

HEARING DRAFT



(CFPC, 2020)

COUNTY SERVICE AREA NO. 3

Municipal Service Review and Sphere of Influence Update

Prepared for:

MENDOCINO LAFCO

200 South School Street
Ukiah, California 95482

<http://www.mendolafco.org/>

Workshop: April 4, 2022
Public Hearing: June 6, 2022

Adopted:
LAFCo Resolution No:

[This page intentionally left blank]

DRAFT

TABLE OF CONTENTS

- 1 INTRODUCTION 1-1**
 - 1.1 LOCAL AGENCY FORMATION COMMISSION 1-1
 - 1.2 MENDOCINO LAFCO 1-1
 - 1.3 SPHERE OF INFLUENCE 1-1
 - 1.4 MUNICIPAL SERVICE REVIEW 1-2
 - 1.5 MENDOCINO LAFCO POLICIES 1-2
 - 1.6 SENATE BILL 215 1-5

- 2 AGENCY OVERVIEW 2-1**
 - 2.1 HISTORY 2-1
 - 2.1.1 FORMATION 2-1
 - 2.1.2 BOUNDARY 2-1
 - 2.1.3 SERVICES 2-1
 - 2.1.4 SUMMARY OF EVENTS 2-2
 - 2.2 GOVERNMENT STRUCTURE 2-4
 - 2.2.1 GOVERNING BODY 2-4
 - 2.2.2 PUBLIC MEETINGS 2-5
 - 2.2.3 STANDING COMMITTEES 2-5
 - 2.2.4 PUBLIC OUTREACH 2-5
 - 2.2.5 COMPLAINTS 2-6
 - 2.2.6 TRANSPARENCY AND ACCOUNTABILITY 2-6
 - 2.3 OPERATIONAL EFFICIENCY 2-6
 - 2.3.1 MANAGEMENT AND STAFFING 2-6
 - 2.3.2 AGENCY PERFORMANCE 2-7
 - 2.3.3 REGIONAL AND SERVICE-SPECIFIC PARTICIPATION 2-7
 - 2.3.4 INTERAGENCY COLLABORATION 2-7
 - 2.3.5 CONTRACT OR JPA SERVICES 2-7
 - 2.3.6 SHARED SERVICES AND FACILITIES 2-7
 - 2.3.7 DUPLICATION OF SERVICES 2-7
 - 2.3.8 ENHANCED SERVICE DELIVERY OPTIONS 2-7
 - 2.3.9 GOVERNMENT RESTRUCTURE OPTIONS 2-7
 - 2.3.10 REACTIVATED CSA OPTIONS 2-8
 - 2.4 FINANCES 2-10
 - 2.4.1 CURRENT FISCAL HEALTH 2-10
 - 2.4.2 LONG TERM FINANCIAL CONSIDERATIONS 2-10
 - 2.5 GROWTH 2-11
 - 2.5.1 PRESENT AND PLANNED LAND USE AND DEVELOPMENT 2-11
 - 2.5.2 EXISTING POPULATION AND PROJECTED GROWTH 2-14
 - 2.6 DISADVANTAGED UNINCORPORATED COMMUNITIES 2-15

- 3 MUNICIPAL SERVICES 3-1**
 - 3.1 SERVICE OVERVIEW 3-1
 - 3.1.1 SERVICES AND FACILITIES 3-1
 - 3.1.2 OUT-OF-AGENCY SERVICES 3-1
 - 3.1.3 SHERWOOD FWC ZOB PILOT PROGRAM 3-1
 - 3.2 DETERMINATIONS 3-4
 - 3.2.1 MSR REVIEW FACTORS 3-4

- 4 SPHERE OF INFLUENCE 4-1**
 - 4.1 SOI ESTABLISHMENT 4-1
 - 4.1.1 EXISTING SPHERE OF INFLUENCE..... 4-1
 - 4.1.2 EXISTING SERVICES 4-1
 - 4.1.3 STUDY AREAS..... 4-1
 - 4.1.4 AREA OF INTEREST DESIGNATION 4-2
 - 4.1.5 PROPOSED SOI..... 4-2
 - 4.1.6 CONSISTENCY WITH LAFCO POLICIES 4-6
 - 4.1.7 DETERMINATIONS 4-6
- 5 REFERENCES 5-1**
- 6 ACRONYMS 6-1**
- 7 ACKNOWLEDGEMENTS..... 7-1**
 - 7.1 REPORT PREPARATION 7-1
 - 7.2 ASSISTANCE AND SUPPORT 7-1
- 8 APPENDICES 8-1**
 - 8.1 APPENDIX A – OPEN GOVERNMENT RESOURCES 8-1
 - 8.2 APPENDIX B – WEBSITE COMPLIANCE HANDOUT 8-2
 - 8.3 APPENDIX C – APPLICABLE POLICIES..... 8-3

DRAFT

1 INTRODUCTION

1.1 LOCAL AGENCY FORMATION COMMISSION

Local Agency Formation Commissions (LAFcos) are quasi-legislative, independent local agencies that were established by State legislation in 1963 to oversee the logical and orderly formation and development of local government agencies including cities and special districts. There is one LAFco for each county in California.

LAFco is responsible for implementing the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000 (California Government Code Section 56000 et. seq.) in order to promote orderly growth, prevent urban sprawl, preserve agricultural and open space lands, and oversee efficient provision of municipal services.

LAFco has the authority to establish and reorganize cities and special districts, change their boundaries and authorized services, allow the extension of public services, perform municipal service reviews, and establish spheres of influence. Some of LAFco's duties include regulating boundary changes through annexations or detachments and forming, consolidating, or dissolving local agencies.

1.2 MENDOCINO LAFCO

The CKH Act provides for flexibility in addressing State regulations to allow for adaptation to local needs. Mendocino LAFco has adopted policies, procedures and principles that guide its operations. These policies and procedures can be found on Mendocino LAFco's website at the following location: <https://www.mendolafco.org/policies-procedures>.

Mendocino LAFco has a public Commission with seven regular Commissioners and four alternate Commissioners. The Commission is composed of two members of the Mendocino County Board of Supervisors, two City Council members, two Special District Board of Director members, and one Public Member-At-Large. The Commission also includes one alternate member for each represented category.

1.3 SPHERE OF INFLUENCE

The CKH Act requires LAFco to adopt a Sphere of Influence (SOI) for all local agencies within its jurisdiction. A SOI is "a plan for the probable physical boundary and service area of a local agency or municipality as determined by the Commission" (GC §56076).

When reviewing an SOI for a municipal service provider, LAFco will consider the following five factors:

1. The present and planned land uses in the area, including agricultural and open space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

Sphere of Influence Updates include written statements or determinations with respect to each of the five mandated areas of evaluation outlined above. These determinations provide the basis for LAFCo to consider the appropriateness of establishing or modifying a service provider's SOI or probable future boundary.

1.4 MUNICIPAL SERVICE REVIEW

The CKH Act (GC §56430) requires LAFCo to prepare a Municipal Service Review (MSR) for all local agencies within its jurisdiction. MSRs are required prior to or in conjunction with the establishment or update of a Sphere of Influence (SOI).

An MSR is a comprehensive analysis of the services provided by a local government agency to evaluate the capabilities of that agency to meet the public service needs of their current and future service area. An MSR must address the following seven factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

MSRs include written statements or determinations with respect to each of the seven mandated areas of evaluation outlined above. These determinations provide the basis for LAFCo to consider the appropriateness of a service provider's existing and future service area boundary.

1.5 MENDOCINO LAFCO POLICIES

In addition to making the necessary determinations for establishing or modifying a SOI consistent with the CKH Act, the appropriateness of an agency's SOI is also based on an evaluation of consistency with local LAFCo policies.

The following Sphere of Influence policies are from the Mendocino LAFCo Policies and Procedures Manual, adopted November 5, 2018.

10.1.1 Legislative Authority and Intent

A sphere of influence is the probable 20-year growth boundary for a jurisdiction’s physical development. The Commission shall use spheres of influence to:

- a) promote orderly growth and development within and adjacent to communities;
- b) promote cooperative planning efforts among cities, the County, and special districts to address concerns regarding land use and development standards, premature conversion of agriculture and open space lands, and efficient provision of public services;
- c) guide future local government reorganization that encourages efficiency, economy, and orderly changes in local government; and
- d) assist property owners in anticipating the availability of public services in planning for the use of their property.

10.1.2 Definitions

The Commission incorporates the following definitions:

- a) an “establishment” refers to the initial development and determination of a sphere of influence by the Commission;
- b) an “amendment” refers to a limited change to an established sphere of influence typically initiated by a landowner, resident, or agency; and
- c) an “update” refers to a comprehensive change to an established sphere of influence typically initiated by the Commission.

10.1.3 Sphere Updates

In updating spheres of influence, the Commission’s general policies are as follows:

- a) The Commission will review all spheres of influences every five years for each governmental agency providing municipal services. Municipal services include water, wastewater, police, and fire protection services.
- b) Sphere of influence changes initiated by any agency providing a municipal service shall generally require either an updated or new service review unless LAFCo determines that a prior service review is adequate.
- c) Spheres of influence of districts not providing municipal services including, but not limited to, ambulance, recreation, hospital, resource conservation, cemetery, and pest control shall be updated as necessary.

