

BOARD OF DIRECTORS OF THE LAKE COUNTY SANITATION DISTRICT

RESOLUTION NO. [_____]

**A RESOLUTION OF THE LAKE COUNTY SANITATION DISTRICT ESTABLISHING AN
INTERIM COMPOSITION OF THE GOVERNING BOARD OF THE LAKE COUNTY
SANITATION DISTRICT PURSUANT TO HEALTH AND SAFETY CODE § 4730, ET. SEQ.**

WHEREAS, the Lake County Sanitation District (“District”) is a sanitation district organized and existing under the laws of the State of California, including Health and Safety Code § 4700 et. seq.; and

WHEREAS, the District includes territory within the City of Clearlake (“City”) and unincorporated areas of the Lake County; and

WHEREAS, Health and Safety Code § 4730 provides that the governing board of a sanitation district shall be composed of representatives of the cities and counties within the district in accordance with statutory requirements, as well as any public sewer agencies, including consideration of population within the district; and

WHEREAS, the District (as comprised prior to the adoption date of this Resolution) and the City further acknowledge that there exists a good-faith disagreement regarding the exact application of Health and Safety Code § 4730 for purposes of the membership composition of the District; and

WHEREAS, Health and Safety Code Section 4730.1 states that notwithstanding the provisions of Health and Safety Code Section 4730, the District may adopt a resolution of intention to form the District and the order of formation of the District may provide that the governing body of the District shall be constituted in accordance with Health and Safety Code Section 4730.1; and

WHEREAS, the County of Lake Board of Supervisors has historically acted as the governing board of the District pursuant to prior arrangements, including a delegation of authority by the City of Clearlake made in 1983; and

WHEREAS, the City previously stated its desire to explore a LACOSAN District reorganization through the Lake Local Area Formation Commission (LAFCO) and the County supports this effort; and

WHEREAS, LACOSAN desires to establish an interim governance structure that ensures continued and uninterrupted operation of essential public services and more equitable representation of all affected jurisdictions; and

WHEREAS, there are two sewer districts that are not owned or operated by LACOSAN that are likely within the District boundary, Hidden Valley Lake Community Services District (“HVLCS”) and Kelseyville County Waterworks District #3; and

WHEREAS, Kelseyville County Waterworks District #3 has delegated its rights to governance to the Board of Supervisors pursuant to Health and Safety Code § 4730.1(a)(3); and

WHEREAS, HVLCSO previously communicated to the City Manager on June 1, 2026 that HVLCSO has no interest in holding a board seat and that they would defer or delegate that seat to another non-County municipal government – such as the City of Clearlake – as a more appropriate representative; and

WHEREAS, the District adopted a “Resolution of Intent of the Lake County Sanitation District to Establish an Interim Composition of the Governing Board of the Lake County Sanitation District Pursuant to Health and Safety Code § 4730, et. seq.” (hereinafter, “Resolution of Intent”); and

WHEREAS, in accordance with Health and Safety Code Section 4730.2, a time and place for public hearing was set for filing objections to the proposal stated in said Resolution of Intent; and

WHEREAS, there were ___ objections to the proposal stated in said Resolution of Intent at the public hearing held on August 18, 2026.

NOW, THEREFORE, IT IS HERBY RESOLVED, DETERMINED AND ORDERED THAT:

1. Interim Board Composition

Pursuant to Health and Safety Code Section 4730.1, the governing board of the District shall consist of five (5) members:

- ☐ Two (2) members representing the County of Lake
 - o The Chair of the Board
 - o One Board Member appointed by the Board, as delegated by the Kelseyville Water Works District
- ☐ Two (2) members representing the City of Clearlake
 - o The Mayor
 - o One Councilmember appointed by the Council, as delegated by the Hidden Valley Community Services District
- ☐ One (1) member of the public appointed or elected pursuant to Health and Safety Code § 4730.1(a)(2)
- ☐ The composition of the appointed Board members shall remain the same during the interim period, unless removed via election, upon which time the County or City shall appoint a replacement.

2. Interim Nature and Basis

This structure is adopted as an interim measure until a new District board is established pursuant to an application process to the Lake County Local Agency Formation Commission (LAFCO) for a detachment of the Southeast Regional System.

3. Reservation of Rights

Nothing in this Resolution shall be construed as a waiver of legal rights or interpretations of applicable law.

4. Transition

Prior actions of the LACOSAN Board remain valid to the fullest extent permitted by law, including, but not limited to, agreements and MOUs regarding the LACOSAN effluent pipeline project.

PASSED AND ADOPTED this 18th day of August, 2026, by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

LAKE COUNTY SANITATION DISTRICT

Chair, Board of Directors

ATTEST: SUSAN PARKER

Clerk to the Board of Supervisors

By: _____

APPROVED AS TO FORM:

LLOYD GUINTIVANO

County Counsel
