lakeportfire.com/about/staff\\_about.asp](http://www.lakeportfire.com/about/staff_about.asp), May 7, 2011.

<sup>25</sup> Lakeport Fire Protection District <http://www.lakeportfire.com/about/mission.asp>, October 28, 2010.

<sup>26</sup> City of Lakeport, "Draft South Main Street and Soda Bay Road Annexation Area Plan for Services, April 2011, Page 1-4.

condition of roadways along the route. The average remote distance response time is eight minutes. There are some remote areas within the District in which these response times are further extended, especially during winter months.

Lakeport Fire Protection District responds to over 2,200 calls per year including structure and wildland fires, vehicle accidents, and medical aid.<sup>27</sup> Activity for a typical month is shown below:

**October 2009 Monthly Report<sup>28</sup>**

	<b>Number</b>	<b>Percent</b>
Medical Assist	88	42
Inter-facility Transport	79	37
Traffic Accident	9	5
Fire		
Structure	0	
Vehicle	0	
Vegetation	2	
Other	1	
Total Fire	3	2
Hazmat	0	
False Alarm	5	3
Good Intent Call	24	11
<b>Total</b>	<b>208</b>	<b>100.00</b>

***Other significant events:***

- 1) Continue trial of Lifepak 15 cardiac monitor
- 2) Purchase EZ-IO equipment and conduct training for all paramedics
- 3) Seek funding options for Zoll Autopulse

**3.4 Police Protection**

**3.4.1 Law Enforcement Overview**

Law enforcement will be discussed in general prior to examination of the City of Lakeport Police Department. The law enforcement overview will examine services, standards and crime clearance rates.

**A Law Enforcement Services**

Although patrol is the most visible Police Department service, law enforcement agencies may provide a host of other public safety services, including the following ten services:

Patrol services can be provided by officers traveling by vehicle, bicycle, horse, boat, helicopter, or on foot.

Dispatch services include receiving 911 calls and notifying response units through emergency communication systems. Police dispatchers typically answer 911 calls related to both police and fire emergencies. For fire and medical emergencies, some

<sup>27</sup> Lakeport Fire Protection District, <http://www.lakeportfire.com/about/>, October 28, 2010.

<sup>28</sup> [http://www.lakeportfire.com/docs/october\\_2009\\_monthly\\_report\\_411.pdf](http://www.lakeportfire.com/docs/october_2009_monthly_report_411.pdf), May 7, 2011.

police dispatchers may directly perform the dispatching while others may route calls to a dispatch center specialized in handling fire and medical emergencies.

Crime laboratories provide analysis of latent fingerprints, questioned documents, firearms, controlled substances, toxicology, trace evidence, and DNA, and may provide crime scene evidence-gathering services.

While some crime laboratories provide all of these services, other laboratories may provide only limited, frequently-used services such as latent fingerprints analysis and photographic work.

Bomb squad services typically are provided by explosives experts, bomb-sniffing dogs and their handlers. Experts are needed to identify and defuse explosives with the assistance of dogs trained to detect and locate different types of explosives.

Special weapons and tactics (SWAT) services are special response teams that handle complex, high-risk crimes and confrontations. SWAT teams provide not only traditional counter-sniper services, but also respond to hostage taking, barricaded suspects, and terrorist acts.

SWAT teams may also serve high-risk warrants and protect dignitaries. SWAT team members are typically trained in special weapons as well as verbal tactics. Trained hostage negotiators are frequently an integral component of SWAT teams.

Canine (K-9) units may be specially oriented toward drug detection, bomb detection, finding missing persons, or protecting police officers.

Search and rescue services involve finding people who may be missing, lost, buried by debris, or trapped in dangerous situations on trails or cliffs. Search and rescue teams are typically coordinated by law enforcement agencies in collaboration with fire departments.

Temporary holding services involve pre-arraignment incarceration of arrestees, and typically involve jailing for less than 72 hours. Long-term holding services involve incarceration of arraigned suspects. Most law enforcement agencies have some type of temporary holding facilities, but few have long-term facilities.

Animal control services are often provided by law enforcement agencies and may involve capturing, sheltering and disposing of unclaimed animals.



**B. Law Enforcement Standards**

The Commission on Accreditation for Law Enforcement Agencies (CALEA) is a national organization that functions as an independent accrediting authority. Law enforcement agencies may voluntarily choose to apply for CALEA accreditation. CALEA offers an accreditation program as well as a law enforcement recognition program in which the agency is required to meet a more modest list of standards. CALEA law enforcement accreditation does not require the law enforcement agency to meet specific benchmarks in terms of response time, staffing levels or crime clearance rates.

CALEA accreditation requires the police service provider to pass inspection and to meet dozens of requirements such as annual documented performance evaluation of each employee, investigation of all complaints against the agency and its employees, and annual review of allocation and distribution of personnel.

The California Peace Officers Association (CPOA) has developed sample law enforcement agency policies on use of force, use of safety belts, review of complaints about personnel, fitness for duty evaluations, and law enforcement values.

For example, the sample policy on conducting reviews states, "it should be standard practice for all law enforcement agencies to conduct comprehensive and thorough investigations into any allegation of misconduct or substandard service, whether such allegations are from citizen complaints or internally generated." Hence, policies relating to ethics and evaluation standards are readily available to law enforcement agencies.

The California Commission on Peace Officer Standards and Training (POST) has developed standards for the testing and selection of police officer applicants as well as the training of police officers, dispatchers and detectives.

**3.4.2 City of Lakeport Police Department**

History<sup>29</sup>

*This brief history of the Lakeport Police Department (LPD) was compiled by Chief Thomas W. Engstrom, on December 1, 2000. Chief Engstrom obtained the information from the City Council minutes dating back to April, 1888.*

*The "Town of Lakeport," originally called Forbestown, was incorporated on April 30, 1888. The first law enforcement official was W.M. Woods, the Town Marshal. He was elected to a 2-year term and paid the sum of \$15 per month.*

*The Town Council busily began the task of drafting Lakeport's first ordinances. The first speeding law prevented citizens from galloping their horses down Main Street. Shortly thereafter, following the invention of the automobile, the Council outlawed vehicles on Main Street on Sundays. The cars scared the horses pulling buggies to church.*

*Over the years, some of the elections for Marshal were very close. In 1900, R.E. Barry ran against the incumbent, Marshal J.E. Mitchell. Barry*

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<sup>29</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/page.aspx?deptID=76&id=52>, July 13, 2010.

won the election by just 2 votes, 83 to 81. Two years later in 1902, Mitchell again tried to win re-election, this time against a newcomer, R.J. Hammack. Once again Mitchell lost the election, by a vote of 56 to 53.

By 1918, the Marshal's salary was increased to \$20 per month and then jumped to \$75 per month in 1920, when the Marshal also served as Lakeport's Night Watchman. This required the Marshal to be available 24 hours a day, 7 days a week. The Marshal became a one-man police department.

The Town Council changed the Marshal's position from elected to appointed in 1920. From that time on, the Marshal, and eventually every Chief of Police, served at the pleasure of the Town or City Council. This, of course, had a down side.

On one occasion, the incumbent Marshal asked the Council for a two week paid vacation. His request was granted. At the next Council Meeting, while the Marshal was away on vacation, the Town Council declared the Marshal's position vacant. The Council instructed the Clerk to inform the Marshal in writing that "his performance was less than satisfactory and that his services were no longer needed." Just that fast, he was unemployed.

Marshals drove their personal vehicles while on-duty. They also furnished a red light and siren for their vehicle and used their own revolver and holster. When one particular Marshal was terminated, the Council purchased the light, siren, revolver, and holster from him for \$25 and gave it to his successor.

On March 3, 1930, the Town Council changed the name of Lakeport to the "City of Lakeport." George E. Moore, who was serving as Town Marshal, became the City's first Chief of Police.

Since 1888, Lakeport has had 15 Town Marshals and 22 Chiefs of Police through the year 2000. The longest tenure of any Chief or Marshal was 15 years. Chief James L. Campbell served from March, 1979 to April, 1994. Campbell began his career with Lakeport as a Police Officer in 1966, when the department consisted of 6 sworn officers. When Chief Campbell retired in 1994, the department had doubled in size to 12 officers.

The shortest tenure of any Chief is one month. Chief Robert H. Mammen was hired in March, 1969, having previously served as Lieutenant for the Los Angeles Police Department. Chief Mammen accepted the position, but resigned one month later when his wife refused to move to Lakeport. To his credit, Chief Mammen did provide the Council with a thorough study of LPD prior to his departure. That study was the basis for many improvements in the police department over the next few years.

Mission<sup>30</sup>

*The Lakeport Police Department is dedicated to providing a safe environment for those who live, work and visit in the City of Lakeport. The Department is committed to providing high quality law enforcement services consistent with professional standards and best police practices, and to protecting and respecting the rights of all citizens. The Department provides 24-hour police services to the Lakeport community. Services include uniformed patrol and traffic enforcement, parking enforcement, canine patrol, narcotics task force services, community relations and crime prevention.*

Contact information for the Lakeport Police Department is as follows:

Lakeport Police Department, 916 North Forbes Street, Lakeport, CA 95453  
Emergency 9-1-1 Non-Emergency Number (707) 263-5491  
Fax Number (707) 263-3846 E-Mail: [info@lakeportpolice.org](mailto:info@lakeportpolice.org)

The Lakeport Police Department is committed to working as a partner with the community and City government to provide a safe environment to live, work, visit, run a business or raise a family. The City enjoys a very low crime rate and provides an exceptional quality of life. According to the "Draft South Main Street and Soda Bay Road Annexation Area Plan for Services,"

*"The Department maintains an officer to population ratio of 2.5 officers per 1,000 residents, which is above the State average. Staffing of the Department consists of 9 sworn officers, two additional non-sworn personnel and six volunteers. Although 10 sworn officers are budgeted for each year, staffing levels have fluctuated between 8 and 10 officers in recent times."*<sup>31</sup>

According to the City's website, the Police Department has a dedicated staff as follows.<sup>32</sup>

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<sup>30</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/page.aspx?deptID=76&id=50>, July 13, 2010.

<sup>31</sup> City of Lakeport, "Draft South Main Street and Soda Bay Road Annexation Area Plan for Services," April 2011, Page 1-2.

<sup>32</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/page.aspx?deptID=76&id=50>, May 8, 2011.

Brad Rasmussen, Police Chief  
James Bell - Police Officer  
Jason Ferguson - Police Sergeant  
Stephanie Green - School Resource  
Officer  
Destry Henderson - Police Detective  
Jarvis Leishman - Police Officer  
Kevin Odom - Police Sergeant  
Louis Riccardi - Police Detective  
Rick Santor - Police Officer  
Dale Stoebe - Police Sergeant

Norman Taylor - Police Officer  
Ellen Dills - Police Records Director  
Pastor Mike Suski - Police Chaplain  
Debbie England - Police Volunteer  
Theresa Harter - Police Volunteer  
Janine Lowe - Police Volunteer  
Jonathan McAloon - Police Volunteer  
Patricia McFarland - Police Volunteer  
Robert Jordan - Police Reserve  
Mike Williams - Reserve Police Officer

The Lakeport Police Department continues to maintain adequate staffing levels and equipment to provide protection of persons and property in Lakeport. This is accomplished through annual reviews of the police budget, which take into account increases in demand for services resulting from additional mandates and a changing service area.<sup>33</sup>

### **3.4.3 City of Lakeport Demand for Police Services**

The California Department of Justice (DOJ) reports that in 2009 there were 324 crimes committed in the City of Lakeport, which is 14 percent of all crimes committed in Lake County during the same year. The City had approximately 68 crimes per 1,000 residents, while countywide there were 36 crimes committed per 1,000 residents. In 2009, there were 28 violent crimes (nine percent), 116 property crimes (36 percent), and 118 larceny-theft crimes (36 percent). No arson crimes were committed in 2009.

Traffic-related law enforcement activity has increased substantially in recent years relative to other police activities. Traffic enforcement requires an increasing police presence on City streets.<sup>34</sup>

The effectiveness of a law enforcement agency can be gauged by many factors, including crime clearance rates or the proportion of crimes that are solved. There are no standards or guidelines on the proportion of crimes that should be cleared. Cleared crimes refer to offenses for which at least one person was arrested, charged with the offense, and turned over to the District Attorney for prosecution. A crime is also considered cleared by exceptional means if the offender dies, the victim refuses to cooperate, or extradition is denied.

Lakeport PD's clearance rate in 2009 for violent crimes was 50 percent and 21 percent for larceny-theft. Clearance data for property crimes was not available. Overall, 52 out of 208 (total number excludes property crimes) crimes or 25 percent of the total have been cleared.

<sup>33</sup> City of Lakeport General Plan 2025, Safety Element, August 2009, Page X-5.

<sup>34</sup> City of Lakeport General Plan 2025, Safety Element, August 2009, Pages X-5-6.

### 3.4.4 Public Safety Finances

Public Safety department provides Police, Park Ranger and Animal Control services. The combined revenues and expenses for the department are shown below.

City of Lakeport Budget Police Department						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>	\$	\$1,848,158	\$1,490,827	\$1,846,771	\$1,782,579	\$1,765,049
<b>Expenditures</b>						
Salaries/Benefits	\$1,494,331	\$1,547,194	\$1,262,542	\$1,386,537	\$1,453,016	\$1,346,605
Operating Expense	355,640	300,963	228,285	264,449	256,563	\$345,444
Debt Service	0	0	0	0		\$73,000
Capital Outlay	59,669	0	0	392,250	73,000	\$0
<b>Total Expense</b>	\$1,909,640	\$1,848,157	\$1,490,827	\$2,043,236	\$1,782,579	\$1,765,049

A majority of the revenue for the Police Department comes from the General Fund, which includes revenues sources that are dedicated to law enforcement services such as the State COPS grant, Indian gaming funds, parking enforcement fines, and a COPS Hiring Recovery Program grant. Law enforcement activities are also supplemented by the Proposition 172 Fund. The overall trend seen overtime is reduction in expenses. Between FY 07 and FY 12, departmental expenditures have gone down by eight percent. Expenses were unusually high in FY 10—higher than in FY 07 by seven percent and higher than in FY 12 by 14 percent.

### 3.5 Water Service

#### 3.5.1 Domestic Water Supply, Treatment and Distribution: Background

Small community water treatment has posed a problem for the drinking water regulatory community, drinking water professionals, and the people living in these communities. The Safe Drinking Water Act (SDWA) and subsequent regulations require that all water in the distribution system and at every tap connected to the distribution system comply. Water treatment usually consists of filtration and disinfection.

Water treatment standards essentially mandate central treatment for drinking water prior to entering the distribution system. No water that exceeds a primary standard may be used for drinking water. Primary standards have been developed to protect human health and are rigorously enforced by the California Department of Health Services.

For very small communities, this may be a cost that poses an undue burden. Often it could be a cost that has negative public health implications. For a very low-income family, the money spent on water treatment may not be available for other essentials.

Rather than spend that money, a community may apply for a variance or exemption.<sup>35</sup> Exemptions and variances are intended to be temporary solutions to regulatory compliance. They may, however, extend indefinitely leaving a community with no water that meets the regulation.<sup>36</sup>

<sup>35</sup> A Variance or an Exemption is a State Department of Health Services permission to exceed an MCL or to not comply with a treatment technique under certain conditions.