10.1.4 Reduced Spheres

The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission shall, however, consider removal of land from an agency’s sphere of influence if either of the following two conditions apply:

- a) the land is outside the affected agency’s jurisdictional boundary but has been within the sphere of influence for 10 or more years; or
- b) the land is inside the affected agency’s jurisdictional boundary but is not expected to be developed for urban uses or require urban-type services within the next 10 years.

10.1.5 Zero Spheres

LAFCo may adopt a “zero” sphere of influence encompassing no territory for an agency. This occurs if LAFCo determines that the public service functions of the agency are either nonexistent, no longer needed, or should be reallocated to some other agency (e.g., mergers, consolidations). The local agency which has been assigned a zero sphere should ultimately be dissolved.

10.1.6 Service Specific Spheres

If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a “service specific” sphere of influence may be designated.

10.1.7 Agriculture and Open Space Lands

Territory not in need of urban services, including open space, agriculture, recreational, rural lands, or residential rural areas shall not be assigned to an agency’s sphere of influence unless the area’s exclusion would impede the planned, orderly and efficient development of the area. In addition, LAFCo may adopt a sphere of influence that excludes territory currently within that agency’s boundaries. This may occur when LAFCo determines that the territory consists of agricultural lands, open space lands, or agricultural preserves whose preservation would be jeopardized by inclusion within an agency’s sphere. Exclusion of these areas from an agency’s sphere of influence indicates that detachment is appropriate.

10.1.8 Annexations Are Not Mandatory

Before territory can be annexed to a city or district, it must be within the agency’s sphere of influence (G.G. §56375.5). However, territory within an agency’s sphere will not necessarily be annexed. A sphere is only one of several factors that are considered by LAFCo when evaluating changes of organization or reorganization.

10.1.9 Islands or Corridors

Sphere of influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.

10.1.10 Overlapping Spheres

LAFCo encourages the reduction of overlapping spheres of influence to avoid unnecessary and inefficient duplication of services or facilities. In deciding which of two or more equally capable agencies shall include an area within its sphere of influence, LAFCo shall consider the agencies’ service and financial capabilities, social and economic interdependencies, topographic factors, and the effect that eventual service extension will have on adjacent agencies. Where an area could be assigned to the sphere of influence of more than one agency, the following hierarchy typically applies:

- a) Inclusion within a city’s sphere
- b) Inclusion within a multi-purpose district’s sphere
- c) Inclusion within a single-purpose district’s sphere

Territory placed within a city’s sphere indicates that the city is the most logical provider of urban services. LAFCo encourages annexation of developing territory (i.e., area not currently receiving services) that is currently within a city’s sphere to that city rather than to one or more single-purpose special districts. LAFCo discourages the formation of special districts within a city’s sphere. To promote efficient and coordinated planning among the county’s various agencies, districts that provide the same type of service shall not have overlapping spheres.

10.1.11 Memorandum of Agreements (For City Sphere Amendments and Updates)

Prior to submitting an application to LAFCo for a new city sphere of influence or a city sphere of influence update, the city shall meet with the County to discuss the proposed new boundaries of the sphere and explore methods to reach agreement on development standards and planning and zoning requirements as contained in GC §56425. If an agreement is reached between the city and County the agreement shall be forwarded to LAFCo. The Commission shall consider and adopt a sphere of influence for the city consistent with the policies adopted by LAFCo and the County, and LAFCo shall give great weight to the agreement to the extent that it is consistent with LAFCo policies in its final determination of the city sphere.

10.1.12 Areas of Interest

LAFCo may, at its discretion, designate a geographic area beyond the sphere of influence as an Area of Interest to any local agency. (Resolution No. 2018-19-01)

- a) An Area of Interest is a geographic area beyond the sphere of influence in which land use decisions or other governmental actions of one local agency (the "Acting Agency") impact directly or indirectly upon another local agency (the "Interested Agency"). For example, approval of a housing project developed to urban densities on septic tanks outside the city limits of a city and its sphere of influence may result in the city being forced subsequently to extend sewer services to the area to deal with septic failures and improve city roads that provide access to the development. The city in such a situation would be the Interested Agency with appropriate reason to request special consideration from the Acting Agency in considering projects adjacent to the city.
- b) When LAFCo receives notice of a proposal from another agency relating to the Area of Concern, LAFCo will notify the Interested Agency and will consider its comments.
- c) LAFCo will encourage Acting and Interested Agencies to establish Joint Powers Agreements or other commitments as appropriate.

(LAFCo, 2018)

1.6 SENATE BILL 215

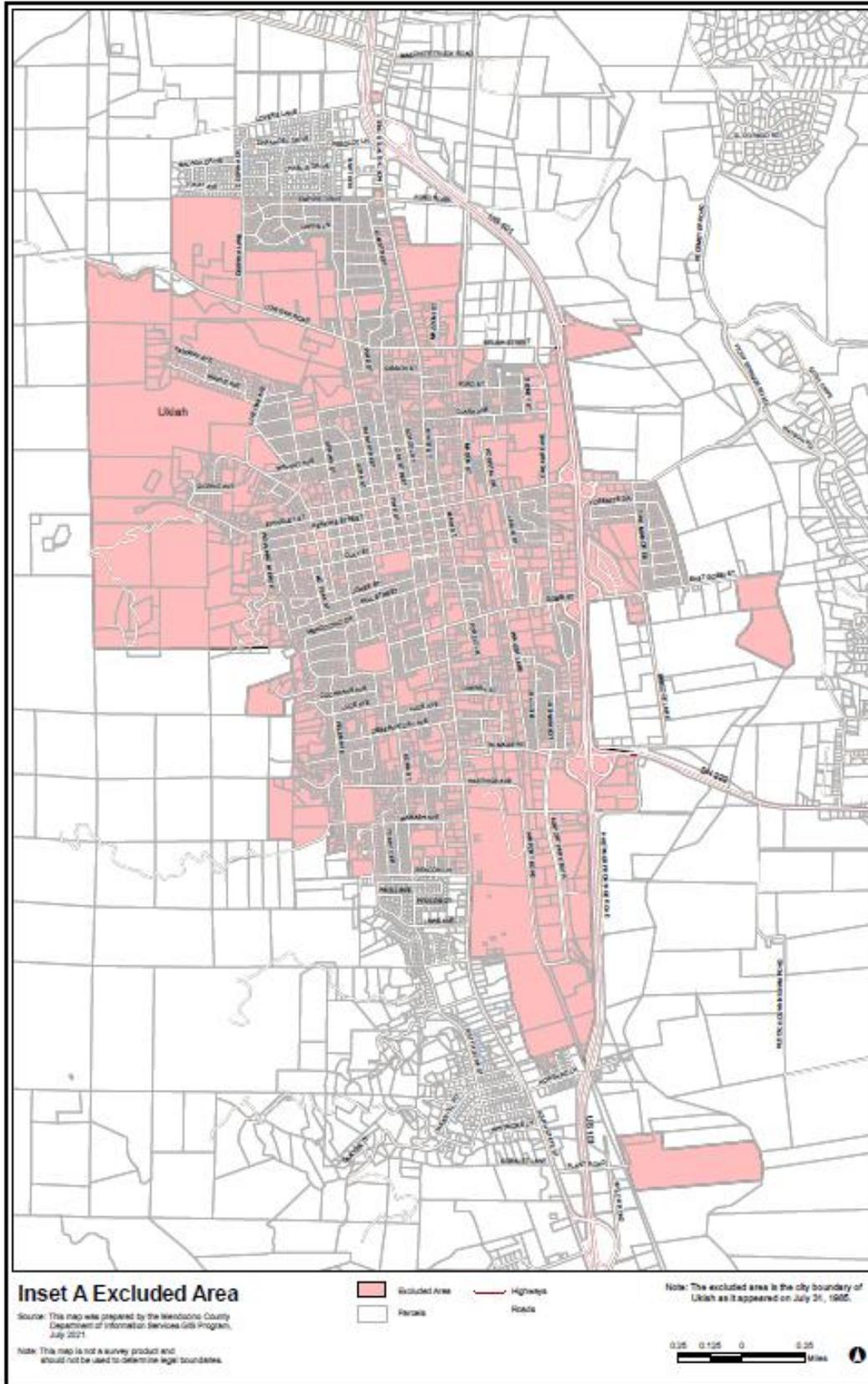
Senate Bill 215 (Wiggins) requires LAFCo to consider regional transportation plans and sustainable community strategies developed pursuant to SB 375 before making boundary decisions. Senate Bill 375 (Sustainable Communities and Climate Protection Act) requires each metropolitan planning organization (MPO) to address regional greenhouse gas (GHG) emission reduction targets for passenger vehicles in their Regional Transportation Plan (RTP) by integrating planning for transportation, land-use, and housing in a sustainable communities strategy.

