

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafo.org | Web: www.mendolafo.org

COMMISSIONERS

Tony Orth, Chair
Brooktrails Township CSD

Scott Ignacio, Vice-Chair
Point Arena City Council

Gerald Ward, Treasurer
Public Member

Matthew Froneberger
Special District Member

Gerardo Gonzalez
Willits City Council

Glenn McGourty
County Board of Supervisors

Maureen "Mo" Mulheren
County Board of Supervisors

Jenifer Bazzani, Alternate
Ukiah Valley Fire District

John Haschak, Alternate
County Board of Supervisors

Mari Rodin, Alternate
City Member

Richard Weinkle, Alternate
Public Member

STAFF
Executive Officer
Uma Hinman

Analyst
Larkyn Feiler

Commission Clerk
Kristen Meadows

Counsel
Scott Browne

REGULAR MEETINGS
First Monday of each month
at 9:00 AM in the
Mendocino County
Board of Supervisors
Chambers
501 Low Gap Road, Ukiah

A G E N D A

Special Meeting of Monday, November 8, 2021 at 10:00 AM
County Board of Supervisors Chambers 501 Low Gap Road, Ukiah, California

Special Notice

On September 16, 2021, Governor Newsom signed AB 361, which modified the Brown Act to allow for teleconferencing participation at local legislative body public meetings during a proclaimed state of emergency. As urgency legislation, this law took effect immediately. Pursuant to Government Code §54953(e)(1)(B), the Commission will conduct its November 8, 2021 meeting by Zoom. Therefore, Commissioners, staff and members of the public will attend this meeting via teleconference, as provided below.

Instructions for Meeting Participation

Join Meeting Live: Please click the following Zoom link below to join the meeting or utilize the telephone option (audio only)

1. Zoom meeting link: <https://mendocinocounty.zoom.us/j/86261349193>
2. Telephone option:
Dial: **(669) 900-9128** (*Please note that this is not a toll-free number*)
Meeting ID: **862 6134 9193**

Public Participation is encouraged and public comments are accepted:

1. Live: via the Zoom meeting link or telephone option above
2. Via Email: eo@mendolafo.org by 9:30 a.m. the day of the meeting
3. Via Mail: Mendocino LAFCo, 200 S School Street, Ukiah, CA 95482

Meeting Participation

1. When joining the Zoom meeting, please enter your name so that you can be identified to speak.
2. To provide comments, please use the raise hand function in Zoom. For those accessing from a computer or smartphone, the raise hand function may be selected by clicking or tapping it. For members utilizing the telephone option (audio only), please use the raise hand feature by pressing ***9** on your keypad to raise your hand, and ***6** to unmute yourself. When it is your turn to speak, you will be called on by the last four digits of your phone number, if available, and asked to identify yourself for the record.

All comments received will be conveyed to the Commission for consideration during the meeting. All meetings are live-streamed, recorded and available through the link below.

The Commission appreciates the public's adaptation and patience during this crisis.

*Live web streaming and recordings of Regular Commission meetings are available via the [Mendocino County YouTube Channel](#).
Links to recordings, approved minutes, and meeting documents are available on the LAFCo website: <https://www.mendolafo.org/commission-meetings>*

1. CALL TO ORDER and ROLL CALL

2. PUBLIC EXPRESSION

The Commission welcomes participation in the LAFCo meeting. Any person may address the Commission on any subject within the jurisdiction of LAFCo which is not on the agenda. There is a three-minute limit and no action will be taken at this meeting. See public participation information above.

3. CONSENT CALENDAR

The following consent items are expected to be routine and non-controversial, and will be acted on by the Commission in a single action without discussion, unless a request is made by a Commissioner or a member of the public for discussion or separate action.

3a) Resolution Authorizing Continued Remote Meetings per AB 361

4. PROTEST HEARING

4a) Protest Hearing and Determination of the Value of Written Protests for the Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services (File No. A-2021-02)

The Commission will conduct a Protest Hearing to receive oral and written protests from landowners and registered voters within the City of Ukiah regarding the Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services (UVFD Fire Services Annexation File No. A-2021-02). After the close of the Protest Hearing, LAFCo staff will determine the value of written protests received and not withdrawn by the close of the Protest Hearing pursuant to GOV §57075, and the Commission will consider a resolution ordering without an election the annexation if insufficient written protests are received or otherwise direct staff to return with written results.

ADJOURNMENT

The next Regular Commission Meeting is scheduled for Monday, **December 6, 2021** at 9:00 AM.
Location to be determined based on current State and local mandates related to the COVID-19 pandemic.

Notice: This agenda has been posted at least 72 hours prior to the meeting and in accordance with the temporary Brown Act Guidelines instated by State Executive Order N-29-20 and AB 361.

Participation on LAFCo Matters: All persons are invited to testify and submit written comments to the Commission on public hearing items. Any challenge to a LAFCo action in Court may be limited to issues raised at a public hearing or submitted as written comments prior to the close of the public hearing.

Americans with Disabilities Act (ADA) Compliance: Because the meeting is being held by teleconference, if you are hearing impaired or otherwise would have difficulty participating, please contact the LAFCo office as soon as possible so that special arrangements can be made for participation, if reasonably feasible.

Fair Political Practice Commission (FPPC) Notice: State Law requires that a participant in LAFCo proceedings who has a financial interest in a Commission decision and who has made a campaign contribution to any Commissioner in the past year must disclose the contribution. If you are affected, please notify the Commission before the hearing.