<sup>36</sup> NSF International, "Feasibility of an Economically Sustainable Point-of-Use/Point-of-Entry Decentralized Public Water System Final Report", March 2005, p18. [nsf.org/business/.../pdf/GrimesFinalReport\\_Dec05.pdf](http://nsf.org/business/.../pdf/GrimesFinalReport_Dec05.pdf)

Secondary standards are intended to protect the taste, odor or appearance of drinking water. California Code requires that, if a community water system experiences an exceedance of certain secondary standard, quarterly sampling must be initiated. Compliance is then determined based upon the average of four consecutive quarterly samples. Non-compliant water must then be treated to meet the secondary standards.<sup>37</sup> Water distribution systems carry water for both domestic use and for fire protection. The distribution system should be sized to perform both functions simultaneously, delivering sufficient water volume and pressure. Pipes should be made of durable and corrosion-resistant materials, and alignments located in areas that are easy to access for repairs and maintenance.<sup>38</sup>

Fire hydrants should be placed a maximum of 600 feet apart along the water mains and a maximum of 500 feet from the end of water lines.<sup>39</sup>

Some water loss in the distribution system can be expected. Water loss is the difference between the volume of water pumped from the water supply well and the volume of water sold to users. A loss of water from 5 to 15 percent is considered acceptable.<sup>40</sup>

### **3.5.2 Water Sources**

#### **A. Surface Water Rights**

Water has always been an essential commodity in California and a complex system of water rights has developed. There are two main types of surface water rights as follows:

##### **Riparian rights**

“Riparian rights” are the highest priority water rights and are attached to land that borders natural waterways. Based on legal precedents, riparian rights water can only be used on the property adjacent to the waterway and users are prohibited from transferring their water. Previously, riparian rights secured unlimited water use. A later court case established that riparian rights water users must be held to a standard of “reasonable use” and are prohibited from waste, unreasonable use, or unreasonable methods of diversion.

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<sup>37</sup> Brelje & Race Consulting Civil Engineers, “Preliminary Engineering Report Bonanza Springs Water System CSA #7 Lake County Special Districts”, December 2006, p 8.

<sup>38</sup> Brelje & Race Consulting Civil Engineers, “Preliminary Engineering Report Bonanza Springs Water System CSA #7 Lake County Special Districts”, December 2006, p. 10

<sup>39</sup> Brelje & Race Consulting Civil Engineers, “Preliminary Engineering Report Bonanza Springs Water System CSA #7 Lake County Special Districts”, December 2006, p. 11

<sup>40</sup> Brelje & Race Consulting Civil Engineers, “Preliminary Engineering Report Starview Water System CSA #18 Lake County Special Districts”, December 2006, p. 4.

### **Appropriative rights**

“Appropriative rights” are the second type of water rights and can be secured by properties that do not directly border waterways. Miners were the first to initiate this water rights system by posting a notice to divert water and secure the water right. Appropriative water rights were legally recognized in 1855 and are prioritized by a “first in time, first in right” hierarchy. Appropriative water rights must be put to “beneficial use” and can expire if the water is not used for a period of five years.<sup>41</sup>

According to the “Lake County Water Inventory and Analysis,”

*Conflicts developed between water users over the distinctions between riparian and appropriative water rights. In order to address these issues, the Water Commission Act of 1913 declared water a property of the State of California. The Water Commission Act also created a permit process to control water rights and established the State Water Resources Control Board (SWRCB) to govern the permit process. The Water Commission Act became the basis for appropriating water. The Act does not apply to riparian, appropriative, or groundwater rights established prior to 1914 (“Pre-1914” rights).*

*During years of water shortage, appropriative rights users must cut back their water use. The most recent right-holders are the most junior and are subject to the cutbacks first. Appropriative rights holders continue to be cut back in an inverse priority until the shortage is corrected.<sup>42</sup>*

### **B. Clear Lake Water Rights**

According to the “Lake County Water Inventory and Analysis,”

*Yolo County, to the southeast of Lake County, holds the majority of the water rights to Clear Lake, its tributaries, and Cache Creek (which drains the Lake). Most Lake County water purveyors do not have rights to Clear Lake and must enter into contracts with Yolo County to purchase Clear Lake surface water.*

*Numerous water and ditch companies dating back to the late 1800s acquired appropriative water rights from Cache Creek and its source, Clear Lake. The Yolo Water and Power Company later obtained many of these companies. In 1912, the Yolo Water and Power Company made an application for water from Cache Creek, including Clear Lake and all the streams flowing into the Lake. Up to this point Lake County had never applied for water rights and so the water right was given to the Yolo Water and Power Company. Eventually the Clear Lake Water Company purchased the Yolo County Water and Power Company, which was then purchased by Yolo County Flood Control and Water Conservation District.*

<sup>41</sup> Lake County Watershed Protection District, “Lake County Water Inventory and Analysis”, March 2006, page 3-1.

<sup>42</sup> Lake County Watershed Protection District, “Lake County Water Inventory and Analysis”, March 2006, p 3-1 and 3-2.

*Today the Yolo County Flood Control and Water Conservation District's appropriative water right allows them to divert up to 150,000 acre-feet of water annually from Clear Lake with certain conditions. The Gopcevic Decree (1920) established Yolo Water and Power's water right for Clear Lake to be between 0 and 7.56 feet Rumsey<sup>43</sup> and required the Lake to be operated between 0 and 7.56 feet Rumsey, with certain exceptions during flood conditions. The Solano Decree (1978, revised March 30, 1995) regulates summer Lake levels and the maximum amount of water that Yolo County Flood Control and Water Conservation District can divert.<sup>44</sup>*

C. Lake County Groundwater Overview

Lake County is actively monitoring groundwater use in the County as explained below:

Groundwater is one of Lake County's greatest natural resources. In an average year, groundwater meets about 60 percent of Lake County's urban and agricultural water demands. The demand for water will increase significantly as Lake County's population grows and agricultural production increases.

Urban water demand is anticipated to increase from an average of 10,900 acre-feet per year to 19,738 acre-feet per year by the year 2040, an 81 percent increase. Depending on the type and rate of agricultural development, the current average agricultural water demand of 39,817 acre-feet per year may be minimal or as much as 48,387 acre-feet per year by the year 2040, a 21 percent increase.<sup>45</sup>

With the exception of areas near Clear Lake, nearly all the additional water demand is likely to be supplied by groundwater. In many basins, the ability to optimally use groundwater is affected by overdraft and water quality impacts, or limited by a lack of data, management, and coordination between water users.

Effective management of groundwater basins is essential because groundwater will play a key role in meeting Lake County's water needs. Lake County is committed to implementing effective, locally planned and controlled groundwater management programs.

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<sup>43</sup> *The Rumsey Gauge is a measurement of the lake level that was established back in 1872 when Capt. Rumsey created a gauge to measure the various lake levels. He came up with a standard that is still used today. Rumsey decided that when water ceased to flow over the Grigsby Riffle, the lake would be at zero on his gauge. Zero Rumsey is equal to a height of 1318.256 feet above sea level. When water was above the riffle it would be called plus Rumsey, such as 1 foot, 2 feet and so on. Below the riffle, the lake level would be measured as minus Rumsey. All measurements were based on zero Rumsey at the Grigsby Riffle, which is located on Cache Creek, about two miles from the dam. Yolo County was originally allowed to take the lake level down to zero on the Rumsey Gauge, however in 1978, eight years after Indian Valley Reservoir was built, Yolo County made an agreement with Lake County to stop taking water out of Clear Lake at plus-1 foot on the Rumsey Gauge. ([http://www.record-bee.com/ci\\_10424164?source=most\\_email](http://www.record-bee.com/ci_10424164?source=most_email))*

<sup>44</sup> Lake County Watershed Protection District, "Lake County Water Inventory and Analysis", March 2006, p 3-2 and 3-3.

<sup>45</sup> [http://www.co.lake.ca.us/Government/DepartmentDirectory/Water\\_Resources/Division\\_Programs/Groundwater\\_Management.htm](http://www.co.lake.ca.us/Government/DepartmentDirectory/Water_Resources/Division_Programs/Groundwater_Management.htm)



Lake County is also committed to partnerships with local agencies to coordinate and expand data monitoring activities that will provide necessary information for more effective groundwater management. Coordinated data collection at all levels and local planning and management will help to ensure that groundwater continues to serve the needs of Californians.<sup>46</sup>

*D Lake County Watershed Protection District*

The Lake County Watershed Protection District is a dependent special district managed by the Lake County Department of Water Resources. The Lake County Board of Supervisors sits as the Watershed Protection District's Board of Directors. Because of the District's responsibilities regarding water resources, it is an authorized groundwater management agency as defined by the California Water Code (CWC) Section 10753 (a) and (b).<sup>47</sup> The Lake County Watershed Protection District has developed a Groundwater Management Plan (GMP) to provide guidance in managing the groundwater resources of Lake County. Lake County has divided the County into Water Inventory Units.

*E. Scotts Valley Basin<sup>48</sup>*

The Scotts Valley Groundwater Basin is the primary source of water supply for Lakeport and adjacent agricultural areas. It is west of Clear Lake in the Scotts Valley Inventory Unit. The basin includes Scotts Valley, the foothills between Scotts Valley and Clear Lake, and the foothills immediately to the south of Lakeport. Clear Lake borders the basin to the east and the Franciscan Formation borders the basin to the north, west and south. Scotts Creek flows through Scotts Valley and drains to the northwest around White Rock Mountain into the Upper Lake Basin.

Over time, Scotts Creek has changed drainage directions and affected the development of the basin. Originally, Scotts Creek drained into Clear Lake during the deposition of the Quaternary Terrace Deposits. Clear Lake drained to the west, towards the Pacific Ocean at that time. Cache Creek then eroded back into the Cache Formation far enough to reach Clear Lake, and the lake started draining into Cache Creek to the east.

Scotts Creek began to flow through Clear Lake's old drainage to the west, towards the Pacific Ocean. During this time, Scotts Creek eroded into the Quaternary Terrace Deposits, creating the depression that is now Scotts Valley. Scotts Creek deposited a layer of gravels in the bottom of Scotts Valley. A large landslide occurred in the Scotts Creek drainage, blocking its drainage to the west and creating a lake in Scotts Valley. The lake deposited the clay that makes up the floor of Scotts Valley today. Eventually Scotts Creek eroded a new channel, carving its present course

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<sup>46</sup>[http://www.co.lake.ca.us/Government/DepartmentDirectory/Water\\_Resources/Division\\_Programs/Groundwater\\_Management.htm](http://www.co.lake.ca.us/Government/DepartmentDirectory/Water_Resources/Division_Programs/Groundwater_Management.htm)

<sup>47</sup> Lake County Watershed Protection District, "Lake County Groundwater Management Plan," March 31, 2006, P 1-1.

<sup>48</sup> Lake County Watershed Protection District, "Lake County Groundwater Management Plan," March 31, 2006, Pp 2-15 to 2-17.

to Clear Lake around White Rock Mountain into the Upper Lake Basin to Clear Lake. The old drainage of Scotts Creek that was blocked by the landslide has filled up with water to form the Blue Lakes.

F. Water-Bearing Formations

Quaternary Alluvium: The channel deposits of Scotts Creek and the valley deposits in the southern portion of Scotts Valley are composed of Quaternary Alluvium. Older stream channels deposited by Scotts Creek also underlie Quaternary Lake and Floodplain Deposits in the northern portion of Scotts Valley. In the southern portion of the valley, the alluvium is exposed at the surface. It is 40 to 70 feet thick (Ott Water Engineers 1987) and is the recharge area for the valley. In the northern portion of the valley, where the alluvium is buried by lake deposits, the alluvium is 85-105 feet deep, is 5-10 feet thick, and is a confined groundwater aquifer (Wahler 1970). Wells completed in the confined portion of Quaternary Alluvium produce up to 600 gallons per minute and specific yield is estimated to vary between 20 and 25 percent (Wahler 1970).

Quaternary Lake and Floodplain Deposits: The northern portion of Scotts Valley is underlain by lake deposits of clay ranging in thickness from 60 to 90 feet (DWR 1957). This clay layer acts as a confining layer for the northern portion of Scotts Valley, where it overlies Quaternary Alluvium. Permeability in lake deposits is low, and specific yield of the clays is about 3 percent (Wahler 1970).

Quaternary Terrace Deposits: Quaternary Terrace deposits lie directly on bedrock and consist of poorly consolidated clay, silt, and sand, with some gravel. Quaternary Terrace deposits from the ridge that separates Scotts Valley from Clear Lake, and are exposed in foothills in the western and southern portions of the Scotts Valley Basin. The Quaternary Terrace Deposits also underlie the alluvium and lake deposits in Scotts Valley. The specific yield of terrace deposits is estimated to be between 5 and 10 percent, and wells in the formations sustain small yields of up to 60 gallons per minute (Wahler 1970).

G. Groundwater Hydrogeology

The south end of Scotts Valley serves as the principal recharge area for the entire valley (Wahler 1970). Surface water flow in Scotts Creek percolates into the aquifer in the southern portion of Scotts Valley at a rate of approximately 1,000 acre-feet per month (Wahler 1970). When Scotts Creek is not flowing, this recharge does not take place.

Hydrographs show groundwater levels in the Scotts Valley Basin are shallow in the spring and experience wide fluctuations over the irrigation season. Water levels in the basin are on average 10 feet below the ground surface in the spring, and spring groundwater levels have remained generally constant over the last 40 years.

Spring to summer drawdown of the water table varies by position in the Scotts Valley Basin, with Scotts Valley experiencing larger drawdown than the rest of the basin. Spring to summer drawdown in the Scotts Valley ranges from 30 to 60 feet, and drawdown near Burger Lake and south of Lakeport is roughly 10 feet. Anecdotal information from groundwater users in Scotts Valley indicates that the summer drawdown is far enough to de-water some pumps. The general direction of groundwater flow in the Scotts Valley Basin is northward along Scotts Creek in the Scotts Valley portion of the basin, and eastward towards Clear Lake in the eastern and southern portions of the basin (Wahler 1970). Groundwater levels in the basin seem to completely recover each wet season, and overall there does not appear to be any increasing or decreasing trend in long term groundwater levels.

Total groundwater in storage in Scotts Valley is approximately 5,900 acre-feet (Wahler 1970). DWR estimated usable storage to be 4,500 acre-feet (DWR 1957). Specific yield for the depth interval of 0 to 100 feet is approximately 8 percent (DWR 1957). Average-year agricultural groundwater demand in the Scott's Valley basin is approximately 2,370 acre-feet per year.

#### *H. Groundwater Quality/Inelastic Land Surface Subsidence*

Current published information regarding groundwater quality and inelastic land surface subsidence is unavailable. Anecdotal evidence in the form of elevated well casings (two to four feet above ground) indicates that the valley may have subsided by as much as four and one half feet. There have been no reports of groundwater quality issues associated with increased drawdown.

### **3.5.3 City of Lakeport Water Supply and Treatment**

The City of Lakeport takes water from two sources: Clear Lake and the Scotts Valley Aquifer, both of which are located in the same watershed. In 2004 the City of Lakeport MSR reported that there are no records showing that the City of Lakeport applied for historical water rights until September 1995. On that date, the City entered into an agreement with the Yolo County Flood Control and Water Conservation District (Recorded in Lake County Document No. 95-016544, included in electronic materials), whereby both parties agreed that the City's historical water rights were 750 acre-feet per year.<sup>49</sup>

Under the agreement, the 750 acre-feet of water is to be taken from wells that draw water from the Scotts Valley Aquifer. The agreement also allows the City to purchase 2,000 acre-feet of water from the Yolo County Flood Control and Water Conservation District to be drawn from either Clear Lake or the Scotts Valley Aquifer. The agreement is valid until January 1, 2030; with an automatic 10 year extension (unless either party elects to terminate the agreement). The agreement states that "in the event that there is

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<sup>49</sup> Yolo County Flood Control and Water Conservation District, "Amended Standard Agreement for Nonagricultural Water Sales" Lake County Recorder, Document No. 95-016544.

a shortage of water available from Clear Lake, municipal water use around Clear Lake shall have priority over other uses.”<sup>50</sup>

The City of Lakeport has four wells (two Scotts Creek wells and two Green Ranch wells) and a water treatment plant for the Clear Lake water. The four City wells pump water from the Scotts Valley Aquifer and have a combined maximum pumping capacity of 2.9 MGD.<sup>51</sup> The two wells in Scotts Creek are the primary sources of supply during the months of May through October, while the wells at Green Ranch are the primary sources of supply during the winter months.