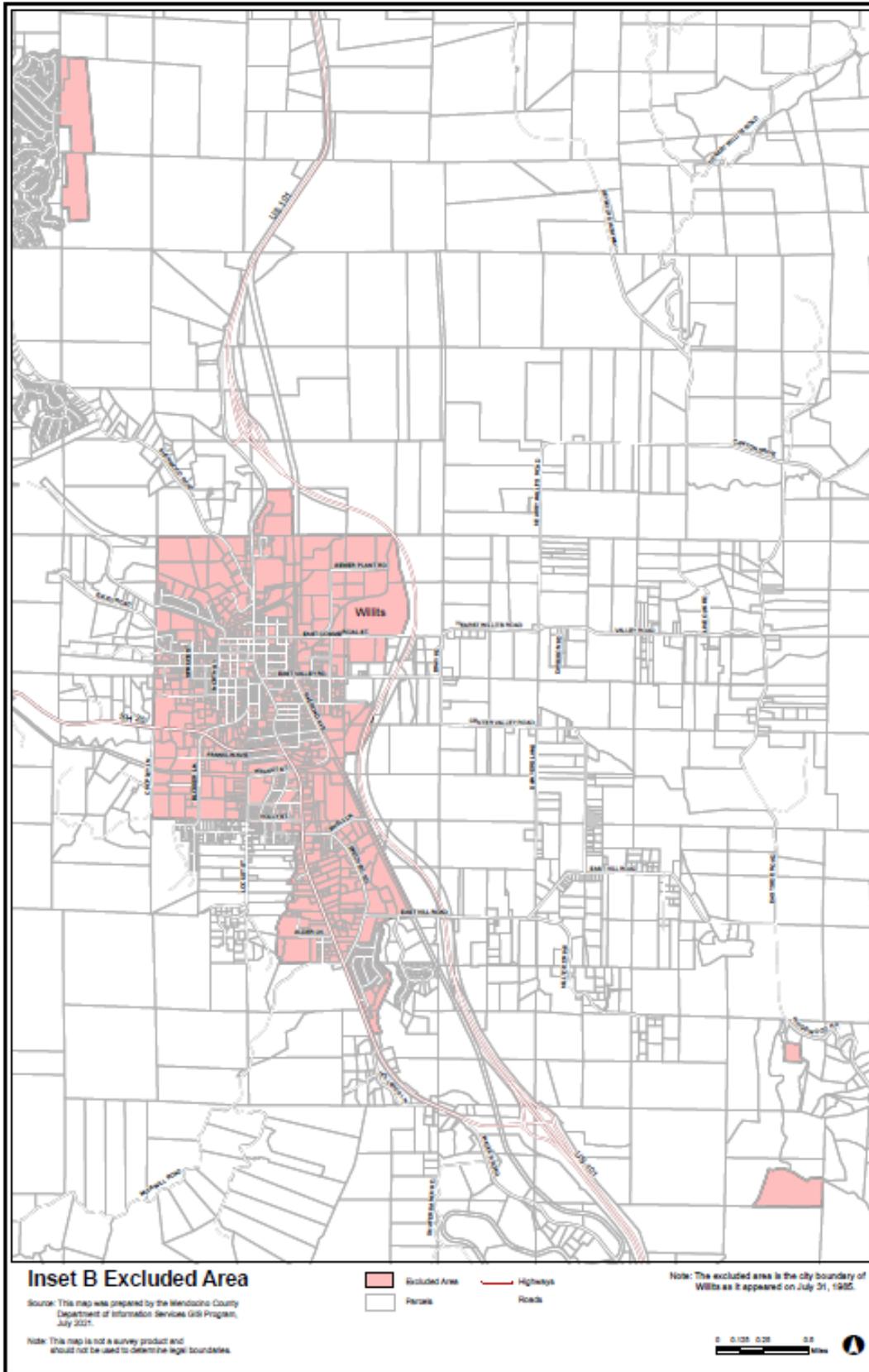
Mendocino County is not located within an MPO boundary and therefore is not subject to the provisions of SB 375. However, the Mendocino Council of Governments (MCOG) supports and coordinates the local planning efforts of Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits to address regional housing and transportation needs and helps provide a framework for sustainable regional growth patterns through the 2018 Mendocino County Regional Housing Needs Allocation (RHNA) Plan and Vision Mendocino 2030 Blueprint Plan. MCOG is also responsible for allocating regional

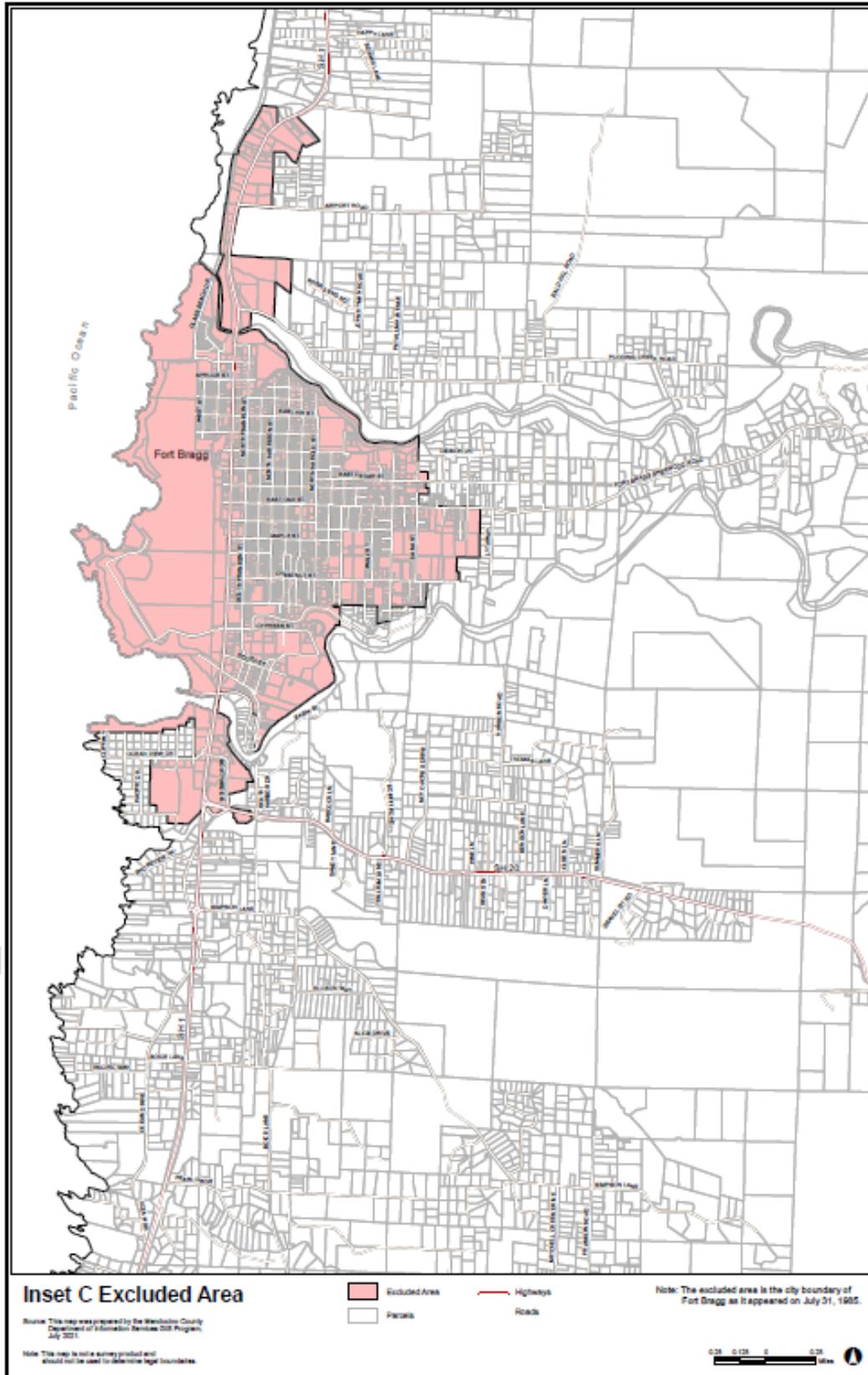
transportation funding to transportation improvement projects consistent with the 2017 RTP for Mendocino County.

Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits are the local agencies primarily responsible for planning regional growth patterns through adoption and implementation of general plan and zoning regulations. While Mendocino County is not subject to the provisions of SB 375, LAFCo will review applicable regional transportation and growth plans when considering a change of organization or reorganization application.

DRAFT







2 AGENCY OVERVIEW

Table 2.1 CSA 3 Profile

Agency Name:	County Service Area No. 3
Administering Agency:	County Departments as appointed by the CSA 3 Board of Directors
Phone Number:	(707) 234-2820
Fax Number:	(707) 463-5474
Mailing Address:	501 Low Gap Road, Room 1010, Ukiah, CA 95482
County Office:	501 Low Gap Road, Room 1010, Ukiah, CA 95482
Website:	https://www.mendocinocounty.org/government/transportation/csa-3
General Email:	csa3@mendocinocounty.org
Date of Formation:	October 8, 1974
Agency Type:	Dependent Special District
Enabling Legislation:	County Service Areas Law: Government Code §25210 - §25217.4
Board Meeting Schedule:	As needed during Mendocino County Board of Supervisors Meetings

Source: Mendocino, 2021; Mendocino, 2022.

2.1 HISTORY

2.1.1 FORMATION

County Service Area No. 3 (CSA 3 or District) was formed in 1974 to provide ambulance services to the City of Point Arena and adjacent unincorporated areas.