MENDOCINO
Local Agency Formation Commission
Staff Report

MEETING November 8, 2021
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Authorizing Continued Remote Meetings per Assembly Bill 361**

RECOMMENDATION

Commission adopt Resolution No. 2021-22-07 acknowledging that a Gubernatorial State of Emergency continues to exist and authorizing the continued use of teleconferenced meetings for a 30-day period.

BACKGROUND

Pursuant to Assembly Bill 361 (AB 361), which was signed into order on September 21, 2021, in order for the Commission to continue to conduct its meetings remotely, it must adopt a resolution confirming that a Gubernatorial State of Emergency continues to exist and the Commission has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, Commissioners or staff.

AB 361 provides local agencies with the ability to continue to meet remotely under modified Brown Act requirements during proclaimed state emergencies with the adoption of resolution finding that either:

- 1) Open physical meetings present imminent risks to the health or safety of attendees; *or*
- 2) State/local officials recommend/require measures to promote social distancing.

These criteria permit a local agency to schedule a remote meeting to determine whether meeting in-person during the state of emergency would pose imminent risk to the health or safety of attendees. At that remote meeting, a local agency may determine by majority vote that sufficient risks exist to the health or safety of attendees as a result of the emergency and pass a resolution to that effect. These criteria also permit a local agency to meet remotely in the event that there is a state of emergency declaration while state or local officials have recommended or required measures to promote social distancing.

In compliance with AB 361, the Commission adopted Resolution No. 2021-22-06 on November 1, 2021 authorizing the continued remote meetings for legislative bodies of Mendocino LAFCo for a period of 30 days. AB 361 requires subsequent resolutions be adopted by the Commission every 30 days, finding that the state of emergency declaration remains active, the local agency has thoughtfully reconsidered the circumstances of the state of emergency, and the local agency has either identified A) ongoing, direct impacts to the ability to meet safely in-person or B) active social distancing measures as directed by relevant state or local officials.

Attachment: Draft Resolution 2021-22-07

Resolution No. 2021-22-07
of the Local Agency Formation Commission of Mendocino County

**Re-Ratifying the Proclamation of a State of Emergency by Governor Newsom
On March 4, 2020 to Address the COVID 19 Pandemic, and Re-Authorizing,
Pursuant to AB361, Remote Teleconference Meetings for the Period from
November 8, 2021 to December 8, 2021 Pursuant to Brown Act Provisions**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, is committed to preserving and nurturing public access and participation in meetings of the Commission; and

WHEREAS, all the meetings of the Commission are open and public, as required by the Ralph M. Brown Act (“Brown Act”) (California Government Code 54950 -54963), so that any member of the public may attend, participate, and watch the Commission conduct business; and

WHEREAS, the Brown Act, Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the boundaries of Mendocino County, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, if the legislative body meeting in person would present imminent risks to the health and safety of attendees, Commissioners and staff; and

WHEREAS, the Commission previously adopted a Resolution, Number 2021-22-06 on November 1, 2021, finding that the requisite conditions continue to exist for the legislative bodies of Mendocino Local Agency Formation Commission to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the Commission must reconsider the circumstances of the state of emergency that exists in the County, and the Commission has done so; and

WHEREAS, such conditions now exist in the County of Mendocino, specifically, the State of Emergency proclaimed by Governor Newsom on March 4, 2020, due to the COVID 19 pandemic; and

WHEREAS, the California Department of Public Health and the Mendocino County Public Health Department continues to recommend requiring face coverings in all public indoor settings attributable to the rise in SARS-CoV-2 Delta Variant and the Commission cannot be certain that all persons in attendance at meetings will follow the guidelines or be fully vaccinated; and

WHEREAS, the Commission does hereby find that the rise in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of persons within the County that are likely to be beyond the control of the Commission or its staff, and desires to proclaim a local emergency exists and ratify the proclamation of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Commission does hereby find that the legislative bodies of the Mendocino Local Agency Formation Commission shall continue to conduct their meetings without compliance with Government Code Section 54953(b)(3), as authorized by Section 54953(e), and that such legislative bodies shall comply with the requirements to provide the public with access to meetings as prescribed in Section 54953(e)(2); and

WHEREAS, the Commission provides written agenda that fully describes the process for the public to fully participate in the Commission's virtual meetings to include viewing, listening and commenting in real time on all agenda items; and

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Commission hereby proclaims that a local emergency now exists throughout the Commission's jurisdictional boundaries, and the rise in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of all persons participating in the Commission's meetings that are likely to be beyond the control of the Commission or its staff, equipment, and facilities of the Commission.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Commission hereby ratifies the Governor of the State of California's Proclamation of State of Emergency for COVID 19, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The Executive Officer and the Mendocino Local Agency Formation Commission are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of December 8, 2021, or such time the Commission adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative body of the Mendocino Local Agency Formation Commission may continue to teleconference without compliance with Section 54953(b)(3).