The water treatment plant (WTP) for treating the water from Clear Lake has a maximum capacity of 1.5 MGD,<sup>52</sup> and can be used year round to supplement the City’s well supply. The water treatment facility includes pH control, pre-ozonation, coagulation, upflow clarification, multimedia filtration, post-ozonation, activated carbon and chlorine disinfection. The water treatment facility is considered to be an advanced treatment process, because it needs to treat Clear Lake water that is laden with algae.<sup>53</sup>

The City currently has two welded steel storage reservoirs with a combined volume of 2.5 MG. Both reservoirs were identified in the City’s Master Plan as being in relatively good condition but the reservoir interiors and exteriors need to be inspected by an AWWA qualified tank inspection company, within the next five years, in order to determine the condition of the paint coating system.

### **3.5.4 Water Division**

The City of Lakeport website describes the Water Division as follows:

*“The Water Division continuously monitors the quality of the water that is provided to its residents and holds the responsibility of providing safe drinking water as its highest priority. The division provides 24-hour service and support to the public by responding to customer concerns, emergency water breaks/repairs, and ensuring the City has high quality drinking water in adequate supply for firefighting, domestic, and commercial use. The division operates and maintains 4 wells, a surface water treatment facility, and distribution system to the meter. The division also works with developers and customers on water service issues during project design, during service installation and in the future.”<sup>54</sup>*

The staff for the Water Division is as follows:<sup>55</sup>

Mark Brannigan, Public Works Director

Phone: (707) 263-0751

Email: [mbrannigan@cityoflakeport.com](mailto:mbrannigan@cityoflakeport.com)

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<sup>50</sup> City of Lakeport, 2009 Recycle Feasibility Study Report, February 2010, prepared by Pace Engineering, Redding CA Page 4.

<sup>51</sup> City of Lakeport, “Draft South Main Street and Soda Bay Road Annexation Area Plan for Services, April 2011, Page 1-4.

<sup>52</sup> City of Lakeport, “Draft South Main Street and Soda Bay Road Annexation Area Plan for Services, April 2011, Page 1-5.

<sup>53</sup> City of Lakeport, 2009 Recycle Feasibility Study Report, February 2010, prepared by Pace Engineering, Redding CA Page 4.

<sup>54</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/home.aspx?deptid=47>, October 29, 2010.

<sup>55</sup> <http://www.cityoflakeport.com/departments/page.aspx?deptID=47&id=80>, May 8, 2011

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Jake Teschner, Water Div Op/MW-II

Phone: (707) 263-3578      Email: [jteschner@cityoflakeport.com](mailto:jteschner@cityoflakeport.com)

### **3.5.5 Water Service Finances**

#### **A. Water Treatment Costs**

Water production costs for the City are subject to many variables. The electrical power cost for producing water from the Water Treatment Plant is about \$540 per million gallons (\$174 per acre-foot), versus \$130 dollars per million gallons (i.e., \$42 per acre-foot) from the Scott Creek Wells. These costs do not include the costs for chemicals, operations, and maintenance at the Treatment Plant. The power cost alone is four times the greater for treating the Clear Lake water over the cost of pumping groundwater.<sup>56</sup>

#### **B. Water Service Charges**

Rate payers within the City of Lakeport are charged \$16.69 for the first 1,000 cubic feet of water and \$2.85 per 100 cubic feet above 1,000 cubic feet, depending on monthly usage. This would be the same as \$1,230 per acre-foot of potable water.<sup>57</sup> The complete rate schedule is shown in Appendix B at the end of this report and is available on the City's website.

#### **C. Water Treatment Budget**

The Water System is funded through Enterprise Funds as follows:<sup>58</sup>

Enterprise Fund 501 Water Utility Maintenance and Operations Fund: Chapter 13.04 of the Lakeport Municipal Code provides the authority for the City to operate the water system. Revenues (fees and charges) are collected to pay for service (water) received.

Enterprise Fund 502 Water Expansion Fund: Assessments on new development to pay for distribution system, plan preservation and expansion. The consultant, completing a water/sewer rate study, recommended that a depreciation account be established for annual transfer from M&O Fund.

The Budget for the Water Enterprise Fund 501 showed the following:

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<sup>56</sup> City of Lakeport, 2009 Recycle Feasibility Study Report, February 2010, prepared by Pace Engineering, Redding CA Page 4.

<sup>57</sup> City of Lakeport, 2009 Recycle Feasibility Study Report, February 2010, prepared by Pace Engineering, Redding CA Page 7.

<sup>58</sup> City of Lakeport, Budget Fiscal Year 2009/2010, Page 8.

City of Lakeport Budget Water Utility						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>	\$1,239,917	\$1,324,239	\$947,958	\$1,410,781	\$1,875,498	\$1,861,593
<b>Expenditures</b>						
Salaries/Benefits	\$665,981	\$722,500	\$353,326	\$319,013	\$274,197	\$544,665
Operating Expense	746,614	592,290	324,071	571,142	482,842	\$441,409
Debt Service	254,105	254,371	254,054	503,086	254,159	\$254,069
Capital Outlay	21,896	13,774	16,507	17,540	614,300	\$621,450
<b>Total Expense</b>	\$1,688,596	\$1,582,935	\$947,958	\$1,410,781	\$1,625,498	\$1,861,593

Funds from years where the revenue is greater than the expense are used to make up the difference when the revenue is less than the expense. The revenue comes primarily from water service charges, but is also augmented by general fund revenues. Expenses for the water department decreased between FY 07 and FY 09 by 44 percent; they are projected to go back up by 96 percent in FY 12.

### 3.5.6 City of Lakeport Water Service Master Plan

The City's 2008 Master Water Plan states that the Maximum Daily Demand (MDD) for water was 1.82 MGD at that time and the production capability was 2.7 MGD, which is equivalent to 67 percent of the City's sustainable production capacity. The Master Water Plan predicted that the City's growth rate for the next twenty years would be 1.1 percent per year. Based on this predicted rate of growth, the City's Maximum Daily Demand for water would be 2.3 MGD by 2028, which is still below the estimated firm production capability of the system. However, the City's production capacity is reliant on the Green Ranch Wells that may be subject to reductions in capacity due to drought conditions and expiration of the City's land lease.<sup>59</sup>

As the City approaches the capacity of its water supply and system, it will need to find a means to expand its water production capacity. Since drilling new wells around the Lakeport area has its risks, and the City has an established source of treatable water in Clear Lake, the Water Master Plan proposes that the City should either increase its water production capacity via expansion of the treatment plant or a new treatment facility could be built. Given that there would be significant costs and regulations associated with building a new treatment facility, the Water Master Plan recommends expansion of the existing treatment plant as the most likely alternative for a future increase in water supply. Based on growth projections in the Water Master Plan, this expansion will likely need to occur sometime over the next 18 to 19 years.<sup>60</sup>

The City's Master Plan notes the following infrastructure needs and deficiencies related to the water system:

- The Scotts Creek Wells are located within the Scotts Creek water channel and are prone to damage from floating debris when the creek is flowing. In addition, these wells are isolated and do not have adequate security from vandals. The

<sup>59</sup> City of Lakeport, 2009 Recycle Feasibility Study Report, February 2010, prepared by Pace Engineering, Redding CA Page 7.

<sup>60</sup> City of Lakeport, 2008 Water Master Plan, 2008, p. 9.

Master Plan recommends finding a new well site and replacing these wells by 2018.

- It is recommended that the City switch from the gaseous chlorine injection system at the reservoirs to a sodium hypochlorite dosing system at the well sites
- The Green Ranch Wells are also isolated and security around these wells is lacking.
- In order to supplement the City's current water supply, it is recommended that the City construct a water intertie with the County at Hartley Street by 2013.
- The plant's Supervisory Control and Data Acquisition (SCADA) programming is complicated and demands considerable attention by City operators. During the initial installation of the software there was an attempt to control too many of the facilities systems and is difficult to troubleshoot and repair.
- The Profibus telemetry communication system that transmits the SCADA commands between the wells and the reservoirs, and between the K Street pumping station and the treatment plant, is unreliable. It is recommended by the engineer that the Profibus system be replaced with a radio telemetry system similar to the City's current radio telemetry system.
- The raw water and intermediate pump station wet wells at the treatment plant need to be expanded by 2018 to allow greater flexibility during plant operations.
- Minor deficiencies include a means to maintain treatment plant system pressure, installation of intruder alarms, installation of enclosures around the treatment plant pumps, and replacement of chlorine gas disinfection process with sodium hypochlorite
- There is a significant amount of unlined cast iron and galvanized steel pipe in the distribution system, some of which may be over 100 years old, and much of this old pipe is undersized (i.e., less than 4 inches) and needs to be replaced with 8 inch pipes as the mains are replaced over time. As a result of the undersized mains, the City may not be able to meet fire flow requirements in large portions of the existing commercial areas along Main Street during heavy demand periods.

It is estimated that these improvements, including expansion of the water treatment plant, over the next 20 years will cost approximately \$12.3 million to complete (in 2008 dollars).

### **3.5.7 Water Quality**

Over the last 10 years (2000 to 2010), the City had one monitoring violation regarding a surface water treatment rule in 2009, according to the EPA. The City has had no health violations during that time frame; however, according to the City's Water Master Plan, recent lead and copper sampling indicate that there might be elevated copper levels in the distribution system. A preliminary investigation of the problem suggests that the pH of the wells is too low, causing corrosion of copper piping within the distribution system. Currently the California Department of Public Health DPH is examining the City's copper levels and if they were to determine that these levels are in excess of the current EPA Lead and Copper regulations, the City may have to install some type of corrosion control system (i.e., caustic soda, orthophosphate, etc.) in order to treat the City's water.

### **3.6 Wastewater Service**

#### **3.6.1 Wastewater Treatment Overview**

Wastewater is the water that drains from sinks, showers, washers, and toilets. Wastewater also includes water used for some outdoor purposes, such as draining chlorinated pool water, commercial car washes and industrial processes. Underground sanitary sewer pipelines carry sewage to a wastewater treatment plant, where it is treated, sanitized and discharged.

Wastewater Treatment demand management strategies include the following:

- Sewer infiltration and inflow (I&I) control
- Industrial pretreatment and recycling
- Water conservation

Service providers can reduce infiltration and inflow with capital improvements, such as pipeline rehabilitation, manhole cover replacement, and root eradication. They can also address sources on private property, such as broken service lines, uncapped cleanouts and exterior drains, through public education, incentives and regulatory strategies.

Communities use various techniques to prohibit discharge of unwanted pollutants or to reduce the quantity and strength of wastewater discharged to sewers.

These techniques include the following:

- 1) Permit limitations on the strength and contaminant levels of industrial and commercial wastewater
- 2) Increased rates or surcharges on high-strength wastes
- 3) Incentives or requirements for water recycling and reuse within the industrial or commercial operation

Water conservation measures are effective for reducing average wastewater flows, but have less impact on peak flows, which are usually strongly influenced by infiltration and inflow contributions. Water conservation has little or no impact on organic loading to the treatment plant.

#### **3.6.2 City of Lakeport Wastewater Treatment System**

Safe, responsive, and reliable sewer service is an integral component to the purpose of the City of Lakeport Municipal Sewer District. Its mission is to provide these things, while maintaining high quality customer service, protecting the environment, and supporting economic development within the City through maintenance of, and improvement to, the community infrastructure. The mission statement of the District reflects that sentiment:

*“The [District] is dedicated to fostering a safe and picturesque environment that enhances the quality of life for our community; it is our responsibility to promote the health and safety of City residents and visitors. We are committed to being responsive to the needs of the community, exercising innovation in sustaining and growing a vibrant place in which to live, work, and do business.”*

The City’s website describes the Sewer Division as follows:



*The Sewer division provides collection, treatment, and disposal of sewage in a manner compliant with the health and safety needs of the public and environment as its top priority.*

*The Sewer division provides 24-hour service and support to the public by responding to customer concerns, emergency sewer stoppages, and ensures sewer system functionality. The division operates and maintains 8 sewer lift stations, a secondary treatment and disposal facility, and a collection system to the customer's property line.*

*The division works with developers and customers on sewer service issues during project design, service installation, and future needs. The division also inspects the collection system for Inflow and Infiltration (I&I) problems that require remediation to restore system capacity.<sup>61</sup>*

Contact information for the District is as follows:<sup>62</sup>

<b>Position/Title</b>	<b>Name</b>	<b>Telephone Number</b>
City Manager	Margaret Silveira	(707) 263-5615, ext. 32
Public Works Director	Mark Brannigan	(707) 263-0751
City Engineer	Scott Harter	(707) 263-5615, ext. 11
Utilities Superintendent	Matt Johnson	(707) 349-9493
Wastewater Facilities Supervisor	Carlos Pradomeza	(707) 245-7154
Wastewater Facilities Operator I	Chris Brians	(707) 813-7647
Construction Supervisor	Rich Johnson	(707) 245-6753
I&I Maintenance Worker	Cesar Arredondo	(707) 349-3126

<sup>61</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/home.aspx?deptid=48>, October 29, 2010.

<sup>62</sup> City of Lakeport Municipal Sewer District, Sewer System Management Plan, 2010, Page 13.

A. History of Wastewater Treatment

The City's original wastewater treatment plant (WWTP), located at Larrecou Lane, was constructed in 1939. It was expanded in 1959, and again in 1979. The original plant used a series of clarifiers and a trickling filter to treat the wastewater prior to pumping it to an effluent reservoir where it is stored and used for irrigation on City-operated pastures.<sup>63</sup>

The City of Lakeport Municipal Sewer District (CLMSD) collection system involves all of the City of Lakeport south of Sixteenth Street and County areas in the South Main Street/Soda Bay Road areas. City of Lakeport Municipal Sewer District (CLMSD) provides collection and treatment of wastewater collected in and around the City of Lakeport. The collection system that serves Assessment District 9-1 (Lands End, Holiday Cove, and Reeves Point), as well as Assessment District 9-3 (South Lakeport), is maintained by the Lake County Sanitation District (LACOSAN). However, the effluent is treated and disposed of at the City of Lakeport's Municipal Wastewater Treatment Facility. Wastewater flows in the northern portion of the CLMSD can be directed to the County collection system.<sup>64</sup> The City of Lakeport Municipal Sewer District is a subsidiary district of the City of Lakeport, meaning that it is governed by a board of directors, whose members also serve as the City Council.<sup>65</sup> The District's authorized representative in all wastewater collection system matters is the CLMSD Director, who is authorized to certify electronic spill reports submitted to the State Water Resources Control Board.

A mutual service agreement between the City of Lakeport Municipal Sewer District and the Lake County Sanitation District is implemented as follows:

*"CLMSD accepts and delivers sewer flows to Lake County Special Districts and operates under a mutual aid agreement to do so. CLMSD has the ability to deliver flows to the County in the northern part of the district and receive flows in the south. Flow acceptance or delivery is managed through request by telephone between the City and County district superintendents. Both agencies track the flows delivered and accepted and invoice one another for those services at a mutually agreed upon rate."*<sup>66</sup>

B. Modern Wastewater Treatment

The City of Lakeport's existing wastewater treatment and reclamation facilities, at Linda Lane, were upgraded in 1991 to an average dry weather flow (ADWF) capacity of 1.05 MGD and a peak wet weather capacity of 3.8 MGD. The City's wastewater is collected and pumped to the City's wastewater treatment plant (WWTP) where the wastewater is treated via the secondary treatment facility.

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<sup>63</sup> City of Lakeport, 2009 Recycle Feasibility Study Report, February 2010, prepared by Pace Engineering, Redding, California, Page 7.

<sup>64</sup> City of Lakeport Municipal Sewer District, Sewer System Management Plan, Page 18, 2010.

<sup>65</sup> City of Lakeport Municipal Sewer District, Sewer System Management Plan, Page 2, 2010.

<sup>66</sup> City of Lakeport Municipal Sewer District, Sewer System Management Plan, Page 61, 2010.