The original 1974 District boundary encompassed the City of Point Arena and adjacent unincorporated areas only and was significantly expanded to add all unincorporated areas of the County in 1985. Due to limited historical records, the purpose or reason for the 1985 District expansion is unclear.

2.1.2 BOUNDARY

The current jurisdictional boundary of CSA 3 encompasses the City of Point Arena and the entire unincorporated area of Mendocino County, as shown in Figure 1.1.

The District boundary is not countywide. The Cities of Fort Bragg, Willits, and Ukiah are excluded from the District boundary based on the city boundaries as they appeared in County records dated July 31, 1985.

The city limits of these three agencies have expanded since 1985; however, concurrent detachments from CSA 3 were not processed during the annexation processes. Therefore, there are areas of overlap between CSA 3 and the current boundaries of these cities.

2.1.2.1 Boundary Changes

There have been no boundary changes to CSA 3 since 1985 when the District’s boundaries were expanded from the original South Coast area to cover the unincorporated areas of Mendocino County.

2.1.3 SERVICES

CSA 3 has been inactive for decades and does not provide any municipal services or have any facilities. Refer to Chapter 3 for more information.

In order to provide services authorized under the District’s Principal Act (GOV §25213), CSA 3 must receive LAFCo approval through an activation of latent powers application, which generally follows the normal Commission Proceedings for a Change of Organization or Reorganization (GOV §56650 et seq.).

2.1.3.1 Zone of Benefit

A Zone of Benefit (ZOB) is a defined geographic area within an existing County Service Area (CSA) formed by residents choosing to pay for special or enhanced County services through a direct assessment or property-related fee on the annual property tax bill.

LAFCo does not have authority over the creation of zones of benefit within a CSA pursuant to GOV §25217.3. LAFCo does have authority over the powers, or services, of a CSA pursuant to GOV §25213.5(a). CSA services must first be activated by LAFCo in order for the CSA Board of Directors to establish a valid ZOB and Proposition 218 assessment for those services.

2.1.4 SUMMARY OF EVENTS

The formation of CSA 3 was a joint process involving the LAFCo as the decision-making body for formation and the Mendocino County Board of Supervisors (BOS) as the applicant and authority for conducting protest proceedings upon LAFCo approval, consistent with the applicable laws at the time.

Below is a summary of the legislative and service history for CSA 3.

- 1974, August 12: LAFCo adopted Resolution No. 74-5 approving the formation of County Service Area 3, known as South Coast Ambulance Community Services District, with boundaries coterminous with the Point Arena Joint Union School District, excluding areas in Sonoma County, and with powers limited to ambulance service. (LAFCo, 1974)
- 1974, October 8: BOS adopted Resolution No. 74-377 which formed CSA 3, known as South Coast Ambulance Service, and declared establishment of CSA 3 without an election since protests sufficient to terminate the proposal were not filed. (Board, 1974b)
- 1985, June 3: LAFCo adopted Resolution No. 85-6 approving the annexation of all unincorporated areas into CSA 3 and designated Mendocino County to complete conducting authority proceedings. (LAFCo, 1985)
- 1985, July 23: BOS adopted Resolution No. 85-144 which ordered annexation of the remaining unincorporated areas of Mendocino County into CSA 3 and redesignated the former CSA 3 as “CSA 3 – Benefit Zone 1.” (Board, 1985d)
- 1986: the Bi-County Coast Life Support District was established by a special act of the State Legislature to provide emergency ambulance service to remote rural northern Sonoma and southern Mendocino coast communities, including Irish Beach in the north to just south of Sea Ranch in the south, and Manchester, Point Arena, Gualala, and Annapolis. (LAFCo 2, 2004)
- 1991, February 19: BOS adopted Resolution No. 91-042 which created CSA 3 Benefit Zone 1 for the Sanel Valley Fire Protection Area. (Board, 1991b)
- 1991, August 13: BOS adopted Resolution No. 91-174 which established a Benefit Assessment for CSA 3 Benefit Zone 1 for the Sanel Valley Fire Protection Area to assess and collect a fee for fire protection and prevention services effective July 1, 1991, limited the unit of benefit to \$35 per unit, and

terminated the Sanel Valley Fire Protection Zone of Benefit upon completion of Fiscal Year 1994-95. (Board, 1991c)

- 1991, September 17: BOS adopted Resolution No. 91-225 to enter into a Joint Powers Agreement with the Hopland Public Utility District to provide fire protection and emergency services to the CSA 3 Sanel Valley Fire Protection Zone of Benefit effective from July 1, 1991 to June 30, 1995. (Board, 1992b)
- 1996, November 6: California Proposition 218 (Prop 218), known as the Right to Vote on Taxes Act, took effect and required local governments to obtain consent of taxpayers for new taxes, fees, or charges that are directly associated with property ownership. Prop 218 changed the way that local agencies could assess taxpayers and now necessitates a majority vote of the property ownership to make changes in charges and taxes.
- 1997 November: the Fire Department of the Hopland Public Utility District became a separate entity known as the Sanel Valley Fire Protection District; this name was changed to the Hopland Fire Protection District in February of 2002. (LAFCo, 2016)
- 2018, November 6: LAFCo received a notice from the State Controller’s Office (SCO) that CSA 3 was identified as an inactive special district and had been identified as a “Non-Revenue District” by the County Auditor-Controller’s Office. According to SB 448, which was chaptered in 2017, this letter triggered a 90-day timeframe for LAFCo to confirm whether the district meets the inactive criteria, and if so, to adopt a resolution initiating dissolution of the district.
- 2019, February 4: the Commission directed LAFCo staff to delay acting on SCO’s letter until the Board of Supervisors (BOS) could convene and consider the matter. (LAFCo, 2019a)
- 2019, February 26: BOS voted unanimously to reactivate CSA 3. (Board, 2019)
- 2019, March 12: BOS approved the transfer of \$15,000 to reactivate CSA 3. (CEO, 2019)
- 2019, April 4: LAFCo notified SCO that CSA 3 did not meet the definition of an inactive district due to the recent funding activity. (LAFCo, 2019b)
- 2021, November 4: LAFCo received a notice from SCO that CSA 3 was identified as an inactive special district.
- 2022, February 8: LAFCo notified SCO that CSA 3 did not meet the definition of an inactive district due to recent financial transactions and current assets. (LAFCo, 2022)
- 2021, January 25: BOS directed County staff to continue working on the CSA 3 Sherwood Firewise Community (FWC) Zone of Benefit (ZOB) Pilot Program. Refer to Section 3.1.3 for more information.

The following table provides a summary of the Mendocino County Board of Supervisors’ actions by resolution to date related to CSA 3.

	Resolution No.	Date
1	74-325	August 27, 1974
2	74-377	October 8, 1974
3	85-048	March 19, 1985
4	85-103	May 21, 1985

Resolution No.		Date
5	85-118	June 18, 1985
6	85-144	July 23, 1985
7	89-097	May 23, 1989
8	91-041	February 19, 1991
9	91-042	February 19, 1991
10	91-174	August 13, 1991
11	91-225	September 17, 1991
12	92-091	June 2, 1992
13	93-098	June 15, 1993
14	94-129	July 19, 1994
15	95-176	September 5, 1995
16	96-226	December 10, 1996
17	97-030	March 4, 1997

2.2 GOVERNMENT STRUCTURE

2.2.1 GOVERNING BODY

The Mendocino County Board of Supervisors is the acting governing authority of county service areas pursuant to GOV §25210.2.(a). However, the CSA 3 Board of Directors is technically a separate legal authority from the Board of Supervisors.

When dependent district business is transacted through a Board of Supervisors meeting agenda, as a matter of order, the Chair officially recesses as the Board of Supervisors and convenes as the District Board of Directors. Upon completion of conducting all dependent district business, the Chair officially adjourns as the District Board of Directors and reconvenes as the Board of Supervisors. Following this procedure supports legally defensible actions and enhanced public transparency on the distinction between the separate local government agencies of the County and County-dependent districts.

The current Mendocino County Board of Supervisors is shown in Table 2.3 below.

Name	Office - District	Term Expiration	First Year of Service	Serving Consecutive Terms
Ted Williams	Chair - 5	Jan 2025	2013	Yes
Glenn McGourty	Vice-Chair - 1	Jan 2025	2021	No
Dan Gjerde	Supervisor- 4	Jan 2023	2018	No
Maureen Mulheren	Supervisor - 2	Jan 2025	2021	No
John Haschak	Supervisor - 3	Jan 2023	2018	No

Source: Mendocino, 2021a; Mendocino, 2022.

2.2.2 PUBLIC MEETINGS

Regularly scheduled meetings for the Board of Supervisors are held on two Tuesdays of the month at 9:00 a.m. in the Board Chambers in Room 1070 at the County Administration Center at 501 Low Gap Road in Ukiah. The Board currently conducts its meetings virtually to follow current health order protocols for COVID-19. The entire annual calendar is published on the County's website, along with in-depth information about the Board of Supervisors meetings and public participation.

The public may participate digitally in meetings by a number of ways: via written comment to bos@mendocinocounty.org, through the County's eComment platform at <https://mendocino.legistar.com/Calendar.aspx>, through voicemail messaging by calling 707-234-6333, or by telephone via telecomment. The County keeps an up-to-date website with detailed information about the latest available options for public participation at the following County website location: <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>.