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 8th day of November 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CHARLES A. ORTH, Commission
Chair

ATTEST:

UMA HINMAN, Executive Officer

DRAFT

MENDOCINO
Local Agency Formation Commission
Staff Report

MEETING November 8, 2021
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Protest Hearing and Determination of the Value of Written Protests for the Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services (File No. A-2021-02)**

RECOMMENDATION

- 1) Conduct a Protest Hearing to receive oral and written protests from landowners and registered voters within the City of Ukiah regarding the Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services (File No. A-2021-02); and

- 2a) After the close of the Protest Hearing, if it is determined that insufficient written protests were received by landowners and registered voters within the City of Ukiah prior to the close of the Protest Hearing, adopt Resolution No. 2021-22-08, finding insufficient protest and ordering without an election the Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services pursuant to GOV §57075(a)(3); or

- 2b) After the close of the Protest Hearing, if it is determined that sufficient written protests were received by landowners and registered voters within the City of Ukiah prior to the close of the Protest Hearing to require an election or terminate proceedings, direct staff to return within 30 days with written results related to the value of written protests received.

BACKGROUND

On October 4, 2021, the Commission approved the Ukiah Valley Fire District (UVFD or District) Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services (UVFD Fire Services Annexation File No. A-2021-02) and ordered Conducting Authority Proceedings pursuant to GOV §57000 et seq. known as a Protest Hearing.

The primary purpose of the Protest Hearing is to receive and count written protests from landowners and registered voters within the City of Ukiah against the District annexation.

The Protest Hearing is limited in scope and the Commission cannot consider public testimony regarding the substance of the Commission's prior decision to approve the District annexation.

The Protest Hearing process involves the following steps:

Step 1: Summarize Resolution No. 2021-22-03

LAFCo staff will summarize LAFCo Resolution No. 2021-22-03 making determinations and approving the proposed UVFD Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services subject to terms and conditions pursuant to GOV §57050(b).

Step 2: Receive Oral and Written Protests

The Commission will receive any oral and written protests and then close the Protest Hearing. While oral protests will be received, they do not count towards determining the value of written protests.

Step 3: Determine the Value of Written Protests

LAFCo staff will determine the value of written protests received and not withdrawn by the close of the Protest Hearing pursuant to GOV §57075. The Commission will consider a resolution ordering the annexation if insufficient written protests exist or otherwise direct staff to return with written results.

Public Notice

In preparation for the Protest Hearing, LAFCo staff complied with the minimum 21-day public notice (Attachment 3) requirement. The public noticing was completed by Monday October 18, 2021 as outlined below.

- Publishing in the Ukiah Daily Journal newspaper (Attachment 2) because the total number of notices required to be mailed to registered voters exceeded 1,000 pursuant to GOV §56157(h).
- Mailing to landowners because the annexation would result in the extension of any previously authorized special tax or benefit assessment to the affected territory pursuant to GOV §57025(e).
- Mailing and/or emailing to the applicant and interested and affected agencies and individuals list.
- Posting on the Commission website under the Public Notices section.
- Posting at the Mendocino County public bulletin board outside the Board of Supervisors Chambers.
- Posting on the Mendocino LAFCo office door.

Please note, mailed notices that were returned to sender with a forwarding address were re-mailed upon receipt as a courtesy, which is not required by law, and is deemed properly noticed upon original mailing.

Summary of Resolution No. 2021-22-03

The Commission approved the Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services on October 4, 2021, by Resolution No. 2021-22-03, which sets forth a description of the change of organization and the terms and conditions of approval (Attachment 1). The following is a summary of the resolution to be presented at the hearing.

At its October 4, 2021 regular meeting, the Commission, having considered all relevant factors and heard all interested parties wishing to speak regarding the proposal, determined that the proposal was exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code §21065 and Title 14 of the California Code of Regulations §15306, §15378(a), §15061(b)(3), 15261, 15301, and 15320 and that the Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services was consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and local policies. The Commission approved the proposal on a vote of 6-1 per Resolution No. 2021-22-03, subject to the following terms and conditions: (a) the annexation area boundary is defined by the proposal map; (b) the District parcel taxes Measures J and B shall be levied in the entire annexation area; (c) the 2020 Amended and Restated Agreement for Shared Management of Fire Departments between

the District and City of Ukiah shall be fully implemented; and (d) the City of Ukiah maintains all of its rights and obligations for administering Emergency Medical Services.

Frequently Asked Questions

The District and City of Ukiah have prepared a Frequently Asked Questions (FAQ) document to address common questions related to the Protest Hearing process for the District annexation. Refer to Attachment 4 for the FAQ which is also available in Spanish and posted on the City of Ukiah website under the UVFD Annexation project tile located at: <http://www.cityofukiah.com/projects/>.

Official Protest and Withdrawal Forms Submittal

Landowners and registered voters in the City of Ukiah are eligible to file or withdraw written protests regarding the District annexation as outlined below. Refer to Attachment 5 for the **Official Protest Form** and Attachment 6 for the **Official Protest Withdrawal Form**.

1. Written protest and protest withdrawal **forms must be received prior to the close of the Protest Hearing in order to be counted** (no postmark, fax, or email accepted).
2. The Protest Hearing will be held on Monday November 8, 2021 at 10:00 a.m., or soon after.
3. It is unknown how long the Protest Hearing will last. LAFCo staff encourages delivery of written protest and protest withdrawal forms before 10:00 a.m. on Monday November 8, 2021.
4. Written protest and protest withdrawal forms can be delivered by postal mail or in-person and **must be received in the LAFCo office by LAFCo staff prior to the close of the Protest Hearing**.
5. Current LAFCo office hours are Monday, Tuesday, and Friday from 9:00 a.m. to 1:00 p.m.
6. LAFCo staff will be available at the LAFCo office on Monday November 8, 2021 starting at 8:00 a.m. and until the close of the Protest Hearing to accept written protest and protest withdrawal forms.
7. The Mendocino LAFCo mailing address and office location is: **200 South School Street, Ukiah, CA 95482**.