The unit processes of the WWTP consist of a headworks with a mechanical bar screen, two parallel earthen aeration basins with two cells, an effluent pump station, 48-inch diameter 650-foot chlorine contact pipe, effluent reservoir, irrigation pumping station, and effluent irrigation fields. Most processes at the WWTP are automatically controlled by a programmable logic controller (PLC) within the WWTP control building.<sup>67</sup>

The treated wastewater is chlorinated and stored at the effluent storage reservoir. During the 1991 expansion, the City's effluent storage reservoir was expanded to about 650 acre feet (i.e., 211 MG) at reservoir elevation 1,432 feet. Treated effluent is stored in the reservoir until such time that the water can be applied to the City's 332-acre irrigation facilities.

The California Regional Water Quality Control Board (CRWQCB) wastewater discharge permit allows the City to irrigate all year long, so long as effluent irrigation practices do not occur during, or within 24 hours of, precipitation on the irrigation area. The City's irrigated pasture land is leased to local farmers for grazing livestock.<sup>68</sup>

### C. Wastewater Collection System

According to the California Regional Water Quality Control Board Central Valley Region,<sup>69</sup>

*"The collection system consists of approximately 250,000 linear feet of sewer main and lateral and collects wastewater from approximately 5,150 residents."*

### D. Wastewater Treatment Master Plan

The City of Lakeport Municipal Sewer District intends to expand the sewer system over the next 10 years to accommodate potential commercial and residential growth. It also desires to implement programs and activities that will become an example for other similarly sized communities of efficacious wastewater management. To that end, an engineering firm was engaged to develop a Master Sewer Plan which evaluated the District's sewer capacity and made recommendations to effectively accommodate future growth in the short and long term, while mitigating impact to the environment. The Master Sewer Plan was adopted in July, 2008.<sup>70</sup>

In 2008, there were 2,046 single-family residential unit equivalents (RUEs) served by the City of Lakeport sewer system. The projected 20-year RUE value for the City's existing City Limits is 2,593. The values shown below indicate projected wastewater flows based on the City's 2008 Master Sewer Plan.<sup>71</sup> As shown, the City is presently well within the system's ADWF capacity of 1.05 MGD, but is nearing the permitted maximum day capacity of 3.8 MGD. Based on a projected growth rate of 1.1 percent per year used in

<sup>67</sup> City of Lakeport, 2009 Recycle Feasibility Study Report, February 2010, prepared by Pace Engineering, Redding, California, Page 8.

<sup>68</sup> City of Lakeport, 2009 Recycle Feasibility Study Report, February 2010, prepared by Pace Engineering, Redding, California, Page 2.

<sup>69</sup> California Regional Water Quality Control Board, Central Valley Region, "Order No. R-5-2007-0010, Cease and Desist Order for City of Lakeport Municipal Sewer District Wastewater Treatment Facility", Lake County, March 15, 2007.

<sup>70</sup> City of Lakeport Municipal Sewer District, Sewer System Management Plan, 2010, Page 4.

<sup>71</sup> City of Lakeport, 2009 Recycle Feasibility Study Report, February 2010, prepared by Pace Engineering, Redding, California, Page 8.

the 2008 City of Lakeport Master Sewer Plan, it is estimated that some of the City's WWTP processes will reach their capacity within the next twenty years (i.e., chlorine contact chamber and the aeration basins).

<b>CITY OF LAKEPORT PROJECTED WASTEWATER FLOWS</b>		
<b>Flow</b>	<b>2008</b>	<b>2028</b>
Average Dry Weather Flow, MGD	0.38	0.48
Potential Peak Wet Weather Flow, MGD	2.80	3.40*
*Assumes a 1.1 percent per year growth rate and infiltration and inflow (I&I) reduction projects will be successful in reducing PWWF.		

The following deficiencies and needs related to the wastewater system were identified in the Wastewater Master Plan:

- Several sewer segments within the existing collection system currently show some signs of moderate to severe surcharging during peak rain events and require further consideration for corrective action in order to increase sewer capacity (the City's efforts to address this infiltration and inflow are discussed in the following section in detail),
- The Clearlake Avenue Lift Station is a small lift station that is located within the flood plain of Clearlake. The small size of this lift station makes it difficult to access and it appears that some of the concrete manhole walls are showing signs of degradation,
- The Martin Street Lift Station wet well hatch needs rehabilitation due to corrosion,
- Intermittent odor issues at the Linda Lane lift station have been noted, and
- Effective monitoring and control of the major lift stations within the Lakeport collection system have been limited by the existing phone based communication alarm system and the lack of remote data acquisition.

### **3.6.3 Inflow and Infiltration**

Inflow and infiltration (I&I) is a significant problem for the collection system. In an effort to try and reduce this I&I load on the system, the City has performed several rehabilitation projects throughout its history:

1. A sewer system evaluation survey of the Lakeport sewer system was performed in 1976. From this study, several areas of the City's collection system were identified for rehabilitation work.
2. In 1979, the City performed an extensive rehabilitation program made up of sewer reconstruction, sewer video inspection, and grout sealing of sewer joints.
3. From 1991 to 1992 the City performed an I&I analysis of the entire sewer system. This analysis involved smoke testing of the collections system to determine sources of inflow, manhole inspections, and wet weather flow monitoring. From this comprehensive analysis, several areas within the collection system were identified as having moderate to severe I&I.
4. Using the 1991 and 1992 I&I study discussed above, the City performed a major collection system rehabilitation project in 1993 and 1994. This project involved video inspecting, testing, and grout sealing approximately 38,000 feet of main line sewer, and replacing 8,200 feet of 6-inch to 10-inch main sewer as well as 3,100 feet of 3-and 4-inch lateral sewers within the right-of-way areas. In addition, the City also expanded the C Street pump station with upgrades to the pumps, control equipment, and the control building.
5. Implemented in 2003, the City maintains an ongoing I&I reduction program and staff dedicated to reducing or eliminating I&I within the collection system. The City's I&I efforts have included the following:
  - a. Aerial mapping of the city including GIS mapping of the collection system.
  - b. Inventory of all sewer utilities (i.e., manholes, sewer sizes, etc).
  - c. GIS utility atlas provided to field crews for constant update.
  - d. Completion of City Sewer Spillage Geodatabase.
  - e. Purchase of flow meters for sewage lift stations, 2004.
  - f. Installation of 44 sewer manhole covers, 2005.
  - g. Routine internal close circuit television (CCTV) inspection of all gravity sewer main lines and some laterals using City owned CCTV equipment.
  - h. Systematic smoke testing to identify open clean outs, leaking manholes, and damaged sewers in areas prone to high I&I and flooding.
  - i. Identification, documentation, repairs, and enforcement of damaged and illicit connections to the gravity sewer system.
  - j. Scheduling of maintenance, restoration, and replacement of damaged sewers and laterals.
  - k. Physical assessment, photographing, and cataloging of all sewer manholes within the Lakeport collection system.
  - l. Rehabilitation of over 50 deteriorating manholes and lids from 2004 to 2006.

- m. Purchase and installation of leak-proof manhole covers on a significant number of manholes throughout the system.<sup>72</sup>

The City requires all identified sources of I&I be corrected upon discovery. The City actively investigates such sources and continuously works to identify and track new sources. CLMSD's I&I Program is proactive in detection; however, significant fiscal limitations prevent correction of all known I&I locations. The 2008 Master Sewer Plan comprehensively identified all known I&I sources and the rehabilitation measures needed to correct the issues surrounding them. That information and newly discovered I&I sources are tracked and stored in the City's GIS mapping program.<sup>73</sup>

#### **3.6.4 Wastewater Treatment Regulations**

Waste Discharge Requirement (WDRs) Order No. 98-207, adopted by the Regional Water Board on October 23, 1998, prescribes requirements for the wastewater system owned and operated by the City of Lakeport Municipal Sewer District (CLMSD). Revised Monitoring and Reporting Program No. 98-207 was issued on April 22, 2004.<sup>74</sup> The Wastewater Treatment Plant was the subject of Cease and Desist Order No. R-5-2007-0010 issued on March 15, 2007. The Cease and Desist Order lists numerous spills from 1998 to 2006. The City completed the work required including a 90-acre disposal field expansion for \$2.6 million.<sup>75</sup> The City continues to have challenges with sewer system overflows, and has had two spills in FY 10-11, or seven spills per 100 miles of collection system during that time frame. By comparison, during that same time frame, providers throughout California averaged about 4 spills per 100 miles.

#### **3.6.5 Wastewater Treatment Finances**

The City of Lakeport Wastewater Treatment system is financed with enterprise funds as follows:<sup>76</sup>

Enterprise Fund 601 City of Lakeport Municipal Sewer District Fund: Chapter 13.20 of the Lakeport Municipal Code provides the authority for the City to operate the sewer system. Revenues (fees and charges) are collected to pay for availability of collection, transportation, treatment, and disposal systems. In addition, grazing lease payments, LACOSAN payments for flows, tax revenues, FEMA storm damage reimbursement, OES storm damage reimbursement, and insurance rebates have been credited to this fund.

Enterprise Fund 602 City of Lakeport Municipal Sewer District Expansion Fund: See Lakeport Municipal Code Section 13.20.030. New construction is assessed connection fees to provide for major repair, improvement, and expansion of sewer collection, transmission, treatment and disposal facilities. Consultant completing water/sewer rate study recommended that depreciation account be established for annual transfer from M&O fund.

<sup>72</sup> City of Lakeport Municipal Sewer District, Sewer System Management Plan, 2010, Pages 23-25.

<sup>73</sup> City of Lakeport Municipal Sewer District, Sewer System Management Plan, 2010, Page 16.

<sup>74</sup> California Regional Water Quality Control Board, Central Valley Region, Order No. R-5-2007-0010, Cease and Desist Order for City of Lakeport Municipal Sewer District Wastewater Treatment Facility, Lake County, March 15, 2007.

<sup>75</sup> City of Lakeport, "Draft South Main Street and Soda Bay Road Annexation Area Plan for Services, April 2011, Page 1-7.

<sup>76</sup> City of Lakeport, Budget Fiscal Year 2009/2010, Page 9.

The budget for the Sewer Maintenance and Operations Fund is shown below:

City of Lakeport Budget Sewer Maintenance & Operations						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>	\$1,358,414	\$3,900,384	\$1,783,441	\$2,388,067	\$1,677,823	\$1,631,099
<b>Expenditures</b>						
Salaries/Benefits	\$677,567	\$713,505	\$515,328	\$491,603	\$344,964	\$302,803
Operating Expense	1,507,374	758,007	1,024,721	1,661,183	1,102,096	\$1,051,813
Debt Service	0	0	160,498	86,560	189,460	\$187,260
Capital Outlay	10,916	2,545,875	53,076	1,661	18,000	\$40,200
Transfers Out	0	0	0	0	0	\$15,594
<b>Total Expense</b>	\$2,195,826	\$4,017,387	\$1,753,623	\$2,241,007	\$1,654,520	\$1,597,670

Revenues for the department come from the sewer service charges and from an assessment district. Expenditures have not been consistent overtime; between FY 07 and FY 12 they have generally decreased by 27 percent.

### 3.7 City of Lakeport Facilities

#### 3.7.1 Public Works

The Street Division of Public Works provides for the maintenance and minor construction of all City streets, curbs and gutters, drainage systems and structures, and rights-of-way improvements. This includes asphalt overlays and repairs, street signs, pavement markings, culvert maintenance and replacement, and other street related projects. The Street Division also provides many additional public service functions, including providing traffic control services for parades and other special events, installing banners over Main Street, and assisting other City departments.<sup>77</sup>

The Public Works Director is Mark Brannigan and the contact information is as follows:  
 Phone: 707-263-0751

The budget for the Public Works Department is as follows:

City of Lakeport Budget Public Works Department						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>	\$	\$1,310,564	\$786,609	\$809,986	\$1,297,689	\$2,325,523
<b>Expenditures</b>						
Salaries/Benefits	\$317,696	\$383,499	\$224,844	\$461,573	\$530,013	\$416,946
Operating Expense	254,777	293,035	227,294	\$208,080	\$242,280	\$270,979
Capital Outlay	83,250	634,030	334,472	\$106,087	\$525,396	\$1,637,598
<b>Total Expense</b>	\$655,723	\$1,310,564	\$786,610	\$775,740	\$1,297,689	\$2,325,523

Public works services are funded by a combination of general fund and several other special revenue funds, including the gas tax fund, the redevelopment fund, the storm damage fund, and the water and wastewater enterprise funds.

<sup>77</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/home.aspx?deptID=78>, July 14, 2010.

A. Drainage

**Drainage - Background**

Water pollution degrades surface waters, making them unsafe for drinking, fishing, swimming, and other activities. National Pollutant Discharge Elimination System (NPDES) permits are required for all point-source pollution discharges of waste into California's surface waters to prevent pollution and loss or impairment of beneficial uses of waters, to prevent damage to or loss of aquatic species and habitat, and to prevent human health problems and water-borne diseases.

Point sources are discrete conveyances such as pipes or man-made ditches. Industrial, municipal, and other facilities must obtain a permit if their discharges go directly to surface waters. Individual homes that are connected to a municipal sewer system, use a septic system, or do not have a surface discharge do not need an NPDES permit.

The NPDES permit program is mandated by the Federal Clean Water Act and administered by the State of California. Storm water discharges are runoff from land and impervious areas such as paved streets, parking lots and building rooftops during rainfall and snow melt-off. These discharges often contain pollutants in quantities that could adversely affect water quality. Discharges of pollutants to storm water conveyance systems are significant sources of pollution to surface waters. Federal Law designates these discharges as point-source discharges subject to an NPDES permit.

There are two types of storm water permits as follows: Individual storm water permit and General storm water permit. An individual permit is an NPDES permit specifically tailored to a single facility. A general permit is an NPDES permit that covers several facilities that have the same type of discharge. The City of Lakeport jointly administers the Lake County Clean Water Program by participating in the Lake County Clean Water Program Advisory Council, as reported annually to the Central Valley Regional Water Quality Control Board.

**Lakeport Drainage**

The General Plan describes the City's drainage system as follows:<sup>78</sup>

*“Lakeport is traversed by several streams and drainage areas which flow into Clear Lake. The development that has occurred during the past ten years has accentuated existing drainage problems and has increased the potential for flooding. Continued construction of new buildings increases the area of impermeable surface and thus the amount of stormwater that flows through the City's storm drain system.”*

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<sup>78</sup> City of Lakeport General Plan 2025, Land Use Element, August 2009, Page II-13.



## **Lakeport Flooding**

In addition to drainage problems Lakeport may also experience flooding problems as described in the General Plan:<sup>79</sup>

*“Flooding has historically been one of Lakeport’s major safety concerns. Clear Lake and its tributary drainages have a long history of flooding. In the past twenty years, federal disasters due to flooding were declared six times in the City of Lakeport during 1983, 1986, 1995 (twice), 1997, and 1998. Flooding in Lakeport historically results from two distinct types of events as follows:*

- *Shoreline flooding due to high lake levels and wind velocity*
- *Stream bank flooding caused by high intensity cloudburst storms over one or more of the drainage areas*

*“Conditions in the winter tend to be conducive to both types of flood conditions at the same time.*

*“Stream bank flooding affects most drainage within the City. Cloudburst storms lasting as long as three hours can occur in the watersheds of Lakeport practically anytime during the fall, winter, and spring and may occur as an extremely severe sequence in a general rainstorm. Cloudbursts are high-intensity storms that can produce floods characterized by high peak flows, short duration, and relatively small volume of runoff. In small drainage basins, such as those existing in the Planning Area, cloudbursts can produce peak flows substantially larger than those of general rainstorm runoff.”*

### **B. Streets and Roads**

The General Plan describes Lakeport’s streets as follows:<sup>80</sup>

*“Lakeport’s roadway network is defined and constrained by two barriers: Clear Lake on the east and State Highway 29 on the west. The majority of the City is laid out in a rectangular grid pattern which is interrupted by hilly terrain. In these hilly areas the street system becomes discontinuous and through traffic is difficult. Many of the City’s streets are narrow, not improved to current standards, and will require upgrading. In addition, further development of the street system between Bevins and Main Streets is prevented by large areas devoted to public facilities such as the City corporation yard and the Lake County Fairgrounds.*

*“Although construction of the State Highway 29 freeway has reduced congestion downtown, it is now a barrier inhibiting east-west circulation through the Planning Area. Access across State Highway 29 is only available at: Eleventh Street; Martin Street; Lakeport Boulevard; the South Main Street intersection with State Highway 29; and the Hill Road*

<sup>79</sup> City of Lakeport General Plan 2025, Safety Element, August 2009, Page X-4.