In accordance with the Brown Act, all Board meetings are open to the public and are publicly posted a minimum of 72 hours prior to regular meetings, or a minimum of 24 hours prior to special meetings. Meeting notices are posted at the County Administration Center and on Mendocino County's website.

Public meeting information including upcoming agendas, past agendas and approved meeting minutes, live video streaming, and recorded videos are posted on the Board of Supervisors website and are available at the Board's office upon request.

Minutes are kept for all public Board of Supervisors meetings and are adopted at a subsequent meeting.

(Mendocino, 2021a; Mendocino, 2022)

2.2.3 STANDING COMMITTEES

Committees may be assigned to assist in carrying out various functions of local government. CSA 3 does not currently have any committees.

CSA Law provides for advisory committees as follows:

GC §25212.4(a) The board may appoint one or more advisory committees to give advice to the board of supervisors regarding a county service area's services and facilities.

GC §25212.4(b) The board may provide for the appointment, qualifications, terms, procedures, meetings, and ethical conduct of the members of an advisory committee. Any comments by an advisory committee are wholly advisory and it is not the responsibility or within the authority of an advisory committee to make decisions, manage, or direct the delivery of services and facilities.

2.2.4 PUBLIC OUTREACH

The County maintains a robust website for public information purposes. The website is maintained to remain up to date and contains complete governance information about the Board of Supervisors, as well as meeting information, departments, codes, forms, and project documents. (Mendocino, 2021a)

With the passage of Senate Bill 929 in 2018, all special districts are required to maintain a website that includes contact information and all other requirements by January 2020 (a compliance checklist is included in Appendix B).

CSA 3 has a website at <https://www.mendocinocounty.org/government/transportation/csa-3>, which currently contains the District's agendas and minutes from Board meetings related to reactivation. When

CSA 3 becomes more active, the website should be updated with additional information, such as meeting dates, agendas, bylaws, procedures, maps, and other relevant documents. The CSA 3 website would benefit from a similar format as the Board of Supervisors' website, which has a searchable database of documents.

2.2.5 COMPLAINTS

The public can submit written or verbal comments or complaints on the Board of Supervisors' website or by phone, as detailed above under Section 2.2.2, or in person or by phone at the Board of Supervisors' office during business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m. No complaints have been received in recent years regarding CSA 3 due to the inactive nature of this dependent district.

2.2.6 TRANSPARENCY AND ACCOUNTABILITY

The Board of Supervisors adopted a Rules of Procedure manual at its January 10, 2017 regular BOS meeting. The Rules of Procedure address the meeting conduct and voting procedure, committees, decisions, rules of order, and responsibilities. (Board, 2017) This is in addition to the County's Policy Manual, which covers general operating policies and procedures for the County, financial policies, and personnel policies that define the obligations, rights, privileges, benefits, and prohibitions placed upon all County employees.

The Political Reform Act requires all state and local government agencies to adopt and promulgate a Conflict of Interest Code pursuant to Government Code §81000 et seq. The Political Reform Act also requires persons who hold office to disclose their investments, interests in real property, and incomes by filing a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to Government Code §87203. The Board complies with the above requirements with its Conflict of Interest Code that pertains to County employees and contractors. (Mendocino, 2018)

According to AB 1234, if a local agency provides compensation or reimbursement of expenses to local government officials, then all local officials are required to receive two hours of training on public service ethics laws and principles at least once every two years and establish a written policy on reimbursements pursuant to Government Code §53235. BOS members are compensated and receive this training.

Refer to Appendix A for a brief list of educational resources regarding open government laws and Appendix B for a website compliance handout.

2.3 OPERATIONAL EFFICIENCY

2.3.1 MANAGEMENT AND STAFFING

CSA 3 does not currently provide any services or have any facilities, and therefore does not have official arrangements for regular staffing.

Management and staffing for County-dependent districts is often provided by County departments, such as the County Executive Officer (CEO) Office for management and administrative services, the Auditor-Controller's Office for financial services, County Counsel for legal services, and Public Works and/or Planning for project planning, design and implementation, facility operations, public outreach, and grant administration. Sometimes one or all of the above types of staffing services are contracted out to another local government agency or a private contractor.

Current County staff services related to the CSA 3 Sherwood FWC ZOB Pilot Program are being provided by Deputy CEO staff, Deputy County Counsel, and the Department of Transportation Director, to name a few. Refer to Section 3.1.3 for more information.

2.3.2 AGENCY PERFORMANCE

A component of monitoring agency performance is routinely evaluating staff productivity. Given that there is no regular staff for CSA 3, this aspect of agency performance is not measurable at this time. Further, CSA 3 does not currently provide any services to evaluate for agency performance.

2.3.3 REGIONAL AND SERVICE-SPECIFIC PARTICIPATION

CSA 3 does not participate in any regional or service-specific associations and organizations.

2.3.4 INTERAGENCY COLLABORATION

County staff has been coordinating with LAFCo staff related to proposed activation of latent powers and ZOB creation for CSA 3.

County staff collaborates with other local agency staff related to issues of common interest. This collaborative staff activity occurs in the capacity of County staff as County employees, not through CSA 3; although the dependent district benefits from such activities and interagency relationship building.

2.3.5 CONTRACT OR JPA SERVICES

CSA 3 does not currently provide any services, and therefore there is no provision of services by contract, agreement, or Joint Powers Authority (JPA).

2.3.6 SHARED SERVICES AND FACILITIES

CSA 3 does not currently provide any services or have any facilities, and therefore does not share services or facilities.

2.3.7 DUPLICATION OF SERVICES

CSA 3 does not currently provide any services, and therefore there is no overlap, duplication, or redundancy of services between local government agencies at this time. The Commission will consider potential duplication of services in future applications to activate latent powers for CSA 3.

2.3.8 ENHANCED SERVICE DELIVERY OPTIONS

CSA 3 does not currently provide any services or have any facilities to evaluate for enhanced service delivery options.

No new opportunities for the CSA to achieve organizational or operational efficiencies were identified during the preparation of this MSR.

2.3.9 GOVERNMENT RESTRUCTURE OPTIONS

Government restructure options should be pursued if there are potential benefits in terms of reduced costs, greater efficiency, better accountability or representation, or other advantages to the public.

CSA 3 does not currently provide any services or have any facilities to evaluate for government restructure options.

2.3.10 REACTIVATED CSA OPTIONS

Within the boundaries of CSA 3, the County of Mendocino provides law enforcement, land use and development code implementation and enforcement, and transportation and stormwater collection services for public roads in the County-maintained road system.

Ambulance services are provided by six special districts (Coast Life Support District, Mendocino Coast HCD, Elk CSD, Anderson Valley CSD, Long Valley FPD, and Covelo CSD), one city (Ukiah), and Medstar Ambulance (ground) and REACH (air), which are private providers, as regulated by Coastal Valleys EMS Agency. Countywide dispatch services are provided by the CAL FIRE Emergency Communications Command Center (ECC) at the Howard Forest Station near Willits and funded by Mendocino County from a portion of Proposition 172 funds.

See Sections 2.3.10.1 and 2.3.10.2 below for a description of fire and water services provided by local agencies in the CSA 3 boundary.

CSA 3 was reactivated recently after many years of inactivity and Mendocino County has been evaluating options to use CSA 3 as a vehicle to address gaps in service and funding to deliver additional public facilities and services in County areas.

There is interest in utilizing CSA 3 as a funding mechanism to address road access and maintenance needs for community emergency access routes. Refer to Section 3.1.3 for more information related to CSA 3 Sherwood FWC ZOB Pilot Program.

There is also community interest in utilizing CSA 3 as a funding mechanism to address County fire and water needs.

2.3.10.1 Fire Services

Within the boundaries of CSA 3, fire suppression and prevention services are provided by 20 special districts including two cities; two volunteer Fire Companies (Westport and Whale Gulch); and CAL FIRE in State Responsibility Areas (SRAs) when staffed.

There are gaps in between the service areas of existing local fire agencies that have resulted in necessary arrangements for providing fire protection and first responder services outside of agency boundaries in response to 911 service calls in “unserved” areas and mutual aid requests during large incidents.

CSA 3 could potentially support local agencies providing fire services in “unserved” areas, or areas outside the boundaries of existing public agencies that are not subject to paying taxes for such service provision.

The Mendocino County Association of Fire Districts (MCAFD) and Mendocino County Fire Chiefs Association (MCFCA) have provided support for exploring the details of activating latent fire powers for CSA 3 to provide unique and ancillary fire services, such as creating/funding a fire warden position to facilitate representation and communication between MCAFD/MCFCA and the County Board of Supervisors and various County Departments.

MCAFD/MCFCA have also provided strong support for memorializing continued allocation of Proposition 172 and Campground/RV Transient Occupancy Tax (TOT) to existing local fire agencies. CSA 3 could potentially further augment funding to local agencies providing fire protection and fire responder services.

The County Fire Ad Hoc Committee and a Steering Committee of these fire associations are working together to define CSA 3 organizational opportunities for fire service improvements and effectiveness.

2.3.10.2 Water Services

Within the boundaries of CSA 3, water services are provided by twelve special districts, numerous private mutual water companies, and groundwater wells on private property.