Determination of the Value of Written Protests

After the close of the Protest Hearing, LAFCo staff will determine the value of written protests received and not withdrawn by the close of the Protest Hearing pursuant to GOV §57075.

The annexation will be ordered without an election (Attachment 7) if the number of written protests is below both of the two thresholds outlined below pursuant to GOV §57075(a)(2)(A) and (B).

- (A) At least 25 percent of the registered voters residing in the affected territory.
(B) At least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.

If the number of written protests received is 50 percent or greater in either of the two thresholds outlined above, then a majority protest exists and the change of organization proceedings are terminated.

The official total number of registered voters and landowners in the annexation area will be announced at the beginning of the Protest Hearing. For a rough order of magnitude only, it is currently estimated that there are roughly 9,000 registered voters and roughly 5,000 landowners in the City of Ukiah.

- Attachments:
1. Resolution 2021-22-03
 2. UDJ Proof of Publication
 3. Notice of Protest Hearing
 4. District/City FAQ
 5. Official Protest Form
 6. Official Protest Withdrawal Form
 7. Resolution 2021-22-08

Resolution No. 2021-22-03
of the Local Agency Formation Commission of Mendocino County

**Approving the Ukiah Valley Fire District Change of Organization to
Annex the City Limits of the City of Ukiah for Fire Services**

WHEREAS, on May 18, 2021, the Ukiah Valley Fire District (UVFD or District) Board of Directors approved Resolution No. 2021-04 to initiate a proposed District annexation of the City of Ukiah City limits for fire services and concurrent amendment of the District's Sphere of Influence to be contiguous with the proposed new boundary; and

WHEREAS, on May 19, 2021, the City of Ukiah (City) City Council approved Resolution 2021-21 to support the District's proposed annexation and SOI amendment; and

WHEREAS, the application was received on June 29, 2021 and was referred to the County Assessor and Auditor for negotiation of a property tax exchange pursuant to Revenue and Tax Code Section 99 and Resolutions adopted by the County Board of Supervisors, City of Ukiah City Council, and UVFD Board of Directors has been received regarding the allocation of property tax within the annexation area; and

WHEREAS, a Certificate of Filing was issued on September 29, 2021 indicating receipt of a complete application pursuant to California Government Code Section 56658; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission by September 13, 2021 in the form and manner prescribed by law; and

WHEREAS, the Executive Officer's report and recommendations on the application were presented to the Commission on October 4, 2021 in the manner provided by law; and

WHEREAS, the Commission conducted a duly noticed public hearing on the application on October 4, 2021. At the hearing, all interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony, the Commission closed the public hearing and considered and deliberated on all relevant oral and written testimony and evidence presented or filed, the Executive Officer's report, the applicant's plan for services and other application materials, and all the factors required under California Government Code Section 56668 and 56668.3; and

WHEREAS, the Commission has reviewed and considered this resolution and hereby finds that it accurately sets forth the intentions of the Commission with respect to the application.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

1. The Commission, as Responsible Agency, agrees with the environmental determination of the Ukiah Valley Fire District, as Lead Agency, for the proposed annexation and sphere of influence amendment as found to be exempt from the California Environmental Quality Act in the Notice of Exemption recorded June 8, 2021 (Mendocino County Official Records 2021-E0033) pursuant to PRC §21065 and Title 14 CCR §15378(a), 15061(b)(3), 15261, 15301, and 15320, with no evidence presented of unusual circumstances (Title 14 CCR §15300.2(c)).
2. The Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services (File No. A-2021-02) is approved.

3. The Annexation shall be subject to the following terms and conditions:
 - a) The boundaries of the Annexation Area shall be defined by the map depicted in Exhibit "A", attached hereto and incorporate herein by reference.
 - b) The Ukiah Valley Fire District parcel taxes Measures J and B shall be imposed and levied in the entire annexation area, more specifically the City Limits of the City of Ukiah.
 - c) The Amended and Restated Agreement for Shared Management of Fire Department between the Ukiah Valley Fire District and City of Ukiah executed on June 17, 2020, and scheduled to be effective upon annexation approval, shall be implemented with proof of executed agreements provided to the Executive Officer.
 - d) The City of Ukiah maintains all of its rights and obligations under Health and Safety Code Section 1797.201 for administering Emergency Medical Services (EMS) upon Ukiah Valley Fire District annexation of the City Limits of the City of Ukiah.
4. The application is assigned the following distinctive short-term designation: "UVFD Fire Services Annexation and Fire District Sphere Amendment".
5. The effective date of the annexation shall be the date of the filing of the Certificate of Completion for the application. The Certificate of Completion shall not be filed until all charges assessed and fees due to the Commission have been paid by the applicant(s) and all materials required by the Commission for final processing of the application have been submitted.
6. The affected territory is inhabited (contains more than twelve registered voters) pursuant to GOV §56046 and property owners within the affected territory have not consented in writing to the proposal. Conducting Authority proceedings, with a minimum 21-day public notice, will be scheduled pursuant to Government Code Section 57000 et seq.
7. The Clerk of the Commission is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the Commission's decision herein is based. These documents may be found at the office of the Clerk of the Commission, 200 South School Street, Ukiah, CA 95482.