<sup>80</sup> City of Lakeport General Plan 2025, Transportation Element, August 2009, Page IV-5.

*crossing. State Highway 29 permits vehicles to bypass the downtown area and carries the largest amount of traffic through Lakeport. When the State Highway 29 bypass was constructed in 1970, it carried between 2,000 and 4,000 vehicles per day significantly reducing the amount of through traffic on Main Street and other city streets. Lakeport has grown considerably resulting in an increase in traffic volumes on Main Street. Traffic volumes will continue to increase commensurate with population growth in Lakeport and the County.*

The Plan further describes pedestrian facilities as follows:<sup>81</sup>

*“Many residential areas in the City are built without sidewalks. The construction of sidewalks would significantly increase pedestrian safety, particularly for children going to and from school. Funds to construct sidewalks in these areas are available from Improvement districts where property owners agree to pay for sidewalk construction and from the City’s General and Redevelopment Funds. Use of the City’s General Fund to build sidewalks is unlikely, unless community-wide benefit can be demonstrated.”*

*“In older areas already developed without sidewalks, and in low density residential areas which typically have a swale adjacent to the road instead of a sidewalk, curb, and gutter, it may be preferable to build an asphalt pathway to separate pedestrians from vehicular traffic.”*

### **3.7.2 Parks Buildings and Grounds**

#### **A. City Parks**

The Parks and Building Maintenance Division provides for the operation and maintenance of Library and Westside Community Parks, special use areas, City Hall, and the Police Station. This Division provides administration and supervision of contract providers and parks and building maintenance staff for landscaping, grounds, and building maintenance, including electrical and plumbing repairs, vandalism repairs, some painting, custodial services, and litter abatement.<sup>82</sup>

The City’s park facilities are shown below. The City owns and maintains three parks. The Lakefront and Library Parks are fully developed. The Westside Community Park is developed as funding becomes available. As of the drafting of this report, eight acres of the park had been developed.

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<sup>81</sup> City of Lakeport General Plan 2025, Transportation Element, August 2009, Page IV-11.

<sup>82</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/home.aspx?deptID=79>, July 14, 2010.

**EXISTING PARKS – CITY OF LAKEPORT<sup>83</sup>**

<b><u>Park</u></b>	<b><u>Size (acres)</u></b>	<b><u>Current Use</u></b>
Lakefront Park	5.0*	Picnicking, boat ramp, parking lot
Library Park	3.5	Picnicking, play lot, gazebo, boat ramp, dock, and swimming
Westside Community Park	55.0	Athletic fields, playground (8 acres developed, the remainder will develop as funds become available).
<b>Total</b>	<b>63.5</b>	

\*Most of the 5 acres is used for parking

Open space and recreation facilities at Lakeport’s schools are also considered part of the park inventory, due to the cooperative agreement between the City and school district. Not including the school district’s park acreage, there are approximately 12 acres of City owned parkland per 1,000 residents. Only 16.5 acres of the City owned parkland had been developed as of 2004, giving Lakeport a ratio of 3.3 acres of developed parkland per 1,000 residents. This is below the City’s adopted goal of 5 acres per 1,000 residents. The City is in the process of developing another seven acres of the Westside Community Park which is anticipated to be completed by 2012.

In addition to parks within the City, “Lakeport is fortunate to be surrounded by a generous amount of open space. Over 50 percent of all land in Lake County is publicly owned, and approximately two thirds of this area is available for public use. The majority of this land has limited recreational use, however, since it is inaccessible to the public.”<sup>84</sup>

**B. Boating and Fishing**

The General Plan describes the additional recreational opportunities of boating and fishing as follows:<sup>85</sup>

*“Fishing season is open 365 days a year on Clear Lake and the lake is famous for its many fishing tournaments. The largest tournament activity involves bass fishing; there are numerous bass tournaments throughout the year with as many as 300 boats participating in any one tournament.*

*“Civic organizations such as the local Chamber of Commerce aggressively court fishing tournaments because of the significant revenue generated by them. The principal bass tournament locations are at City of Clearlake, Lakeport, and Konocti Harbor Resort and Konocti Vista Casino. There are also fishing derbies at a variety of locations for other fish such catfish, carp, crappie, and blue gill. In addition to the fishing events, there are other boating related events including the Nor-Cal Boat and Ski races, personal watercraft poker runs, and a seaplane fly-in.”*

<sup>83</sup> City of Lakeport General Plan 2025, Open Space, Parks and Recreation Element, August 2009, Page VIII-2.

<sup>84</sup> City of Lakeport General Plan 2025, Open Space, Parks and Recreation Element, August 2009, Page VIII-1.

<sup>85</sup> City of Lakeport General Plan 2025, Open Space, Parks and Recreation Element, August 2009, Page VIII-3.

C. Budget

The budget for the Parks, Buildings and Grounds Department is shown below:

City of Lakeport Budget Parks, Buildings and Grounds Department						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b>		\$301,476	\$201,808	\$138,069	\$177,511	\$234,156
<b>Expenditures</b>						
Salaries/Benefits	\$193,059	\$205,922	\$123,549	\$53,699	\$99,709	\$130,538
Operating Expense	\$83,865	\$67,775	\$78,259	\$84,371	\$77,802	\$86,618
Capital Outlay	\$24,841	\$27,778	\$0	\$0	\$0	\$17,000
<b>Total Expense</b>	\$301,765	\$301,476	\$201,808	\$138,070	\$177,511	\$234,156

The Parks, Buildings and Grounds revenue comes from the General Fund.

**3.7.3 Westshore Pool**

The Westshore Pool is maintained by the Parks, Buildings and Grounds Department but the budget is separate as shown below:

City of Lakeport Budget Westshore Pool Department						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
<b>Revenue</b> General Fund	\$134,400	\$98,587	\$47,972	\$72,291	\$79,379	\$100,651
<b>Expenditures</b>						
Salaries/Benefits	\$12,256	\$31,136	\$30,644	\$33,535	\$37,357	\$60,629
Operating Expense	8,359	21,438	17,328	\$32,709	\$39,922	\$38,422
Capital Outlay	337,503	46,013	0	\$6,048	\$2,100	\$1,600
<b>Total Expense</b>	\$358,118	\$98,587	\$47,972	\$72,292	\$79,379	\$100,651

This budget would be comparable to the City of Williams budget for the pool of \$55,000 in 2009-10 and 2010-11.<sup>86</sup>

**3.8 City of Lakeport Solid Waste Collection and Disposal**

**3.8.1 Solid Waste Regulations**

There are three regulatory bodies relevant to solid waste disposal:

- California Integrated Waste Management Board (CIWMB)
- Local Enforcement Agencies (LEA)
- Regional Water Quality Control Board (RWQCB)

In 1989, the California legislature passed the California Integrated Waste Management Act (AB 939) in an effort to conserve resources and extend landfill capacity. The Act established an unprecedented framework for integrated waste management planning and waste disposal compliance.

<sup>86</sup> City of Williams, Municipal Budget 2010-2012.

Based on a 1990 disposal baseline, AB 939 required cities and counties to reduce the amount of solid waste generated in their jurisdictions and disposed in landfills by twenty-five percent by the year 1995 and by fifty percent by the year 2000.<sup>87</sup> AB 939 also required local governments to prepare comprehensive integrated waste management plans that detail how the waste diversion mandates will be met and to update elements of those plans every five years.

AB 939 established the CIWMB to oversee integrated waste management planning and compliance; CIWMB serves as the permitting and enforcement agency. The Board is responsible for approving permits for waste facilities, approving local agencies' diversion rates, and enforcing the planning requirements of the law through Local Enforcement Agencies (LEAs).

LEAs inspect and investigate solid waste collection, handling, storage and equipment. LEAs may also verify compliance with state and local minimum standards for the protection of the environment and public health. LEA reports are forwarded to CIWMB and the relevant operator upon completion.

Any potential discharge to surface or groundwater is regulated by the RWQCB. The owner or operator of any facility that discharges, or proposes to discharge, waste that may affect groundwater quality (including solid waste disposal facilities) must first obtain a waste discharge requirement permit (WDR) from the appropriate RWQCB. A WDR order adopted by RWQCB for an individual facility defines measures to mitigate any potential contamination of the groundwater.

In addition to these two bodies, AB 2948 (enacted in 1986) established procedures for regional hazardous waste planning. Under this regulation, counties were to develop hazardous waste plans and projections by 2000.

### **3.8.2 City of Lakeport Trash Collection**

Curbside trash, recycling, and green waste pickup in Lakeport are provided by the Lakeport Disposal Company ([www.LakeportDisposal.com](http://www.LakeportDisposal.com)). The City has entered into a franchise agreement with Lakeport Disposal to provide these "universal" services.<sup>88</sup>

In 2003, the City Council adopted Ordinance No. 837, which made participation in the curbside pickup of garbage, recycling, and green waste mandatory within the Lakeport City limits. Residents are required to maintain the waste totes, place them out on collection day only, and to pull them in within 18 hours after they have been emptied. Totes are also required to be stored and screened from public view and not be visible from the sidewalk, streets, or roadways.

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<sup>87</sup> A Senate bill passed in 1997 allowed for extensions through 2005 for jurisdictions that made a "good faith effort" to comply.

<sup>88</sup> City of Lakeport, <http://www.cityoflakeport.com/residents/waste.aspx>, July 13, 2010.

Fees for waste collection are billed by the City as part of the monthly sewer and water utility bills. Residential waste collection fees are as follows:

One 20-gallon toter: \$12.75  
 One 32-gallon toter: \$19.12  
 Two 32-gallon toters: \$38.24

Recycling and green waste pick-up service is provided free of charge. According to Lakeport Ordinance No. 817, outside burning of all kinds is prohibited. The only exceptions are for barbecuing and fire district training exercises.

The budget for the Trash Collection Department is shown below:

City of Lakeport Budget Trash Collection Department						
Description	2006/2007 Actual	2007/2008 Actual	2008/2009 Actual	2009/2010 Actual	2010/2011 Budgeted	2011/2012 Budgeted
Revenue	\$374,113	\$402,142	\$422,490	\$457,498	\$472,435	\$428,621
<b>Expenditures</b>						
Contractual Services	\$323,360	\$341,721	\$392,803	\$398,991	\$414,921	\$407,866
<b>Total Expense</b>	\$323,360	\$341,721	\$392,803	\$398,991	\$414,921	\$407,866

The revenue for the Trash Collection Department is from the fees collected by the City of Lakeport. It costs the City money to collect the fees and to negotiate and supervise the contract so the expense shown only includes trash contract services and does not show city overhead for management.

### **3.9 City of Lakeport Finances**

#### **3.9.1 Overall Expenditures**

The City's revenues and expenditures over the last six fiscal years are shown in the following table:

CITY OF LAKEPORT MSR  
 Adopted July 18, 2012  
 Lake LAFCo Res. 2012-003

City of Lakeport  
 Revenue and Expenditures/Expenses

Functions/Programs	FY 06-07 Actual					FY 07-08 Actual					FY 08-09 Actual				
	Revenues	Expenditures/ Expenses	Depreciation	Net	Cash Increase (Decrease)	Revenues	Expenditures/ Expenses	Depreciation	Net	Cash Increase (Decrease)	Revenues	Expenditures/ Expenses	Depreciation	Net	Cash Increase (Decrease)
<b>Governmental Activities</b>															
General Fund	4,441,103	4,560,247		(119,144)		5,246,554	4,830,054		416,500		4,439,865	4,029,761		410,104	
Other Revenue Funds	864,298	492,121		372,177		863,194	190,337		672,857		1,127,757	1,378,779		(251,022)	
<b>Business-type activities</b>															
Water Utilities	1,227,306	1,334,263	184,773	77,816	85,805	1,316,045	1,415,436	184,774	85,383	35,762	1,295,623	1,370,097	184,774	110,300	45,713
Sewer Utilities	1,660,682	2,504,457	551,937	(291,838)	(276,939)	1,945,402	2,213,478	557,957	289,881	363,861	2,069,176	2,631,756	624,183	61,603	(19,993)
Redevelopment Agency	722,338	463,409		258,929		796,762	1,028,027		(231,265)		837,062	1,562,789		(725,727)	
<b>Functions/Programs</b>	<b>FY 09-10 Actual</b>					<b>FY 10-11 Actual</b>					<b>FY 11-12 Estimated</b>				
	Revenues	Expenditures/ Expenses	Depreciation	Net	Cash Increase (Decrease)	Revenues	Expenditures/ Expenses	Depreciation	Net	Cash Increase (Decrease)	Revenues	Expenditures/ Expenses	Depreciation	Net	Cash Increase (Decrease)
<b>Governmental Activities</b>															
General Fund	3,955,657	4,533,826		(578,169)		4,255,671	4,072,942		182,729		4,181,068	4,147,788		33,280	
Other Revenue Funds	1,243,056	1,633,153		(390,097)		1,207,819	1,461,693		(253,874)		907,013	708,545		198,468	
<b>Business-type activities</b>															
Water Utilities	1,251,567	1,356,420	143,205	38,352	(99,952)	1,314,161	1,412,891	143,205	44,475	(213,494)	2,027,315	2,007,415	140,000	159,900	N/A
Sewer Utilities	2,076,038	2,475,742	624,355	224,651	21,590	2,117,037	2,288,561	649,679	478,155	390,552	2,141,293	2,322,388	640,000	458,905	N/A
Redevelopment Agency	796,991	1,709,311		(912,320)					-					-	

### **3.9.2 Annual Financial Reprt**

The City contracts with an independent auditor to provide an annual financial report each year. This report is posted on the City's website ([www.cityoflakeport.com](http://www.cityoflakeport.com)). Information from the June 30, 2009 report is discussed below.

#### **A. Pension Plan Obligations**

The City contributes to the California Public Employees Retirement System (PERS), an agent multiple-employer public employee defined benefit pension plan. PERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. PERS acts as a common investment and administrative agent for participating public entities with the State of California. Benefit provisions and all other requirements are established by State Statute and City Ordinance. Copies of PERS annual financial report may be obtained from their Executive Office, 400 "P" Street, Sacramento, California 95814.<sup>89</sup>

Non-public safety participants are required to contribute 8 percent of their annual covered salary, while public safety employees are required to contribute 9 percent of their annual covered salary. The City makes the contributions required of city employees on their behalf and for their account. The City is required to contribute at an actuarially-determined rate; the current 2008-2009 rate was 16.455 percent for non-public safety employees (miscellaneous plan) and 28.049 percent for public safety employees (safety plan), of annual covered payroll. The contribution requirements of plan members and the City are established and may be amended by PERS.<sup>90</sup>

The City's annual pension cost of \$507,320 was equal to the City's required and actual contributions. The required contribution was determined as part of the June 30, 2007, actuarial valuation using the entry age normal cost method.

#### **B. Post-Retirement Health Care Benefits**

The City provides post-employment benefit options for medical healthcare to eligible retirees. The plan is offered to qualified employees based upon years of service. For the fiscal year ended June 30, 2009, the City paid \$311,540 under the plan.<sup>91</sup> Employees hired after July 1, 2005 are not eligible for post-retirement health care benefits.