Due to prolonged and extreme drought conditions, in recent years multiple local water agencies have struggled with very limited to critically low local water supply to serve coastal and inland communities resulting in interagency collaboration and mutual aid agreements for emergency short-term shared facilities and water resources.

CSA 3 could potentially support water infrastructure and/or supply projects such as groundwater recharge ponds and commercial wells for raw and domestic water supply in areas not served by water districts. Water needs in County areas may also be addressed through the recently reactivated Mendocino County Water Agency (<https://www.mendocinocounty.org/government/mendocino-county-water-agency>).

2.3.10.3 Countywide CSA Services

CSA Law discourages the organizational formation of a countywide CSA and CSA service provision on a countywide basis pursuant to GOV §25210.7.(b) and §25213.

Further, LAFCo shall not approve a CSA proposal to exercise a latent power if LAFCo determines that another local agency already provides substantially similar services or facilities to the territory where the CSA proposes to exercise that latent power pursuant to GOV §25213.5.(b).

CSAs are intended to provide enhanced or unique municipal services to smaller geographic areas of the County, such as subdivisions and other community areas. Therefore, some counties have upwards of forty smaller CSAs to serve specific community needs. It is not necessarily common to utilize a single CSA to create multiple Zones of Benefit for multiple purposes throughout the County.

Countywide CSAs can be problematic, especially in situations when a power or service is available Districtwide because there is no LAFCo oversight in extending services to specific areas, which can create conflicts with existing providers of similar services and support urban-type development in rural areas.

CSAs authorized to provide Countywide services can circumvent LAFCo application requirements applicable to other local agencies and fundamental LAFCo objectives to promote logical and orderly urban growth and development and to prevent premature conversion of agricultural and open space lands.

Under current LAFCo Law, it is not feasible to approve a generic activation of latent powers due to the requirement to demonstrate adequate taxation to support long-term public service provision. It can be very challenging to garner sufficient voter support to establish taxation for a specific community need; expanding the scale of such an effort to all unincorporated areas would likely present more challenges.

2.3.10.4 Government Structure

CSA 3 may not be an efficient and effective government structure option for addressing widespread community needs. Countywide services may be most expeditiously and feasibly provided by the County directly instead of by a County-dependent district since County services are not regulated by LAFCo. LAFCo applications involve a lengthy and costly process and there is no guarantee of the outcome through the Commission or Protest Proceedings.

Some other structures of government or funding mechanisms that are not subject to LAFCo purview include the following pursuant to GOV §56036:

- An assessment district or special assessment district.
- An improvement district.
- A community facilities district formed pursuant to the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5).
- A permanent road division formed pursuant to Article 3 (commencing with Section 1160) of Chapter 4 of Division 2 of the Streets and Highways Code.

2.4 FINANCES

CSA 3 has been a longstanding inactive district without a budget or funding mechanism and has not provided any services or owned and maintained any facilities, equipment, or infrastructure in decades.

2.4.1 CURRENT FISCAL HEALTH

There is no annual budget or audit to evaluate as CSA 3 has been inactive for decades. CSA 3 has never collected ad valorem property taxes and the District has no reoccurring revenues or expenses.

It is unclear whether CSA 3 compiles and submits financial transaction reports to the State Controller's Office within seven months after the close of the fiscal year as required under GOV §53891.

2.4.1.1 One-time Fund Transfers

The Board of Supervisors authorized fund transfers to CSA 3 in 2019 and 2020 to keep the District active.

On March 13, 2019, the County Auditor-Controller transferred \$15,000 from the Miscellaneous Budget Unit 1940, line item 862239 (Special Departmental Expense), to reactivate CSA 3 consistent with direction from the Board of Supervisors on March 12, 2019. (CEO, 2019)

On June 30, 2020, the County Auditor-Controller transferred \$35,000 from the Miscellaneous Budget Unit 1940, line item 862239 (Special Departmental Expense) for a total balance of \$50,000, to CSA 3 consistent with the Fiscal Year (FY) 2019-20 Annual County Budget approved by the Board of Supervisors. (Auditor, 2022)

2.4.1.2 One-time Expenses

On January 25, 2021, the Board of Supervisors supported County staff efforts related to the CSA 3 Sherwood FWC ZOB Pilot Program, designated the Transportation Department – Land Improvement Division as the appropriate department to manage the project, and authorized expenditure of funds in Budget Unit 1910 for contracting up to \$15,000 for the process to create a Zone of Benefit for the Sherwood Road area. (Board, 2022)

In August 2021, the Board of Supervisors acknowledged that the Land Improvement Budget Unit 1910 had expended \$20,000 in staff efforts to date and anticipated further effort required to complete the process to be an additional \$20,000 to \$40,000 for a total estimated cost of \$60,000. This estimated total does not include the costs of the LAFCo activation of latent powers application. (Board, 2022) Refer to Section 3.1.3 for more information.

2.4.2 LONG TERM FINANCIAL CONSIDERATIONS

CSA 3 currently has no reserves, outstanding debt, grants, or capital improvement plans.

2.5 GROWTH

2.5.1 PRESENT AND PLANNED LAND USE AND DEVELOPMENT

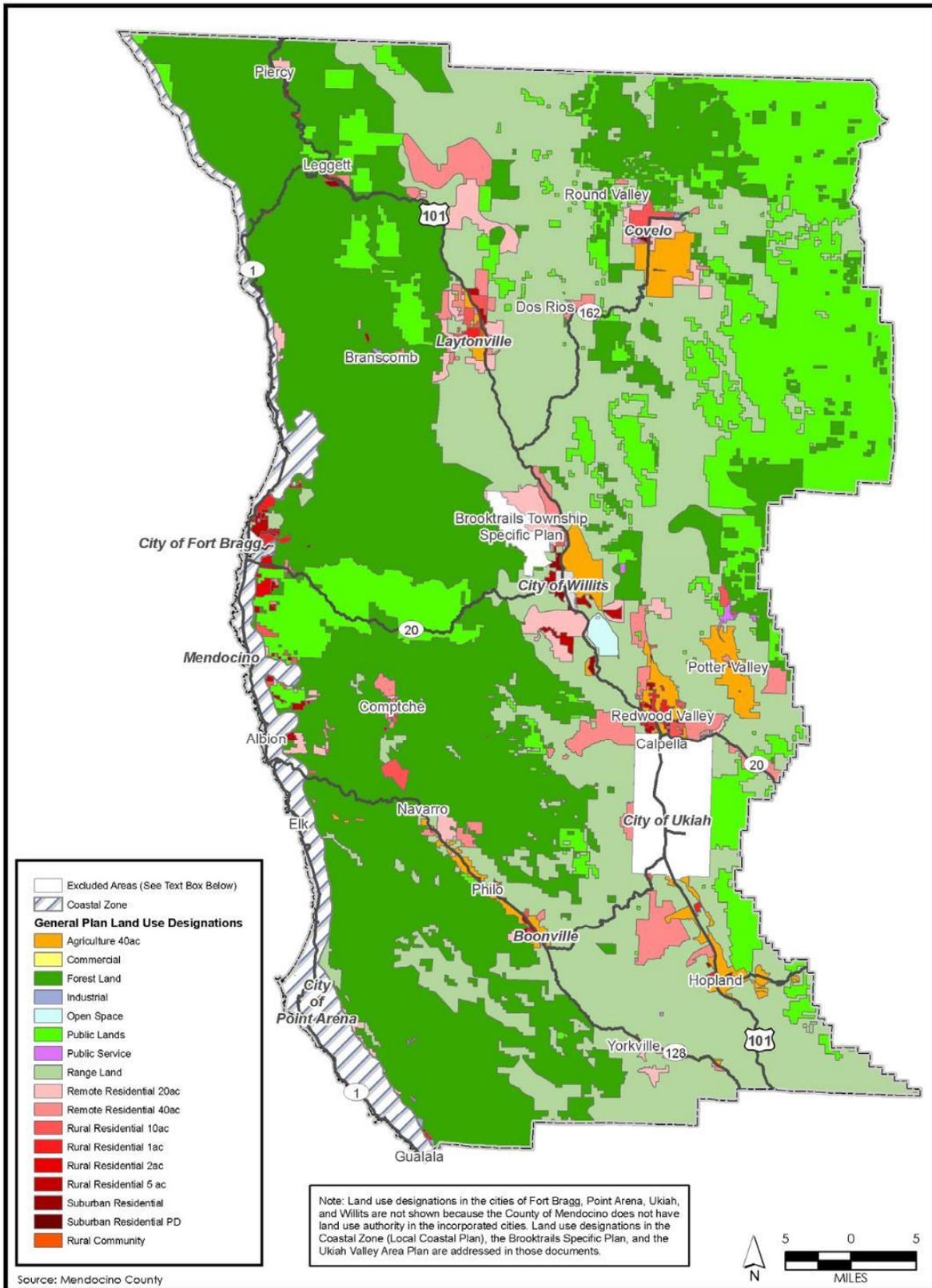
The CSA 3 boundaries are almost contiguous with the unincorporated areas of Mendocino County. Mendocino County has land use authority over privately owned lands within the CSA boundary and makes land-use decisions based on the County's General Plan and Zoning Regulations.