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 4th day of October 2021 by the following vote:

AYES (6): Mulheren, McGourty, Gonzalez, Ward, Ignacio, Orth.

NOES: (1) Froneberger

ABSTAIN:

ABSENT:

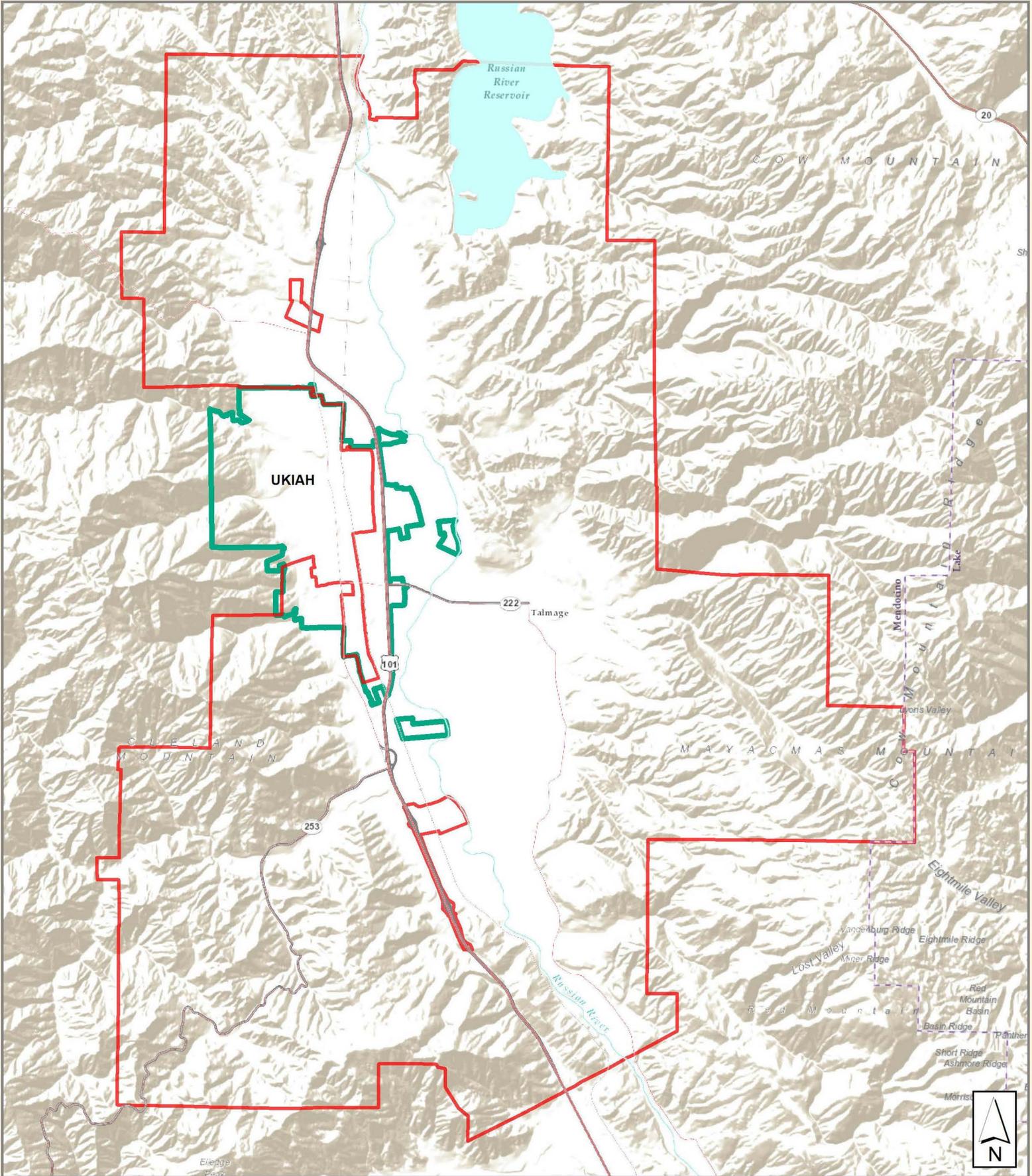


CHARLES A. ORTH, Commission
Chair

ATTEST:



UMA HINMAN, Executive Officer



This map is a guide. Every reasonable effort has been made to ensure the accuracy of the map and data provided. Parcel lines are not intended to represent surveyed data.