#### **C. Risk Management**

The City is exposed to various risks of losses related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. In 1978, the City joined together with other cities to form the Redwood Empire Municipal Insurance Fund (REMIF), a public City risk pool currently operating as a common risk management and insurance program for 16 member cities. The City pays an annual premium to REMIF for its workers' compensation, general liability and property coverage.

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<sup>89</sup> City of Lakeport, Notes to Financial Statements, June 30, 2009, Page 25.

<sup>90</sup> City of Lakeport, Notes to Financial Statements, June 30, 2009, Page 25.

<sup>91</sup> City of Lakeport, Notes to Financial Statements, June 30, 2009, Page 26.



The coverage pays up to \$10,000 for property losses, \$10,000 for liability losses, and \$5,000 for workers' compensation losses. The City has excess insurance purchased by REMIF, except liability, which is pooled with the California Joint Powers Insurance Authority (a self-funded risk sharing pool). The excess insurance limits are \$10,000 to \$295 million for property losses (except auto physical which is a maximum of \$1,000,000); \$10,000 to \$15 million for all liability losses; and \$5,000 to \$300,000 for workers' compensation losses. On June 30, 2009, the City determined that it need not accrue liability or revenues for purposes of funding the City's future claim liabilities. REMIF issues a separate comprehensive annual financial report. Copies of that report may be obtained from REMIF at PO Box 885, Sonoma, California 95476.<sup>92</sup>

*D. Commitments and Contingencies*

The City receives funding from a number of federal, state and local grant programs, principally the Community Development Block Grants. These programs are subject to financial and compliance review by grantors. Accordingly, the City's compliance with applicable grant requirements will be determined at some future date. Expenditures, if any, which may be disallowed by the granting agencies, cannot be determined at some future date. Expenditures, if any, which may be disallowed by the granting agencies, cannot be determined at this time.

The City does not expect the undeterminable amounts of disallowed expenditures, if any, to materially affect the financial statements. Receipt of these federal, state and local grant revenues is not assured in the future.<sup>93</sup>

<b>Salaries and Benefits by Department</b>						
	<b>FY 06-07</b>	<b>FY 07-08</b>	<b>FY 08-09</b>	<b>FY 09-10</b>	<b>FY 10-11</b>	<b>FY 11-12</b>
Council	\$ 75,856	\$ 74,685	\$ 70,153	\$ 56,676	\$ 55,296	\$ 55,541
Admin	\$ 40,446	\$ 49,905	\$ 168,690	\$ 209,132	\$ 314,952	\$ 324,641
Attorney	\$ 15,634	\$ 16,258	\$ 77,233	\$ 102,631	\$ 81,083	\$ 81,771
Finance	\$ 233,716	\$ 305,964	\$ 386,542	\$ 289,917	\$ 213,132	\$ 299,013
Planning	\$ 163,328	\$ 158,938	\$ 222,788	\$ 228,715	\$ 229,763	\$ 150,536
Building	\$ 112,457	\$ 117,859	\$ 140,417	\$ 138,495	\$ 143,955	\$ 136,122
Engineering	\$ 43,281	\$ 41,935	\$ 167,647	\$ 183,839	\$ 187,052	\$ 220,856
Pool	\$ 12,256	\$ 31,136	\$ 30,644	\$ 33,535	\$ 37,357	\$ 60,629
Police	\$ 1,440,367	\$ 1,493,230	\$ 1,262,542	\$ 1,386,537	\$ 1,453,016	\$ 1,346,605
Public Works	\$ 317,696	\$ 383,499	\$ 224,844	\$ 461,573	\$ 530,013	\$ 416,946
Parks	\$ 193,059	\$ 205,922	\$ 123,549	\$ 53,699	\$ 99,709	\$ 130,538
Water	\$ 665,981	\$ 722,500	\$ 353,326	\$ 319,013	\$ 274,197	\$ 544,665
Sewer	\$ 677,537	\$ 713,505	\$ 515,328	\$ 491,603	\$ 344,964	\$ 302,803
Housing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 93,136
Redevelopment	\$ 159,140	\$ 192,112	\$ 172,096	\$ 208,769	\$ 313,455	\$ 58,098
<b>Total</b>	<b>\$ 4,150,754</b>	<b>\$ 4,507,448</b>	<b>\$ 3,915,799</b>	<b>\$ 4,164,134</b>	<b>\$ 4,277,944</b>	<b>\$ 4,221,900</b>

<sup>92</sup> City of Lakeport, Notes to Financial Statements, June 30, 2009, Page 27.

<sup>93</sup> City of Lakeport, Notes to Financial Statements, June 30, 2009, Page 27.

## **4 CITY OF LAKEPORT MUNICIPAL SERVICE REVIEW**

The Municipal Service Review Findings are required by the State Law. The findings serve the purpose of helping LAFCO to understand the special district or city involved in an annexation, detachment or reorganization proposal. The determinations are not binding proposals for the special district or city. The determinations are subject to change because the jurisdiction involved is constantly changing, improving or growing. The State requires the MSR to be reviewed every five years as part of the SOI update process.

Lake LAFCO is responsible for determining if an agency is reasonably capable of providing needed resources and basic infrastructure to serve areas within its boundaries and, later, within the Sphere of Influence. LAFCO will do the following:

- 1) Evaluate the present and long-term infrastructure demands and resources available to the District.
- 2) Analyze whether resources and services are, or will be, available at needed levels.
- 3) Determine whether orderly maintenance and expansion of such resources and services are planned to occur in-line with increasing demands.

The Final Municipal Service Review Guidelines prepared by the Governor's Office of Planning and Research recommend issues relevant to the jurisdiction be addressed through written determinations called for in the Cortese-Knox Hertzberg Act. Determinations are provided for each of the five factors, based on the information provided in this Municipal Service Review.

### **4.1 Growth and Population Projections**

*Purpose: To evaluate service needs based on existing and anticipated growth patterns and population projections.*

#### **4.1.1 City of Lakeport Area Population Projections**

Land use in Lakeport is approximately 76 percent commercial/residential, 5 percent industrial, and 19 percent open space/governmental/agriculture. However, apart from enhancing the appeal of Lakeport as a vacation destination, a movement is underway to make the City the focal point of economic and community activity for the County and the region. The City is aggressively working to attract new retail, hotel, industrial, educational, recreational, and food service establishments to the area.<sup>94</sup>

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<sup>94</sup> City of Lakeport Municipal Sewer District, Sewer System Management Plan, 2010, Page 4.

	2005	5-Year Growth (%)	Annual Average (%)	2010	5-Year Growth (%)	Annual Average (%)	2015	2020	2025	Annual Average Projected Growth to 2025 from General Plan
Lakeport:	5,077	-6.4%	-1.3%	4,753	-6.4%	1.4%	5,095	5,462	5,855	1.4%

The Land Use Designations for the City of Lakeport are shown on a map at the end of this report. The Sphere of Influence proposed by the City of Lakeport is also shown at the end of this report. The City-proposed Sphere of Influence is fairly large, which indicates that the City expects to increase in size. One development which could increase the population of the City is identified as the Specific Plan Area (SPA) and described as follows:

*“This designation covers the city-owned property and a few private properties south of the current SOI but within the City-proposed SOI. The area is proposed for single and multiple-family residential; including cooperative ownership properties to serve the vacation market; a golf course; and limited commercial, such as a clubhouse or restaurant. Based on the recommended density range of 1-2 units per acre, the Specific Plan Area could see between 600 and 1,200 residential units at build-out. Consistent zoning districts include, but are not limited to, R-1, R-2, R-3, R-5, UR, and C-1.”<sup>95</sup>*

<sup>95</sup> City of Lakeport General Plan 2025, Land Use Element, August 2009, Page II-4.

Another concern regarding the ultimate decision on the Sphere of Influence is the relatively large amount of undeveloped land within the City of Lakeport. The General Plan describes this as follows:

*“Lakeport has a high proportion of vacant and undeveloped land: twenty five percent of the land within City limits remains vacant and another twelve percent is underdeveloped\*. Most of this land is located near or adjacent to City boundaries in the west, northwest, and northern areas of Lakeport.*

*“One of the goals of the General Plan is to encourage the development of vacant and underdeveloped properties through infill development, with additional single and multifamily residential housing on the west side of Lakeport.*

*“Many vacant and underdeveloped parcels do not have the full range of urban services. Obstacles that have prevented development of vacant and underdeveloped areas include the relatively high cost of providing urban services, the lack of adequate roads, rough terrain, and relatively high construction costs. Lakeport can encourage the development of vacant and underused parcels by using innovative subdivision standards, obtaining grant funds to provide public services and utilities, establishing of special assessment districts, reimbursement agreements, and amending the General Plan and the Zoning Ordinance and to increase the permitted density for specific areas.<sup>96</sup>*

*\*Underdeveloped land is defined as having uses much below the maximum permitted by the General Plan. For example a ten-acre parcel with one dwelling located in an area designated as High Density Residential would be considered underdeveloped.*

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<sup>96</sup> City of Lakeport General Plan 2025, Land Use Element, August 2009, Pages II-10-11.

**4.1.2 MSR Determinations on Growth and Population Projections for the City of Lakeport Area**

- 1-1) The City's population as of 2010 was 4,753. Based on the General Plan projections, that City is anticipated to average 1.4 percent annual growth over the next 15 years.
- 1-2) The City of Lakeport needs to continue economic development and to ensure balanced job and population growth.
- 1-3) The City has established requirements for future annexations and developments to ensure that developers pay for growth induced infrastructure costs.
- 1-4) The City of Lakeport has substantial undeveloped land within the current City limits. This land could, in theory, be used to meet the growth and development needs of the City; however, many vacant and underdeveloped parcels do not have the full range of urban services, due to the relatively high cost of providing urban services, the lack of adequate roads, rough terrain, and relatively high construction costs.
- 1-5) The City of Lakeport should work together with the County of Lake to update their land use and zoning designations concurrent with the County's update of the Lakeport Area Plan.
- 1-6) The City of Lakeport should provide input to the LACOSAN Sphere of Influence to ensure that future growth areas for expansion of City utility district services are reserved in a jointly agreed upon area.
- 1-7) Establishing an Area of Concern may be appropriate to promote joint planning between the City and the County. Any adopted Area of Concern should be reflected in the revised "Lakeport Area Plan."

#### **4.2 Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies**

*Purpose: To evaluate infrastructure needs and deficiencies in terms of supply, capacity, condition of facilities and service quality.*

LAFCO is responsible for determining that an agency is reasonably capable of providing needed resources and basic infrastructure to serve areas within its boundaries and later in the Sphere of Influence. It is important that such determinations of infrastructure availability occur when revisions to the Sphere of Influence and annexations occur.

In the case of this Municipal Service Review, it is prudent for Lake LAFCO to evaluate the present and long-term infrastructure demands and resource availability of the District. Further, LAFCO needs to see that resources and services are available at needed levels and orderly maintenance and expansion of such resources and services are made if there are increasing demands.

##### **4.2.1 Infrastructure**

The City of Lakeport infrastructure is described extensively in this report. The City of Lakeport is working to improve the infrastructure as necessary.

##### **4.2.2 MSR Determinations on Infrastructure for the City of Lakeport**

###### **A. Police Protection**

- 2-1) The Police Department should continue to work with the Lake County Sheriff Department and the California Highway Patrol to coordinate efforts as much as possible in order to keep costs down.
- 2-2) The Lakeport Police Department provides adequate police protection for the residents and visitors to Lakeport, based on crime clearance rates.
- 2-3) The Lakeport Police Department appears to maintain adequate staffing levels and equipment to provide protection of persons and property in Lakeport.
- 2-4) Traffic-related law enforcement activity has increased substantially in recent years relative to other police activities and requires an increasing police presence on City streets.
- 2-5) The City should develop a financing plan to accommodate growth by establishing development fees for capital improvements for police protection services.

###### **B. Fire Protection**

- 2-6) The City does not provide fire protection but is part of the Lakeport Fire Protection District.

C. Water Service

- 2-7) The Water Master Plan provides a guideline for water system improvements.
- 2-8) There is sufficient source water available to serve the expected population growth through 2028 provided that water conservation measures are maintained and improved.
- 2-9) The City's water production capacity is reliant on the Green Ranch Wells that may be subject to reductions in capacity due to drought conditions.
- 2-10) As the City approaches the capacity of its water supply and system, it will need to find a means to expand its water production capacity. The Water Master Plan recommends expansion of the existing treatment plant as the most likely alternative for a future increase in water supply.
- 2-11) Infrastructure needs and deficiencies identified for the water system include 1) installation of new wells to replace the Scotts Creek Wells that are prone to damage and vandalism, 2) switching from a gaseous chlorine injection system, 3) retain the Green Ranch Wells, 4) installation of an intertie with the County, 5) improvements to the SCADA and telemetry communication systems, 6) expansion of the pump station wet well, 7) improvements to maintain treatment plant system pressure, 8) installation of intruder alarms, 9) installation of enclosures around the treatment plant pumps, and 10) replacement of undersized mains to ensure that fire flow requirements are met.
- 2-12) As a result of undersized mains, the City may not be able to meet fire flow requirements in large portions of the existing commercial areas along Main Street during heavy demand periods.
- 2-13) The City provides an adequate level of water utility service, based on the City's compliance with EPA regulations and DPH's most recent inspection report.

*D. Wastewater Collection and Treatment*

- 2-14) Sewer services are provided by a subsidiary special district of the City. The City of Lakeport Municipal Sewer District operates and maintains eight sewer lift stations, a secondary treatment and disposal facility, and a collection system to each private property line.
- 2-15) The sewer system serves approximately 2,200 connections, or more than 5,200 residents, which accounts for eight percent of the entire county population.
- 2-16) The City is presently well within the system's ADWF capacity of 1.05 MGD, but is nearing the permitted maximum day capacity of 3.8 MGD. Based on a projected growth rate of 1.1 percent per year used in the 2008 City of Lakeport Master Sewer Plan, it is estimated that some of the City's WWTP processes will reach their capacity by approximately 2028 (i.e., chlorine contact chamber and the aeration basins).
- 2-17) The oldest main lines in service are estimated to have been installed 70 years ago. GIS mapping of the system has indicated several areas in need of rehabilitation to eliminate infiltration and inflow; otherwise, the sewer performs efficiently and adequately.
- 2-18) The City's wastewater system suffers from relatively high infiltration and inflow (I/I). Although the City has made efforts to minimize the I/I, the system continues to experience a high rate of sewer system overflows.
- 2-19) The following deficiencies and needs related to the wastewater system were identified: 1) continued improvements to the system to minimize infiltration and inflow, 2) improvements to access to the Clearlake Avenue Lift Station and wear and tear of nearby manholes, 3) rehabilitation of the Martin Street Lift Station wet well hatch, 4) mitigation of odor concerns at the Linda Lane lift station, and 5) improvements to ensure effective monitoring and control of the major lift stations
- 2-20) The District appears to generally provide adequate wastewater service, but could improve on its compliance with RWQCB requirements. Excessive historical sewer system overflows, resulted in the District being issued a Cease and Desist order. The District has made efforts to reduce these overflows, but still suffers from a higher than average occurrence.

*E. Solid Waste Collection and Disposal*

- 2-21) The City uses a private business to provide solid waste disposal services through a franchise agreement.



F. Streets and Roads

- 2-19) The City is encouraged to work closely with Caltrans to be sure that the State Routes within the City are properly maintained.
- 2-20) The City has acceptable Levels of Service (LOS) at this time; however, several necessary improvements were identified. Actions are needed to improve existing traffic flow and mitigate the impacts of existing and future land development including road widening, additional crossings over/under the freeway, new roads, and additional traffic controls including signalization of intersections.
- 2-21) Congestion on the City's arterial and collector street systems, including the downtown area, is expected to become exacerbated as the City grows. New development should be required to complete traffic studies, as appropriate, to address possible declines in LOS.
- 2-22) Growth in the North Lakeport area and development in unincorporated territory west and northwest of the City of Lakeport will impact City transportation services; impacts of future County growth on the City of Lakeport transportation facilities should be reflected in the revision of the Lakeport Area Plan, currently under review by the County of Lake.
- 2-23) Funds are not anticipated to be sufficient to build all necessary roadway improvements required to offset or significantly improve future traffic congestion in Lakeport and its Sphere of Influence.