2.5.1.1 Land Use

The specific land use designations for Mendocino County are listed below and are based on the Mendocino County General Plan (Figure 2.2):

- Coastal Zone
- Agricultural 40ac
- Commercial
- Forest Land
- Industrial
- Open Space
- Public Lands
- Public Service
- Range Land
- Remote Residential 20ac
- Remote Residential 40ac
- Rural Residential 10ac
- Rural Residential 1ac
- Rural Residential 2ac
- Rural Residential 5a
- Suburban Residential
- Suburban Residential PD
- Rural Community

Figure 2.2 Mendocino County General Plan Land Use Map



2.5.1.2 General Plan Goals and Policies

The following goals, policies, and action items from the Mendocino County General Plan apply to the provision of public services which CSA 3 could ultimately be used to fund through various Zones of Benefit.

Chapter 3.0 Development Element

Development Goals

Goal DE-25a (Fire)

To protect life, property, and natural resources by ensuring that development is compatible with fire protection capabilities.

Goal DE-30 (Emergency Medical Services)

To ensure that all citizens and visitors to the county have access to quality emergency medical services and that the county's EMS providers are supported through County policy and budgeted.

Land Use Policies for Clustering, Density Transfer, Density, Nonconformance, and Other Issues

Policy DE-34 Locate development and infrastructure in community areas planned for growth.

Policy DE-35 Encourage compact development patterns, infill, redevelopment and reuse in community areas to protect natural resources and maximize the efficient use of infrastructure and services.

- Land use and development standards shall encourage intensive uses, infill and reuse projects within community areas.
- Encourage and facilitate mixed-use development in appropriate zoning designations.
- Maintain compact development patterns and limit sprawl by directing commercial, residential, and community use into community areas.

Policy DE-37 Work with LAFCO and other agencies to reduce suburban sprawl, promote efficient service delivery, and protect agricultural, timber and open space areas from unintended conversion to urban uses.

Policy DE-38 Create defined boundaries for each community area, separating suburban or urban land uses from adjoining resource and rural landscapes.

Policy DE-39 Development limits and long-term phased growth boundaries may be established for the various community areas taking into account community objectives. Phased growth boundaries shall not result in the premature expansion of community areas or infrastructure.

Community Character Policies

Policy DE-94 Promote infill, reuse, redevelopment and brownfield redevelopment supported by existing or improved infrastructure.

Infrastructure (Facilities and Services) Policies

Policy DE-117 Deliver programs and services to communities in an integrated, coordinated and equitable manner, reflective of local conditions.

Policy DE-118 The County shall discourage the extension of sewer and water service outside of areas designated by this General Plan or any city's General Plan for urban uses.

Action Item DE-118.1 Work with the Local Agency Formation Commission and service providers to coordinate service capabilities with this General Plan's land use designations.

Policy DE-119 Consider infrastructure capabilities, spheres of influence and master service elements adopted by the Local Agency Formation Commission, and city rezoning when adopting or revising General Plan elements.

Policy DE-120 General Plan changes to increase density or intensity should not be granted when basic infrastructure deficiencies are identified unless there is a program in place for timely resolution of the problem.

Policy DE-121 New discretionary development will be required to demonstrate that basic infrastructure is available and has adequate capacity to serve the project (including fire flow capacity) without degrading the existing level of service standards.

Policy DE-122 When committing to serve new development, the County will encourage service providers to grant priority to allocation of available and future water resources to lower-income housing developments that help meet the regional housing need.

Policy DE-123 Plans for completion of basic infrastructure should be made concurrent with discretionary development entitlement actions.

Policy DE-124 Plan for the expansion of commercial and industrial uses and sites for affordable housing when planning and designing community spaces and infrastructure.

Policy DE-125 The County supports the extension of affordable broadband internet access to all areas of the county, particularly rural areas, which currently (2009) do not have broadband access.

Transportation Policies

Policy DE-126 Provide for multiple transportation modes and functions within transportation corridors and rights-of-way constructed by project developers or using appropriate grants funding.

Policy DE-127 The County's transportation policies and funding priorities shall emphasize use of multiple transportation modes with the acknowledgment that general transportation operation and maintenance funding is barely adequate for existing roadway safety maintenance. Emphasis should be placed on securing additional grant funds to support multimodal improvements in the right-of-way.

Policy DE-128 Ensure that transportation infrastructure accommodates the safety and mobility of motorists, pedestrians, bicyclists, and persons in wheelchairs.

Action Item DE-128.1 Establish public works standards to implement policy DE-128.

Action Item DE-128.3: Collaborate with Mendocino Transit Authority and School Districts to allow for emergency use of buses and drivers for evacuation purposes for carless populations, skilled nursing facilities, correctional facilities, and hospitals.

Policy DE-131 Development impact fees, assessments, and other secured funding sources may be required to fund transportation improvements to provide an adequate transportation system or offset transportation impacts.

Action Item DE-131.1 Maintain short and long-term capital improvements programs for transportation facilities, consistent with adopted plans.

Policy DE-133 Consider community objectives and emergency evacuation constraints in prioritizing transportation improvements funding.

Policy DE-139 Support the construction or improvement of secondary neighborhood routes to alleviate congestion of the arterials and ensure effective evacuation access.

Policy DE-140: Maximize the safety of transportation corridors for Mendocino County's isolated populations/populations with limited egress, through safety improvements and fuel reduction activities.

Action Item DE-140.1: Prioritize safety improvement and fuel reduction activities along key roadways and pursue fuels reduction funding to support these activities, consistent with the Fire Vulnerability Assessment for Mendocino County.

Action Item DE-140.2: Develop criteria for fuel reduction (e.g. brush clearance) and safety improvement activities and sustainable funding sources for future projects within the county.

Action Item DE-140.3: Establish an ancillary duty for Department of Transportation employees to prioritize reporting of problematic conditions along evacuation routes to the appropriate fire district representative and Office of Emergency Services. Upon reporting, the Department of Transportation staff would then coordinate the appropriate repairs or modifications as required to maintain safe, usable routes provided that costs are reimbursed from non-restricted sources as appropriate.

Policy DE-141: Require all new development, redevelopment, or major renovation applying for discretionary approval to comply with Cal Fire requirements regarding ingress/egress issues to facilitate effective evacuation.

Action DE-141.1: Work to ensure that all evacuation routes meet the capacity, safety, and viability under a range of emergency scenarios consistent with the Mendocino County Evacuation Plan.

Action DE-141.2: Develop a constrained access implementation plan for residential neighborhoods with limited ingress/egress or a high degree of fire vulnerability within the County based on the Mendocino County Evacuation Plan.

Policy DE-151 Land divisions and other discretionary projects shall not be approved until access and road improvements adequate for the intended uses, density or intensity are identified and constructed, or funding mechanisms are in place.

Evacuation Routes

Policy DE-155: Periodically update the Mendocino County Evacuation Plan to ensure assets and capabilities meet the changing needs of the county.

Action Item DE-155.1: Implement the Mendocino County Evacuation Plan and conduct annual training and exercises of the plan to identify issues/challenges to potential evacuation events.

Action Item DE 155.2: All roadways used for evacuation purposes, will meet minimum roadway widths as determined by the County's Transportation Department.

Action Item DE-155.3: Identify residential neighborhoods with single ingress/egress roadways and develop an action plan to enhance evacuation capabilities, updating periodically over the next five years or until all locations are known.

Policy DE-156: Ensure all roadways within the County use unique names/identifiers and provide street addressing and signage that is highly visible to ensure effective emergency response and evacuation.

Action DE-156.1: Develop a comprehensive road renaming program for areas of the County where roadways are similarly named (Ex: Rabbit Lane, which would not also allow Rabbit Road, Rabbit Avenue, Rabbit Circle, etc.) to ensure effective emergency response activities.

Water Supply and Sewer (Wastewater Treatment) Services Policies

Policy DE-192 Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-193 The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-193.1 Work aggressively with water and sewer service providers to overcome the current and projected system and supply deficiencies necessary to serve planned community growth and emergency response needs.

Action Item DE-193.2 Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-193.3 Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water or sewer systems.

Policy DE-194 Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse. Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.

- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-195 Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with the General Plan's land use and resource objectives, except where the extension is needed to address a clear public health hazard.

Policy DE-196 Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-197 Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

Policy DE-198: The County shall coordinate with water and sewer system providers to ensure that water and wastewater treatment facilities are protected from flooding and erosion hazards.

Drainage and Flooding Policies

Policy DE-200 Emphasize land use compatibility and onsite floodwater retention to prevent or manage flooding.

Policy DE-201 To the maximum extent practical, avoid constructing critical facilities within the designated 500-year flood plain areas or areas potentially subject to dam inundation (or other water impoundment facilities) or seiches. If construction has to occur within these areas, implement floodproofing strategies to reduce impacts associated with flood inundation.

Solid Waste and Hazardous Waste and Materials Management Policies

Policy DE-210 The County will maintain a comprehensive integrated waste management plan consistent with General Plan, environmental, and public health objectives. The County's waste management plan shall include programs to increase recycling and reuse of materials to reduce landfilled waste.

Action Item DE-210.1 Work with local and regional agencies and enterprises to maintain and enhance integrated waste management programs.

