

RESOLUTION NO. 2026-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE SUPPORTING THE LAKE COUNTY SANITATION DISTRICT'S PROPOSED INTERIM GOVERNANCE REORGANIZATION AND AFFIRMING THE CITY'S COMMITMENT TO EQUITABLE REPRESENTATION AND LONG-TERM REORGANIZATION OF THE DISTRICT

WHEREAS, the Lake County Sanitation District ("LACOSAN" or "District") provides wastewater collection, treatment, and disposal services within most of the City of Clearlake and several other unincorporated areas of Lake County; and

WHEREAS, the District was originally created to primarily serve the community that is now the City of Clearlake; and

WHEREAS, the City of Clearlake has long maintained that the governance structure of the District should reflect the communities served by the District and comply with the representation principles established in Chapter 4 (commencing with Section 4730) of the California Health and Safety Code; and

WHEREAS, the City has engaged in good-faith discussions with the County and LACOSAN regarding the proper interpretation and application of Health and Safety Code Sections 4730 through 4732 as they relate to the composition of the governing board of the District; and

WHEREAS, while the City and County have not reached complete agreement regarding the legal interpretation of these statutes, both agencies recognize the importance of maintaining uninterrupted sewer services, protecting public health, preserving regulatory compliance, and ensuring continued operation of critical wastewater infrastructure; and

WHEREAS, the City acknowledges the District's proposed Resolution of Intent to establish an interim governing board pursuant to Health and Safety Code Section 4730.1 pending a comprehensive review of District boundaries and governance through the Lake County Local Agency Formation Commission ("LAFCO"); and

WHEREAS, the proposed interim governance structure would provide direct representation for both the County of Lake and the City of Clearlake, while also providing for public representation, thereby improving transparency, accountability, and collaboration during the interim period; and

WHEREAS, the City believes that cooperative governance between the affected jurisdictions is in the best interests of District customers and will facilitate orderly consideration of future boundary, governance, and organizational changes through the LAFCO process; and

WHEREAS, the City further supports conducting any transition in a manner that preserves the validity of prior lawful District actions, protects existing contractual obligations, avoids disruption of essential wastewater services, and particularly supports the long term sustainability of the Geysers pipeline; and

WHEREAS, the County has requested the City rescind its action November 20, 2025 rescinding the delegation of authority to the Lake County Board of Supervisors to serve as the governing board of the Lake County Sanitation District and the City's statutory right to direct representation on the Board of Directors; and

WHEREAS, the County expects to appoint the current Chair of the Board of Supervisors as a representative and one additional Board member as a representative of Kelseyville County Waterworks District #3, which is a separate legal entity, the City Council requests the Board appoint the board member that has the largest number of LACOSAN customers within their supervisorial district to provide the most equitable representation; and

WHEREAS, the City continues to reserve all legal rights regarding the ultimate interpretation and application of Health and Safety Code Sections 4730 through 4732 and does not waive any position concerning the proper permanent composition of the District governing board.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clearlake as follows:

Section 1. Support for Interim Governance.

The City Council supports the Lake County Sanitation District's proposed Resolution of Intent establishing an interim governing board pursuant to Health and Safety Code Section 4730.1, recognizing that the proposal represents a reasonable interim approach while the parties pursue permanent governance and boundary determinations through LAFCO.

The City Council hereby rescinds *Resolution 2025-42 – A Resolution of the City Council of the City of Clearlake Rescinding the Delegation of Authority to the Lake County Board of Supervisors to serve as the Governing Board of the Lake County Sanitation District and Asserting the City's Statutory Right to Direct Representation on the Board of Directors*, for the sole purpose of facilitating the County's request prior to the Board of Directors taking action to Establish an Interim Composition of the Governing Board.

Section 2. Continued Cooperation.

The City Council reaffirms their direction to City staff to continue working collaboratively with the County of Lake, the Lake County Sanitation District, affected public agencies, and LAFCO to develop a long-term governance structure that is legally compliant, transparent, representative, and protective of the public interest.

Section 3. Reservation of Rights.

Nothing contained in this Resolution shall be construed as:

- (a) an admission regarding the legal interpretation of Health and Safety Code Sections 4730 through 4731;
- (b) a waiver of any legal rights or remedies available to the City; or
- (c) an agreement regarding the ultimate composition or boundaries of the Lake County Sanitation District.

Section 4. Support for LAFCO Process.

The City Council supports initiating and participating in an expedited LAFCO proceeding to evaluate the appropriate governance, boundaries, and organizational structure of the District, including consideration of detachment of the Southeast Regional Sewer System and any other matters determined appropriate by LAFCO.

Section 5. Public Participation.

The City Council encourages public participation during the District's public comment period and throughout the LAFCO process to ensure that all affected ratepayers, residents, businesses, and public agencies have the opportunity to provide input.

PASSED AND ADOPTED by the City Council of the City of Clearlake at a regular meeting held on July 16, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF CLEARLAKE

Dirk Slooten, Mayor

ATTEST: Melissa Swanson

City Clerk

By: _____