G. Drainage

- 2-24) The City's Public Works Department provides for adequate drainage system maintenance.

H. Park and Recreation Services

- 2-25) The City's parkland standard is set at five acres of developed parkland per 1,000 residents, which the City does not presently meet.
- 2-26) While the City does not meet its General Plan adopted standard for park acreage, the City appears to have an adequate number of parks, which is augmented by access to school, State and Federal recreational sites in the area.
- 2-27) The City will continue to provide park and recreation services for the larger Lakeport area (for people within the City, the County and visitors).
- 2-28) The City has a large area of undeveloped parkland that is available to be improved in order to address any population growth and resulting increase in demand.

2-28) The City should coordinate park and recreation planning with the County through the Lakeport Area Plan Update being prepared by the County.

### **4.3 Financial Ability to Provide Services**

*Purpose: To evaluate factors that affect the financing of needed improvements and to identify practices or opportunities that may help eliminate unnecessary costs without decreasing service levels.*

LAFCO should consider the ability of the City to pay for improvements or services associated with annexed sites. This planning can begin at the Sphere of Influence stage by identifying what opportunities there are to identify infrastructure and maintenance needs associated with future annexation and development, and identifying limitations on financing such improvements, as well as the opportunities that exist to construct and maintain those improvements.

LAFCO should consider the relative burden of new annexations to the community when it comes to its ability to provide public safety and administrative services, as well as capital maintenance and replacements required as a result of expanding District boundaries.

Rate restructuring may be forced by shortfalls in funding, but the process may also reflect changing goals and views of economic justice or fairness within the community. LAFCO should evaluate the impact of SOI and Annexation decisions on existing community rates for public water service.

Water rates and rate structures are not subject to regulation by other agencies. Utility providers may increase rates annually, and often do so. Generally, there is no voter approval requirement for rate increases, although notification of utility users is required. Water providers must maintain an enterprise fund for the respective utility separate from other funds, and may not use revenues to finance unrelated governmental activities.

#### **4.3.1 Financial Considerations for City of Lakeport**

#### **4.3.2 MSR Determinations on Financing for the City of Lakeport**

- 3-1) The City should review and update development impact fees when necessary to ensure that all new development pays its fair share of the cost of development.
- 3-2) The City should prepare a capital improvement plan in order to assess infrastructure needs and necessary financing and ensure adequate funding for future capital expenditures.
- 3-3) The City maintains up-to-date utility rates, which were last updated in July 2010.
- 3-4) The City should become familiar with community facilities districts and Mello-Roos Bonds as a means for new development to pay infrastructure and operational costs.

- 3-5) The City makes available financial information, such as the budget and audits, on the its website.

#### **4.4 Status of, and Opportunities for, Shared Facilities**

*Purpose: To evaluate the opportunities for a jurisdiction to share facilities and resources to develop more efficient service delivery systems.*

In the case of annexing new lands into a an agency, LAFCO can evaluate whether services or facilities can be provided in a more efficient manner if the agency can share them with another agency. In some cases, it may be possible to establish a cooperative approach to facility planning by encouraging agencies to work cooperatively in such efforts.

##### **4.4.1 Facilities**

The City of Lakeport facilities are described in this report. The City has several opportunities to coordinate services with other agencies as noted below.

##### **4.4.2 MSR Determinations on Shared Facilities for City of Lakeport**

- 4-1) The City shares facilities to the extent possible for police, fire protection, and emergency medical services.
- 4-2) The City could investigate ways to reduce administrative costs through computerization and (or) shared services.
- 4-3) Shared facilities for wastewater collection and treatment and water service are maintained by the City of Lakeport Municipal Sewer District (CLMSD). CLMSD maintains a mutual aid agreement with Lake County Sanitation District (LACOSAN), whereby wastewater flows in the northern portion of the district can be directed to the County collection system. Likewise, wastewater flows from areas south of the CLMSD collection area are accepted by CLMSD.
- 4-4) The transportation impacts of development occur throughout the region irrespective of jurisdictional boundaries. Development in the County near to the City will affect traffic in and around Lakeport, and similarly the growth of Lakeport will impact the County's roadway system. For this reason, it is a regional traffic mitigation fee program involving Lake County and the City may be warranted.
- 4-5) The City will work with Lakeport Unified School District (LUSD) and Mendocino Community College District to develop joint use of neighborhood parks on school sites using an integrated and comprehensive design which embodies the principle of 'school-in-the-park.'

#### **4.5 Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies**

*Purpose:*

- 1) *To consider the advantages and disadvantages of various government structures that could provide public services.*
- 2) *To evaluate the management capabilities of the organization.*
- 3) *To evaluate the accessibility and levels of public participation associated with the agency's decision-making and management processes.*

One of the most critical components of LAFCO's responsibilities is in setting logical service boundaries for communities based on their capacity to provide services to affected lands.

Lake LAFCO may consider the agency's record of local accountability in its management of community affairs as a measure of the ability to provide adequate services to the Sphere of Influence and potential annexation areas.

##### **4.5.1 Government Structure**

The City of Lakeport has an elected City Council with a City Manager in charge of all departments. The various departments are described in this report.

##### **4.5.2 MSR Determinations on Local Accountability and Governance for the City of Lakeport**

- 5-1) Accountability is best ensured when contested elections are held for governing body seats, constituent outreach is conducted to promote accountability and ensure that constituents are informed and not disenfranchised, and public agency operations and management are transparent to the public. The City of Lakeport demonstrated accountability with respect to all of these factors.
- 5-2) The City appears to provide transparent and accountable services to the public; the City has a website to communicate with tax-payers, residents, and the public, adopts budgets and rate changes at hearings where the public is notified and invited, information is placed in the local newspaper, when required, and meeting agendas and minutes are made available as required.
- 5-3) As the City of Lakeport and LACOSAN serve adjacent communities, there is an opportunity to work closely together in joint efforts to provide services in the most efficient, safe and cost effective way. Potential governance options include regionalization of sewer services or a collaborative agreement to share specialized equipment and mutual aid resources.
- 5-4) There are several areas of mutual interest for the City of Lakeport and Lake County, where development and planning in these unincorporated areas lie outside the City limits and proposed SOI, yet impact the City and City services, particularly related to fire, safety, traffic, aesthetics, and the environment. A governance structure option that may afford the City the some planning involvement, may be designating the areas an Area of Concern.

## **APPENDIX A LOCAL GOVERNMENT ISSUES**

### **1 Municipal Financial Constraints**

Municipal service providers are constrained in their capacity to finance services by the inability to increase property taxes, requirements for voter approval for new or increased taxes, and requirements of voter approval for parcel taxes and assessments used to finance services. Municipalities must obtain majority voter approval to increase or impose new general taxes and two-thirds voter approval for special taxes.

Limitations on property tax rates and increases in taxable property values are financing constraints. Property tax revenues are subject to a formulaic allocation and are vulnerable to State budget needs. Agencies formed since the adoption of Proposition 13 in 1978 often lack adequate financing.

#### **1.1 California Local Government Finance Background**

The financial ability of the cities to provide services is affected by financial constraints. City service providers rely on a variety of revenue sources to fund city operating costs as follows:

- Property Taxes
- Benefit Assessments
- Special Taxes
- Proposition 172 Funds
- Other contributions from city general funds.

As a funding source, property taxes are constrained by statewide initiatives that have been passed by voters over the years and special legislation. Seven of these measures are explained below:

##### **A. Proposition 13**

Proposition 13 (which California voters approved in 1978) has the following three impacts:

- It limits the ad valorem property tax rate.
- It limits growth of the assessed value of property.
- It requires voter approval of certain local taxes.

Generally, this measure fixes the ad valorem tax at one percent of the value at most recent sale; except for taxes to repay certain voter approved bonded indebtedness. In response to the adoption of Proposition 13, the Legislature enacted Assembly Bill 8 (AB 8) in 1979 to establish property tax allocation formulas.

##### **B. AB 8**

AB 8 allocates property tax revenue to the local agencies within each tax rate area based on the proportion each agency received during the three fiscal years preceding adoption of Proposition 13. This allocation formula benefits local agencies which had relatively high tax rates at the time Proposition 13 was enacted (1978).

##### **C. Proposition 98**

Proposition 98, which California voters approved in 1988, requires the State to maintain a minimum level of school funding. In 1992 and 1993, the Legislature began shifting billions of local property taxes to schools in response to State budget deficits. Local property taxes were diverted from local governments into the Educational Revenue Augmentation Fund (ERAF) and transferred to school districts and community college districts to reduce the amount paid by the State general fund.

Local agencies throughout the State lost significant property tax revenue due to this shift. Proposition 172 was enacted to help offset property tax revenue losses of cities and counties that were shifted to the ERAF for schools in 1992.

*D. Proposition 172*

Proposition 172, enacted in 1993, provides the revenue of a half-cent sales tax to counties and cities for public safety purposes, including police, fire, district attorneys, corrections and lifeguards. Proposition 172 also requires cities and counties to continue providing public safety funding at or above the amount provided in FY 92-93.

*E. Proposition 218*

Proposition 218, which California voters approved in 1996, requires voter- or property owner- approval of increased local taxes, assessments, and property-related fees. A two-thirds affirmative vote is required to impose a Special Tax, for example, a tax for a specific purpose such as a fire district special tax.

However, majority voter approval is required for imposing or increasing general taxes such as business license or utility taxes, which can be used for any governmental purpose. These requirements do not apply to user fees, development impact fees and Mello-Roos districts.

*F. Proposition 26*

Proposition was approved by California voters on November 2, 2010, requires that certain state fees be approved by two-thirds vote of Legislature and certain local fees be approved by two-thirds of voters. This proposition increases the legislative vote requirement to two-thirds for certain tax measures, including those that do not result in a net increase in revenue. Prior to its passage, these tax measures were subject to majority vote.

*G. Mello-Roos Community Facilities Act*

The Mello-Roos Community Facilities Act of 1982 allows any county, city, special district, school district or joint powers authority to establish a Mello-Roos Community Facilities District (a "CFD") which allows for financing of public improvements and services.

The services and improvements that Mello-Roos CFDs can finance include streets, sewer systems and other basic infrastructure, police protection, fire protection, ambulance services, schools, parks, libraries, museums and other cultural facilities. By law, the CFD is also entitled to recover expenses needed to form the CFD and administer the annual special taxes and bonded debt.

A CFD is created by a sponsoring local government agency. The proposed district will include all properties that will benefit from the improvements to be constructed or the services to be provided. A CFD cannot be formed without a two-thirds majority vote of residents living within the proposed boundaries. Or, if there are fewer than 12 residents, the vote is instead conducted of current landowners.

In many cases, that may be a single owner or developer. Once approved, a Special Tax Lien is placed against each property in the CFD. Property owners then pay a Special Tax each year. If the project cost is high, municipal bonds will be sold by the CFD to provide the large amount of money initially needed to build the improvements or fund the services.

The Special Tax cannot be directly based on the value of the property. Special Taxes instead are based on mathematical formulas that take into account property characteristics such as use of the property, square footage of the structure and lot size. The formula is defined at the time of formation, and will include a maximum special tax amount and a percentage maximum annual increase.

If bonds were issued by the CFD, special taxes will be charged annually until the bonds are paid off in full. Often, after bonds are paid off, a CFD will continue to charge a reduced fee to maintain the improvements.

*H. Development Impact Fees*

A county, cities, special districts, school districts, and private utilities may impose development impact fees on new construction for purposes of defraying the cost of putting in place public infrastructure and services to support new development.

To impose development impact fees, a jurisdiction must justify the fees as an offset to the impact of future development on facilities. This usually requires a special financial study. The fees must be committed within five years to the projects for which they were collected, and the district, city or county must keep separate funds for each development impact fee.

**1.2 Financing Opportunities that Require Voter Approval**

Financing opportunities that require voter approval include the following:

- 1) Special taxes such as parcel taxes
- 2) Increases in general taxes such as the following:
  - Utility taxes
  - Sales and use taxes
  - Business license taxes
  - Transient occupancy taxes

Communities may elect to form business improvement districts to finance supplemental services, or Mello-Roos districts to finance development-related infrastructure extension. Agencies may finance facilities with voter-approved (general obligation) bonded indebtedness.

**1.3 Financing Opportunities that Do Not Require Voter Approval**

Financing opportunities that do not require voter approval include imposition of or increases in fees to more fully recover the costs of providing services, including user fees and Development Impact Fees to recover the actual cost of services provided and infrastructure.

Development Impact Fees and user fees must be based on reasonable costs, and may be imposed and increased without voter approval. Development Impact Fees may not be used to subsidize operating costs.

Agencies may also finance many types of facility improvements through bond instruments that do not require voter approval.

Water rates and rate structures are not subject to regulation by other agencies. Utility providers may increase rates annually, and often do so. Generally, there is no voter approval requirement for rate increases, although notification of utility users is required. Water providers must maintain an enterprise fund for the respective utility separate from other funds, and may not use revenues to finance unrelated governmental activities.

**2 Public Management Standards**

While public sector management standards do vary depending on the size and scope of an organization, there are minimum standards. Well-managed organizations do the following eight activities:

- 1) Evaluate employees annually.

- 2) Prepare a budget before the beginning of the fiscal year.
- 3) Conduct periodic financial audits to safeguard the public trust.
- 4) Maintain current financial records.
- 5) Periodically evaluate rates and fees.
- 6) Plan and budget for capital replacement needs.
- 7) Conduct advance planning for future growth.
- 8) Make best efforts to meet regulatory requirements.

Most of the professionally managed and staffed agencies implement many of these best management practices.

LAFCO encourages all local agencies to conduct timely financial record-keeping for each city function and make financial information available to the public.

### **3 Public Participation in Government**

The Brown Act (California Government Code Section 54950 et seq.) is intended to insure that public boards shall take their actions openly and that deliberations shall be conducted openly. The Brown Act establishes requirements for the following:

- Open meetings
- Agendas that describe the business to be conducted at the meeting
- Notice for meetings
- Meaningful opportunity for the public to comment

Few exceptions for meeting in closed sessions and reports of items discussed in closed sessions.

According to California Government Section 54959

*Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.*

Section 54960 states the following:

*(a) The district attorney or any interested person may commence an action by mandamus, injunction or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to actions or threatened future action of the legislative body,...*



**APPENDIX B CITY OF LAKEPORT WATER AND SEWER RATES<sup>97</sup>**

Please be advised that these are base rates. For usage above the base, customers will be charged according to First and/or Second Tier rates.

**Residential**

Water 3/4"	\$16.69	10cf
Sewer - North	33.87	
Sewer - South	42.93	

**Duplex, Triplex, or Mobile Home**

Water 3/4"	\$12.51	8cf
Sewer - North	33.87	
Sewer - South	42.93	

**Apartments**

Water 3/4"	\$10.02	6cf
Sewer - North	25.41	
Sewer - South	33.08	

**Motel, Recreational Vehicle, or Bed & Breakfast**

Water 3/4"	\$ 8.35	5cf
Sewer - North	16.94	
Sewer - South	21.47	

**Outside City Limits (OCL)**

Water 3/4"	\$26.72	10cf
Water 1"	53.38	20cf

**Commercial**

For commercial units, the base prices are the following:

Water 3/4"	\$16.69	10cf	
1"	33.35	20cf	
1.5"	69.48	40cf	
2"	100.11	60cf	
3"	200.20	120cf	
4"	333.68	200cf	
6"	642.27	385cf	
First tier	\$1.15	100cf	
Second tier	2.85	100cf	
Sewer - North	\$33.87		*Over \$3.41
Sewer - South	42.93		*Over 4.92 per cf

\*Allotment with base fee 8cf

<sup>97</sup> City of Lakeport, <http://www.cityoflakeport.com/departments/page.aspx?deptID=75&id=62>, July 14, 2010.