- Fire District Boundary
- Ukiah City Limits



Ukiah Daily Journal

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MENDOCINO COUNTY LAFCO
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UKIAH, CA 95482

Legal No. **0006614675**

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA
COUNTY OF MENDOCINO**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Ukiah Daily Journal, a newspaper of general circulation, printed and published daily in the City of Ukiah, County of Mendocino and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California, under the date of September 22, 1952, Case Number 9267; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

10/08/2021

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Ukiah, California,
October 8th, 2021



Molly E. Lane, LEGAL CLERK

Mendocino Local Agency Formation Commission NOTICE OF PROTEST HEARING. NOTICE IS HEREBY GIVEN that on Monday, November 8, 2021, at 10:00 AM (or as soon thereafter as the matter may be heard) the Mendocino Local Agency Formation Commission (LAFCo) will hold a Protest Hearing to receive **written protests** filed against the **Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services (UVFD Fire Services Annexation File No. A-2021-02)**. The hearing will be conducted remotely pursuant to GOV §54953(e)(1)(C) as approved by the Commission in response to the COVID-19 pandemic with public participation via teleconference as detailed in the agenda posted at least 72 hours in advance of the meeting, and livestreamed at www.youtube.com/MendocinoCountyVideo. The Ukiah Valley Fire District (UVFD) approved Resolution No. 2021-04 on May 18, 2021 to initiate the proposed annexation, with support from the City of Ukiah City Council, involving UVFD annexation of the entire City Limits of the City of Ukiah for fire services. The reasons for the annexation include: (1) Further strengthen the operating relationship between the Fire District and Ukiah; (2) Establish a fair and equitable funding resource for fire and emergency medical response services for all Ukiah Valley residents; and (3) Ensure fiscal stability of fire and emergency medical response services for the long-term benefit of Ukiah Valley residents served by the Fire Authority.

The Commission approved the annexation on October 4, 2021, by Resolution No. 2021-22-03, which sets forth a full and complete description of the change of organization and the terms and conditions of approval. Landowners within the City of Ukiah incorporated area would be subject to UVFD parcel taxes currently in place upon annexation. Landowners and registered voters residing within the City of Ukiah may file a protest against the annexation. **The Official Protest Form must be completely filled out, dated, and received during the Official Protest Period, which begins on October 8, 2021 and ends on November 8, 2021, at the close of the Protest Hearing.** Written protests must either be received in the LAFCo office by mail in advance of the Protest Hearing (no postmark) or delivered in-person at the LAFCo office prior to the close of the Protest Hearing (no fax or email). **The LAFCo mailing address and office location is: 200 South School Street, Ukiah, CA 95482.** Written protests may be withdrawn prior to the close of the Protest Hearing. Copies of the Official Protest Form, proposal map, and related documents are on file and available at the LAFCo website at: <https://www.mendolafco.org/2021-11-08-commission-special-meeting>. For questions, contact LAFCo staff at e-mail: eo@mendolafco.org or phone: (707) 463-4470. All interested persons are invited to attend, be heard, and participate in the hearings. BY ORDER OF THE MENDOCINO LOCAL AGENCY FORMATION COMMISSION. UMA HINMAN, Executive Officer. PUB: Oct. 8, 2021

MENDOCINO

Local Agency Formation Commission

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COMMISSIONERS

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Commission Clerk

Kristen Meadows

Counsel

Scott Browne

REGULAR MEETINGS

First Monday of each month
at 9:00 AM in the
Mendocino County
Board of Supervisors
Chambers
501 Low Gap Road, Ukiah

NOTICE OF PROTEST HEARING

NOTICE IS HEREBY GIVEN that on **Monday, November 8, 2021, at 10:00 AM** (or as soon thereafter as the matter may be heard) the Mendocino Local Agency Formation Commission (LAFCo) will hold a Protest Hearing to receive **written protests** filed against the Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services (**UVFD Fire Services Annexation File No. A-2021-02**). The hearing will be conducted remotely pursuant to GOV §54953(e)(1)(C) as approved by the Commission in response to the COVID-19 pandemic with public participation via teleconference as detailed in the agenda posted at least 72 hours in advance of the meeting, and livestreamed at www.youtube.com/MendocinoCountyVideo.

The Ukiah Valley Fire District (UVFD) approved Resolution No. 2021-04 on May 18, 2021 to initiate the proposed annexation, with support from the City of Ukiah City Council, involving UVFD annexation of the entire City Limits of the City of Ukiah for fire services.

The reasons for the annexation include: (1) Further strengthen the operating relationship between the Fire District and Ukiah; (2) Establish a fair and equitable funding resource for fire and emergency medical response services for all Ukiah Valley residents; and (3) Ensure fiscal stability of fire and emergency medical response services for the long-term benefit of Ukiah Valley residents served by the Fire Authority.

The Commission approved the annexation on October 4, 2021, by Resolution No. 2021-22-03, which sets forth a full and complete description of the change of organization and the terms and conditions of approval. **Landowners within the City of Ukiah incorporated area would be subject to UVFD parcel taxes currently in place upon annexation.**

Landowners and registered voters residing within the City of Ukiah may file a protest against the annexation. The Official Protest Form (attached) must be completely filled out, dated, and **received during the Official Protest Period**, which begins on October 8, 2021 and ends on November 8, 2021, at the close of the Protest Hearing. Written protests must either be received in the LAFCo office by mail in advance of the Protest Hearing (no postmark) or delivered in-person at the LAFCo office prior to the close of the Protest Hearing (no fax or email). The LAFCo mailing address and office location is: **200 South School Street, Ukiah, CA 95482**. Written protests may be withdrawn prior to the close of the Protest Hearing.

Copies of all related documents and a proposal map are on file and may be reviewed at the LAFCo website at: <https://www.mendolafco.org/2021-11-08-commission-special-meeting>. For questions, contact LAFCo staff at e-mail: eo@mendolafco.org or phone: (707) 463-4470.

All interested persons are invited to attend, be heard, and participate in the hearings.