## **ABBREVIATIONS**

<b>AB</b>	Assembly Bill
<b>Ac-Ft</b>	Acre Feet (of water)
<b>ADWF</b>	average dry weather flow
<b>CALEA</b>	Commission on Accreditation for Law Enforcement Agencies
<b>CEQA</b>	California Environmental Quality Act
<b>CIWMB</b>	California Integrated Waste Management Board
<b>CFD</b>	Community Facilities District
<b>City</b>	City of Lakeport
<b>CKH</b>	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
<b>CLMSD</b>	City of Lakeport Municipal Services District
<b>CSA</b>	County Service Area
<b>CRWQCB</b>	California Regional Water Quality Control Board
<b>DHS</b>	Department of Health Services (California)
<b>DWR</b>	Department of Water Resources (California)
<b>EDU</b>	equivalent dwelling unit
<b>EMD</b>	Emergency Medical Dispatch
<b>EMS</b>	Emergency Medical Service
<b>EMT</b>	Emergency Medical Technician
<b>EPA</b>	Environmental Protection Agency (US)
<b>ERAF</b>	Educational revenue Augmentation Fund
<b>FEMA</b>	Federal Emergency Management Agency (US)
<b>FY</b>	Fiscal Year
<b>gpd</b>	gallons per day
<b>gpm</b>	gallons per minute
<b>GPS</b>	Global Positioning System
<b>I&amp;I</b>	inflow and infiltration (to sewer lines)
<b>LACOSAN</b>	Lake County Sanitation District

<b>LAFCO</b>	Local Agency Formation Commission
<b>LEA</b>	Local Enforcement Agencies (Solid Waste Collection and Disposal)
<b>LFPD</b>	Lakeport Fire Protection District
<b>LPD</b>	Lakeport Police Department
<b>LUSD</b>	Lakeport Unified School District
<b>M&amp;O</b>	Maintenance and Operations
<b>MDD</b>	Maximum Day Demand
<b>MGD</b>	million gallons per day
<b>MSR</b>	Municipal Service Review (LAFCO)
<b>ND</b>	Not detectable at testing limit (water quality)
<b>NFPA</b>	National Fire Protection Association
<b>OES</b>	Office of Emergency Services (California)
<b>OPR</b>	Office of Planning and Research (California)
<b>PERS</b>	Public Employee Retirement System (California)
<b>PLC</b>	programmable logic controller
<b>ppm</b>	parts per million or milligrams per liter (mg/L)
<b>psi</b>	pounds per square inch
<b>REMIF</b>	Redwood Empire Municipal Insurance Fund
<b>RUE</b>	residential unit equivalent
<b>RWQCB</b>	Regional Water Quality Control Board
<b>SB</b>	Senate Bill
<b>SCADA</b>	Supervisory Control and Data Acquisition
<b>SDWA</b>	Safe Drinking Water Act
<b>SOI</b>	Sphere of Influence (LAFCO)
<b>SPA</b>	Specific Plan Area
<b>SWAT</b>	Special Weapons and Tactics
<b>TOT</b>	Transient Occupancy Tax

**WD**            Water District  
**WTP**           Water Treatment Plan  
**WWTP**        Wastewater Treatment Plant

## **DEFINITIONS**

**Agriculture:** Use of land for the production of food and fiber, including the growing of crops and/or the grazing of animals on natural prime or improved pasture land.

**Aquifer:** An underground, water-bearing layer of earth, porous rock, sand, or gravel, through which water can seep or be held in natural storage. Aquifers generally hold sufficient water to be used as a water supply.

**Bond:** An interest-bearing promise to pay a stipulated sum of money, with the principal amount due on a specific date. Funds raised through the sale of bonds can be used for various public purposes.

**California Environmental Quality Act (CEQA):** A State Law requiring State and local agencies to regulate activities with consideration for environmental protection. If a proposed activity has the potential for a significant adverse environmental impact, an environmental impact report (EIR) must be prepared and certified as to its adequacy before taking action on the proposed project.

**Coagulation:** Coagulation water treatment applies chemicals to assist water particulates in combining together. When particulates are aggregated, they can be more easily removed from the treated water.<sup>98</sup>

**Community Facilities District:** Under the Mello-Roos Community Facilities Act of 1982 (Section 53311, et seq.) a legislative body may create within its jurisdiction a special tax district that can finance tax-exempt bonds for the planning, design, acquisition, construction, and/or operation of public facilities, as well as public services for district residents. Special taxes levied solely within the district are used to repay the bonds.

**Community Services District (CSD):** A geographic subarea of a county used for planning and delivery of parks, recreation, and other human services based on an assessment of the service needs of the population in that subarea. A CSD is a taxation district with independent administration.

**Conventional Filtration Treatment (water service):** A series of processes including coagulation, flocculation, sedimentation, and filtration resulting in substantial particulate removal.

**Disinfectant:** A chemical (commonly chlorine, chloramine, or ozone) or physical process (e.g., ultraviolet light) that kills microorganisms such as bacteria, viruses, and protozoa.

**Disinfection:** A process which inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.

**Distribution System:** A network of pipes leading from a treatment plant to customers' plumbing systems.

**Domestic water use:** Water used for household purposes, such as drinking, food preparation, bathing, washing clothes, dishes, and dogs, flushing toilets, and watering lawns and gardens. About 85 percent of domestic water is delivered to homes by a public-supply facility, such as a county water department. About 15 percent of the Nation's population supplies their own water, mainly from wells.<sup>99</sup>

**Environmental Impact Report (EIR):** A report required pursuant to the California Environmental Quality Act that assesses all the environmental characteristics of an area, determines what

<sup>98</sup> [http://www.ehow.com/about\\_5100654\\_coagulation-water-treatment.html](http://www.ehow.com/about_5100654_coagulation-water-treatment.html), July 13, 2010.

<sup>99</sup> <http://ga.water.usgs.gov/edu/dictionary.html>

effects or impact will result if the area is altered or disturbed by a proposed action, and identifies alternatives or other measures to avoid or reduce those impacts. (See California Environmental Quality Act.)

**Filtration:** A process by which solids are filtered out of liquids, a stage in water treatment, a process for removing particulate matter from water by passage through porous media.

**Finished Water:** Water that has been treated and is ready to be delivered to customers.

**Flocculation:** A process where a solute comes out of solution in the form of floc or "flakes." The term is also used to refer to the process by which fine particulates are caused to clump together into floc. The floc may then float to the top of the liquid, settle to the bottom of the liquid, or can be readily filtered from the liquid.

**Groundwater:** Water under the earth's surface, often confined to aquifers capable of supplying wells and springs.

**Human consumption:** the ingestion or absorption of water or water vapor as the result of drinking, cooking, dishwashing, hand washing, bathing, showering or oral hygiene.

**Impact Fee:** A fee, also called a development fee, levied on the developer of a project by a county, or other public agency as compensation for otherwise-unmitigated impacts the project will produce. California Government Code Section 66000, et seq., specifies that development fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged. To lawfully impose a development fee, the public agency must verify its method of calculation and document proper restrictions on use of the fund.

**Infill Development:** The development of vacant or underdeveloped land within the City is referred to as infill.<sup>100</sup>

**Infrastructure:** Public services and facilities such as sewage-disposal systems, water-supply systems, and other utility systems, schools and roads.

**Land Use Classification:** A system for classifying and designating the appropriate use of properties.

**Leapfrog Development:** New development separated from existing development by substantial vacant land.

**Local Agency Formation Commission (LAFCO):** A five-or seven-member commission within each county that reviews and evaluates all proposals for formation of special districts, incorporation of cities, annexation to special districts or cities, consolidation of districts, and merger of districts with cities. Each county's LAFCO is empowered to approve, disapprove, or conditionally approve such proposals. The LAFCO members generally include two county supervisors, two city council members, and one member representing the general public. Some LAFCOs include two representatives of special districts.

**Maximum Contaminant Level (MCL):** The highest level of a contaminant that EPA allows in drinking water. MCLs ensure that drinking water does not pose either a short-term or long-term health risk. EPA sets MCLs at levels that are economically and technologically feasible. Some states set MCLs which are stricter than EPA's.

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<sup>100</sup> City of Lakeport General Plan 2025, Land Use Element, August 2009, Page II-10.

**Maximum Contaminant Level Goal (MCLG):** The level of a contaminant at which there would be no risk to human health. This goal is not always economically or technologically feasible, and the goal is not legally enforceable.

**Maximum residual disinfectant level (MRDL):** the maximum allowable level of disinfectant in public drinking water. Most often, compliance with an MRDL is based on an average of multiple samples.

**Maximum Residual Disinfectant Level Goal (MRDLG):** The level of a disinfectant added for water treatment below which there is no known or expected risk to health. MRDLGs are set by the U.S. Environmental Protection Agency.

**Mean Sea Level:** The average altitude of the sea surface for all tidal stages.

**Milligrams per liter (mg/L):** The weight in milligrams of any substance dissolved in one liter of liquid; nearly the same as parts per million.

**Mello-Roos Bonds:** Locally issued bonds that are repaid by a special tax imposed on property owners within a community facilities district established by a governmental entity. The bond proceeds can be used for public improvements and for a limited number of services. Named after the program's legislative authors.

**Monitoring:** Testing that water systems must perform to detect and measure contaminants. A water system that does not follow EPA's monitoring methodology or schedule is in violation, and may be subject to legal action.

**Municipal water system:** A water system that has at least five service connections or which regularly serves 25 individuals for 60 days; also called a public water system.<sup>101</sup>

**Ordinance:** A law or regulation set forth and adopted by a governmental authority.

**Potable Water:** Water of a quality suitable for drinking.<sup>102</sup>

**Per capita water use:** The water produced by or introduced into the system of a water supplier divided by the total residential population; normally expressed in gallons per capita per day (gpcd).<sup>103</sup>

**Primary Drinking Water Standards (PDWS):** Maximum Contaminant Levels for contaminants.

**Proposition 13:** (Article XIII A of the California Constitution) Passed in 1978, this proposition enacted sweeping changes to the California property tax system. Under Prop. 13, property taxes cannot exceed 1 percent of the value of the property and assessed valuations cannot increase by more than 2 percent per year. Property is subject to reassessment when there is a transfer of ownership or improvements are made.<sup>104</sup>

**Proposition 218:** (Article XIII D of the California Constitution) This proposition, named "The Right to Vote on Taxes Act", filled some of the perceived loopholes of Proposition 13. Under Proposition 218, assessments may only increase with a two-thirds majority vote of the qualified voters within the District. In addition to the two-thirds voter approval requirement, Proposition 218 states that effective July 1, 1997, any assessments levied may not be more than the costs necessary to provide the service, proceeds may not be used for any other purpose other than

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<sup>101</sup> <http://ga.water.usgs.gov/edu/dictionary.html>

<sup>102</sup> <http://ga.water.usgs.gov/edu/dictionary.html>

<sup>103</sup> <http://rubicon.water.ca.gov/v1cwp/glossry.html>

<sup>104</sup> [http://www.californiataxdata.com/A\\_Free\\_Resources/glossary\\_PS.asp#ps\\_08](http://www.californiataxdata.com/A_Free_Resources/glossary_PS.asp#ps_08)

providing the services intended, and assessments may only be levied for services that are immediately available to property owners.<sup>105</sup>

**Public Health Goal (PHG):** The level of a contaminant in drinking water below which there is no known or expected risk to health. PHG's are set by the California Environmental Protection Agency.

**Public Notification:** An advisory that EPA requires a water system to distribute to affected consumers when the system has violated MCLs or other regulations. The notice advises consumers what precautions, if any, they should take to protect their health.

**Public Water Systems (PWS):** A public water system provides piped water for human consumption to at least 15 service connections or serves an average of at least 25 people for at least 60 days each year, and includes the source of the water supply (i.e., surface or groundwater). PWSs can be community, nontransient noncommunity, or transient noncommunity systems, as defined by the EPA's Public Water System Supervision (PWSS) Program.

**Ranchette:** A single dwelling unit occupied by a non-farming household on a parcel of 2.5 to 20 acres that has been subdivided from agricultural land.

**Raw Water:** Water in its natural state, prior to any treatment for drinking.

**Regulatory Action Level:** The concentration of a contaminant which, if exceeded, triggers treatment or other requirements that a water system must follow.

**Sanitary Sewer:** A system of subterranean conduits that carries refuse liquids or waste matter to a plant where the sewage is treated, as contrasted with storm drainage systems (that carry surface water) and septic tanks or leach fields (that hold refuse liquids and waste matter on-site).

**Sanitary Survey:** An on-site review of the water sources, facilities, equipment, operation, and maintenance of a public water systems for the purpose of evaluating the adequacy of the facilities for producing and distributing safe drinking water.

**Secondary Drinking Water Standards (SDWS):** Non-enforceable federal guidelines regarding cosmetic effects (such as tooth or skin discoloration) or aesthetic effects (such as taste, odor, or color) of drinking water.

**Sedimentation:** A process of settling particles out of a liquid in a treatment plant, a process for removal of solids before filtration by gravity or separation.

**Service area:** The geographical land area served by a distribution system of a water agency.<sup>106</sup>

**Source Water:** Water in its natural state, prior to any treatment for drinking.

**Sphere of Influence (SOI):** The probable physical boundaries and service area of a local agency, as determined by the Local Agency Formation Commission (LAFCO) of the county.

**Surface Water:** The water that systems pump and treat from sources open to the atmosphere, such as rivers, lakes, and reservoirs.

**Total dissolved solids (TDS):** A quantitative measure of the residual minerals dissolved in water that remains after evaporation of a solution. TDS is usually expressed in milligrams per liter.<sup>107</sup>

<sup>105</sup> [http://www.californiataxdata.com/A\\_Free\\_Resources/glossary\\_PS.asp#ps\\_08](http://www.californiataxdata.com/A_Free_Resources/glossary_PS.asp#ps_08)

<sup>106</sup> <http://rubicon.water.ca.gov/v1cwp/glsry.html>

<sup>107</sup> <http://rubicon.water.ca.gov/v1cwp/glsry.html>



**Treatment Technique:** A required process intended to reduce the level of a contaminant in drinking water.

**Turbidity:** The cloudy appearance of water caused by the presence of tiny particles. High levels of turbidity may interfere with proper water treatment and monitoring.

**Urban:** Of, relating to, characteristic of, or constituting a city. Urban areas are generally characterized by moderate and higher density residential development (i.e., three or more dwelling units per acre), commercial development, and industrial development, and the availability of public services required for that development, specifically central water and sewer service, an extensive road network, public transit, and other such services (e.g., safety and emergency response). Development not providing such services may be “non-urban” or “rural”. CEQA defines “urbanized area” as an area that has a population density of at least 1,000 persons per square mile (Public Resources Code Section 21080.14(b)).

**Urban Services:** Utilities (such as water, gas, electricity, and sewer) and public services (such as police, fire protection, schools, parks, and recreation) provided to an urbanized or urbanizing area.

**Violation:** A failure to meet any state or federal drinking water regulation.

**Vulnerability Assessment:** An evaluation of drinking water source quality and its vulnerability to contamination by pathogens and toxic chemicals.

**Water quality:** Used to describe the chemical, physical, and biological characteristics of water, usually in regard to its suitability for a particular purpose or use.<sup>108</sup>

**Water year:** A continuous 12-month period for which hydrologic records are compiled and summarized. In California, it begins on October 1 and ends September 30 of the following year.<sup>109</sup>

**Watershed:** The land area from which water drains into a stream, river, or reservoir.

**Zoning:** The division of a city by legislative regulations into areas, or zones, that specify allowable uses for real property and size restrictions for buildings within these areas; a program that implements policies of the general plan.

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<sup>108</sup> <http://rubicon.water.ca.gov/v1cwp/glossry.html>

<sup>109</sup> <http://rubicon.water.ca.gov/v1cwp/glossry.html>

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