BY ORDER OF THE MENDOCINO
LOCAL AGENCY FORMATION COMMISSION

UMA HINMAN, Executive Officer

Date Posted: October 8, 2021

Frequently Asked Questions:
Ukiah Valley Fire District Annexation

What is happening at Mendocino LAFCo and why did I receive a mailing about a Notice of Protest?

An agency called Mendocino Local Agency Formation Commission (LAFCo) is charged with regulating the boundaries of special districts and on October 4, 2021 approved the annexation of the City of Ukiah into the Ukiah Fire District (i.e. the boundary adjustment). On November 8, 2021 LAFCo will hold a Protest Hearing to receive written protests filed against this approval. Landowners and registered voters residing within the City of Ukiah may file a written protest if opposed to the annexation.

What has been proposed by the City of Ukiah and Ukiah Valley Fire Protection District (UVFPD)?

The UVFPD has proposed annexing Ukiah city limits, which would make that area officially part of their service territory.

The reasons for the annexation include: (1) Further strengthen the operating relationship between the Fire District and Ukiah; (2) Establish a fair and equitable funding resource for fire and emergency response services for all Ukiah Valley residents; and (3) Ensure fiscal stability of fire and emergency medical response services for the long-term benefit of Ukiah Valley residents served by the Fire Authority. (From the LAFCo Notice of Protest Hearing, posted October 8, 2021.)



Doesn't Ukiah Fire District already provide service inside the city limits?

Yes, they do because the Ukiah Valley Fire Protection District ("Ukiah Fire District") and the City of Ukiah have joined forces as a single agency operating as the Ukiah Valley Fire Authority. Under this umbrella, the Fire Authority provides services to approximately 16,000 residents inside the City and approximately 17,000 outside City boundaries. That's about 33,000 people. In 2020, they had over 3,700 calls for service, and two-thirds of those were within the City. However, Ukiah city residents don't pay the same fire-specific property taxes that residents outside the city do. Under the proposed boundary adjustment, there would be equal application of the fire-specific property taxes to all those served by the Ukiah Valley Fire Authority, whether they are inside or outside city boundaries.

What would change for city residents if they were formally part of UVFPD boundaries?

Right now, City residents are not within the Ukiah Fire District's boundaries and do not pay the same amount of fire-specific property taxes. Formally including the City within the Fire District's boundaries would extend the fire-

specific property taxes, Measures J and B, to city property owners. These taxes are already paid by property owners outside city boundaries, and amount to about \$120 per property per year.

I am a resident of Ukiah. How much will this cost me per year?

For property owners, the average cost would be about \$120 per single-family residence. Renters will not be taxed.

I own a business in Ukiah. How much will this cost me per year?

For owners of commercial properties, the amount will depend on the type of business. Costs may range from \$180 for a small “mom and pop” style business to \$900 for a larger, big-box type of business.



Why is this boundary adjustment being proposed now?

Due to the effects of climate change, more intense fire risks, and increasingly costly regulatory mandates, the demands on fire services have escalated faster than the growth in resources, which has threatened the ability to provide timely, adequate services.

Since the merger, the City Council, Ukiah Fire

District Board of Directors, and staff have worked toward potential solutions to meet these challenges to reconcile funding and service levels, and have collaborated on this proposal for annexation.

How much money will the annexation generate for the Fire Authority?

Estimates show that approximately \$900,000 to \$1 million in new annual revenue could be generated to fund fire protection and emergency medical response services. Formally including the City within the Fire District’s boundaries would apply the Fire District’s two existing special district funding measures (Measures J and B) to City property owners through their property tax bill, calculated as a flat amount per benefit unit on a given parcel. It would create an equitable application of Measures J and B across the entire area that is served by the Ukiah Valley Fire Authority. It would also help ensure a sustainable, responsive fire service.

What will the additional money be spent on?

The funding provided through extending these special district property tax measures to City residents would go to support the operation of the Ukiah Valley Fire Authority and could not be taken by the state or federal governments. Despite industry and government standards that call for at least 33 firefighters to serve a population Ukiah’s size, our Fire Authority only has 19 authorized full-time firefighters along with a small contingent of dedicated volunteers. This means slower response times and smaller response teams, and also means they have to prioritize response operations when multiple calls for service come in at the same time. Additional revenue collected through the extension of the fire specific property taxes to city residents would allow

additional hiring to improve staffing levels, which would provide more rapid emergency response services. It would also enable the Fire Authority to purchase more modern equipment to be best prepared for increasingly dangerous fire seasons.

Don't I already pay a sales tax for fire services (Measure P)?

Yes, the City of Ukiah has Measure P — a half-cent sales tax that is applied to all taxable purchases in the city limits, whether those purchases are made by someone who lives inside or outside city limits. The revenue is divided between Police and Fire services. Those resources are being used carefully with transparency and oversight to fund public safety personnel, equipment, and training. But the population has grown, the fire risks have become increasingly fierce, and the regulatory mandates more expensive. Measure P is insufficient to meet the full need of a fully operational, fully responsive fire and emergency response system.

Why can't the Fire Department just operate within existing budgets?

There are extraordinary pressures to do more with limited resources. The Ukiah Valley Fire Authority is working hard to implement strategic fire mitigation programs to keep our community safe and reduce the risk of future fire damage. Additionally, population growth has increased the number of service calls for fire or emergency medical response. At the same time, new regulatory mandates create costly new requirements that cut away at the existing department budgets. To achieve appropriate staffing levels and maintain the right equipment to service a community of our size, additional resources are required.

Where can I get more information?

Information can be found [here](#). Additional questions may be directed by email to Fire Chief Doug Hutchison at dhutchison@cityofukiah.com.



MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafco.org | Web: <http://mendolafco.org>

OFFICIAL PROTEST FORM

I am opposed to the Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services (**UVFD Fire Services Annexation File No. A-2021-02**).

Date:	Signature:
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Check ALL that apply below. Please write/print legibly.

I am a Registered Voter residing at the following address within the proposed annexation area.

Name:
Residence Address:

Provide the Name and Address as it appears on the Affidavit of Registration (not a post office box).

I am a Landowner of the following property located within the proposed annexation area.

Name:
Mailing Address:
Assessor Parcel Number (APN):

Agents submitting written protest on behalf of the landowner must attach proper authorization.

Instructions and Requirements

- This form can be downloaded from: <https://www.mendolafco.org/2021-11-08-commission-special-meeting>
- Landowners and registered voters residing within the City of Ukiah may file a written protest against the annexation for the **Protest Hearing** scheduled on **Monday, November 8, 2021, at 10:00 am**.
- Written protests must be filed no later than the close of the Protest Hearing to be considered.

- This form must be completely filled out, dated, and **received during the Official Protest Period**, which begins on October 8, 2021 and ends on November 8, 2021, at the close of the Protest Hearing.
- This form must either be received in the LAFCo office **by mail** in advance of the Protest Hearing (no postmark) or **delivered in-person** at the LAFCo office prior to the close of the Protest Hearing.
- The LAFCo mailing address and office location is: **200 South School Street, Ukiah, CA 95482**.
- Written protests cannot be accepted by fax or email.

- Written protests that have been filed may also be withdrawn prior to the close of the Protest Hearing.
- The value of written protests received will be determined at the close of the Protest Hearing per GOV §57075.

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OFFICIAL PROTEST WITHDRAWAL FORM

I withdraw my protest filed against the Ukiah Valley Fire District Change of Organization to Annex the City Limits of the City of Ukiah for Fire Services (**UVFD Fire Services Annexation File No. A-2021-02**).

Date:	Signature:
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Check ALL that apply below. Please write/print legibly.

I am a Registered Voter residing at the following address within the proposed annexation area.

Name:
Residence Address:

Provide the Name and Address as it appears on the Affidavit of Registration (not a post office box).

I am a Landowner of the following property located within the proposed annexation area.

Name:
Mailing Address:
Assessor Parcel Number (APN):

Agents submitting written protest on behalf of the landowner must attach proper authorization.

Instructions and Requirements

- This form can be downloaded from: <https://www.mendolafco.org/2021-11-08-commission-special-meeting>
- Written protests that have been filed may also be withdrawn by filling out and submitting this form.
- Written protests must be withdrawn no later than the close of the Protest Hearing to be considered.
- The **Protest Hearing** will be held on **Monday, November 8, 2021, at 10:00 a.m.**
- This form can be delivered by postal mail or in-person and must be received in the LAFCo office prior to the close of the Protest Hearing.
- This form cannot be accepted by postmark, fax, or email.
- Current LAFCo office hours are Monday, Tuesday, and Friday from 9 a.m. to 1 p.m.
- LAFCo staff will be available at the LAFCo office on Monday November 8, 2021 starting at 8 a.m. and until the close of the Protest Hearing to accept all forms.
- The value of written protests will be determined at the close of the Protest Hearing per GOV §57075.

Resolution No. 2021-22-08
of the Local Agency Formation Commission of Mendocino County

**Finding Insufficient Protest and Ordering Without an Election the
Ukiah Valley Fire District Change of Organization to
Annex the City Limits of the City of Ukiah for Fire Services**

WHEREAS, on May 18, 2021, the Ukiah Valley Fire District (UVFD or District) Board of Directors approved Resolution No. 2021-04 to initiate a proposed District annexation of the City of Ukiah City limits for fire services, with support from the City of Ukiah City Council; and

WHEREAS, on October 4, 2021, the Commission approved the UVFD Annexation (File No. A-2021-02) per LAFCo Resolution No. 2021-22-03 subject to Conducting Authority Proceedings pursuant to GOV §57000 et seq. known as a Protest Hearing; and

WHEREAS, the Executive Officer gave sufficient notice of a Protest Hearing by October 18, 2021 in the form and manner prescribed by law and the Commission conducted a Protest Hearing on the UVFD Annexation on November 8, 2021. At the hearing, the Commission heard and received all oral and written protests, objections, and evidence presented or filed regarding the UVFD Annexation. At the conclusion of public testimony, the Commission closed the Protest Hearing, determined the value of written protests filed against the UVFD Annexation and not withdrawn prior to the conclusion of the hearing, and voted to order the change of organization without an election, as set forth herein.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

1. The value of written protests filed and not withdrawn is insufficient to order an election or terminate proceedings and therefore the UVFD Annexation is ordered without an election pursuant to Government Code Section 57075(a)(3) and subject to Resolution No. 2021-22-03.
2. The Executive Officer is directed to prepare and execute a Certificate of Completion for the UVFD Annexation and record a certified copy thereof with the Mendocino County Recorder.

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 8th day of November 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CHARLES A. ORTH, Commission
Chair

ATTEST:

UMA HINMAN, Executive Officer