Policy DE-211 Promote materials recovery programs and facilities, focusing on wastes generated in the Mendocino County region.

Other Utility Systems Policies

Policy DE-214 The County will seek to reduce the impacts of above-ground utilities. Standards and policies to reduce impacts include:

- Promoting the underground installation of utilities to reduce visual impacts to significant scenic resources.
- Locating utility systems in established corridors where possible.
- Ensuring that above-ground utilities are located and designed to minimize visual impact and clutter.
- Avoiding vegetation removal, new road construction, and silhouettes against the sky.

- Pursuing the undergrounding of utility lines in new development, and in the downtown core of community areas.

Policy DE-215 The County shall work with communication providers to install redundant facilities in isolated areas, reducing the chance of service degradation or outages, emphasizing communication facilities that provide essential services to support social and economic needs, including wired, wireless and satellite communications.

Policy DE-216 The County will facilitate investment in telecommunications infrastructure by providing clear guidelines for utility systems.

Policy DE-217: Prioritize enhancement of utility systems in areas of high hazard potential (wildfire, flooding, landslides) to ensure services remain operational and effective (see Policy DE-219).

Hazard Reduction and Emergency Response Policies

Policy DE-219 Locate and design critical infrastructure to withstand and operate during hazard events and subsequent recovery phases. Standards and policies include:

- Generally prohibit the construction of public or private structures designed for emergency services or public safety in areas of unacceptable risk, which shall be defined as any location at which an incident capable of either causing the facility to become inoperable has a likelihood of more than 1/1,000,000 per year.
- Facilities and structures owned or used by public entities should be designed or retrofitted, used, and occupied consistent with Uniform Building Code and County Code requirements to protect life and property from hazards.
- Noncompliant structures should be upgraded, abated, or occupancy changed, prioritizing critical facilities and hazard risk.
- Encourage federal, state, and tribal authorities to evaluate facilities and structures not under County jurisdiction and to implement corrective safety measures as needed.
- Promote design elements that allow for greater social distancing and protective measures (ventilation, physical barriers, space for staff) to accommodate County and community needs during health-related incidents.

Action Item DE-219.1 Maintain emergency response plan(s) designed to reduce risk and exposure to hazardous conditions and events, respond to emergencies, and facilitate recovery.

Action Item DE-219.2 Update the emergency response plan regularly to keep pace with the growing population and emergency service capabilities.

Action Item DE-219.3a Identify routes and sites necessary for evacuation, emergency operations and recovery during hazard events.

Action Item DE-219.3b Identify new evacuation routes consistent with the Mendocino County Evacuation Plan, ensuring effective ingress/egress from isolated communities.

Action Item DE-219.3c Develop evacuation route alternatives for hazards and communities to ensure effective evacuation activities.

Action Item DE-219.4 Upgrade critical County services to employ onsite renewable energy systems to provide a basic level of operation, and encourage other agencies in Mendocino County to do the same.

Action Item DE-219.5 Increase the County's fuel storage capacities so as to withstand an extended, but temporary disruption of deliveries.

Policy DE-220 Development shall not hinder the maintenance and use of routes and sites critical to evacuation, emergency operations, and recovery.

Action Item DE-220.1 Establish and coordinate capital improvement programs and priorities to avoid or mitigate high-risk events.

Action Item DE-220.2 Through the County Office of Emergency Services, the County, and relevant agencies, promote public education and safety programs to reduce risk from geologic, fire, flood, inundation, and other hazards related to growth and development.

Action Item DE-220.3: Regularly update Mendocino County's Community Wildfire Protection Plan (CWPP), Multi-Jurisdiction Hazard Mitigation Plan, Capital Improvement Program, and Emergency Operations Plan to ensure consistency and effective hazard risk reduction.

Policy DE-221: The County supports the efforts of ham radio operators who provide needed communication during times of emergency.

Action Item DE-221.1: Amend the Zoning Code to provide an exemption from height limits for ham radio antennae.

Policy DE-222: The County shall establish an outreach program to educate residents and business owners about natural and climate change-induced hazards and public understanding of disasters. The County shall encourage persons in hazard-prone areas to prepare and maintain an emergency and evacuation kit.

Policy DE-223: The County shall collaborate with community service and faith-based organizations to ensure that the information and services related to emergency preparedness are made available to persons with limited transportation, communication, and other lifeline resources and services.

Policy DE-224: The County's Office of Emergency Services shall provide alerts about potential developing and ongoing emergency situations through the MendoAlert and/or Nixle systems to convey information to all residents and visitors, in multiple languages and formats to ensure it is widely distributed.

Action Item DE-224.1: The County Health and Human Services Agency shall continue to maintain an up-to-date Vulnerable Populations list of contact information for County residents to allow for effective emergency notifications and evacuation warnings.

Policy DE-225: The County shall encourage emergency preparedness among visitors.

Action Item DE-225.1: The County shall develop information content for the recreation and tourism sectors to ensure that visitors are aware of and prepared for potential, developing, and ongoing hazards in the area.

Action Item DE-225.2: The County shall require hotels, short-term rentals, and other lodging establishments to provide regional evacuation route information in the event of an emergency.

Fire Protection Policies

Policy DE-226: The General Plan Land Use and zoning maps shall limit development potential within Very High Fire Hazard Severity Zones (VHFHSZ), limiting or avoiding new development in these areas.

Policy DE-227: Development, densities, intensities, and type shall be consistent with the state wildfire hazard rating system and Fire Safe Regulations (addressing weather, fuel and slope, access, water, and other factors).

Policy DE-228: The County shall deny development proposals that present substantial fire hazard risk to residents and safety providers responding to a wildland fire.

Action Item DE-228.1: Work with CalFire to administer the Fire Safe Regulations and fire protection programs for State Responsibility Areas and development interfaces within the HFHSZ and VHFHSZ.

Action Item DE-228.2: Require new essential public facilities (fire stations, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities) to be located outside of VHFHSZs to the greatest extent possible.

Action Item DE-228.3: Require existing essential public facilities located in VHFHSZs to be retrofitted to reduce vulnerability to wildfire hazards.

Action Item DE-228.4: Disseminate evacuation criteria for the evacuation of residential neighborhoods in accordance with the Mendocino County Evacuation Plan.

Action Item DE-228.5: Develop an inventory of vulnerable populations (senior housing, group homes, multi-family housing, etc.) structures, roads, utilities, and essential public facilities within High and Very High Fire Hazard Severity Zones to be incorporated into the County's EOP.

Action Item DE-228.6: Expand the Mendocino County Evacuation Plan to include evacuation and shelter in place plans for vulnerable population locations and effectively communicate this information to the relevant first responder agencies.

Policy DE-229: Development shall be located, designed, and managed to reduce fire risk to life, property, and natural resources, and incorporate adequate fire protection consistent with the General Plan and adopted regulations.

Action Item DE 229.1: Applicants seeking discretionary approvals within and adjacent to High and Very High Fire Hazard Severity Zones within the County will be required to prepare a Fire Protection Plan (FPP), which must be approved by the fire code official,

that may include but not be limited to mitigation strategies that take into consideration location, topography, geology, flammable vegetation, sensitive habitats/species, and climate of the proposed site. FPPs must address water supply, access, building ignition and fire resistance, fire protection systems and equipment, defensible space, vegetation management, and long-term maintenance. All required FPPs must be consistent with the requirements of the California Building Code Chapter 7A, International Wildland-Urban Interface Code, and the County of Mendocino.

Policy DE-230: Approval of parcel maps and tentative maps in SRAs or VHFHSZs is conditional based on meeting the SRA Fire Safe Regulations and the Fire Hazard Reduction Around Buildings and Structures Regulations, particularly those regarding public and private road standards for ingress, egress, and fire equipment access. (Gov. Code, § 66474.02.)

Policy DE-231: Development shall facilitate and integrate the ability for fire protection agencies to access and maintain fuel and firebreaks, water supplies, and public and private emergency access routes.

Action DE-231.1: The County shall make fuels reduction along County roads within existing rights of way a regular part of the ongoing County road maintenance operations. The County shall encourage owners of private roads and driveways to do the same.

Action DE-231.2: Work with Fire Protection Agencies to identify long term maintenance standards and funding sources for fuel reduction projects, and community fire breaks.

Policy DE-232: New development in the High and Very High Wildfire Hazard Severity Zones and wildland urban/rural interfaces shall incorporate the following:

- Fuel breaks or greenbelts coordinated with water supplies and access, providing maximum circulation consistent with topography.
- Adequate and accessible defensible space that does not rely on publicly owned lands or open space designations of homeowner associations.
- At least two ingress-egress routes to a public roadway, unless alternative routes accessible to fire equipment are provided.
- Access to publicly maintained evacuation routes at regular intervals.
- Access routes sufficient to accommodate evacuating vehicles, fire equipment, and vegetation management zones.
- Primary traffic lanes to all building sites with turnarounds to accommodate fire equipment.
- Water supplies within a short distance of fire equipment access.
- Fire flows with adequate duration.
- Develop fire-safe plans for communities to assist in qualifying for grants.

Action DE-232.1: County codes and ordinance should be amended to require that all new construction comply with the California Code of Regulations, Division 1.5, Chapter 7, which should include regulations pertaining to:

- Emergency on-site water storage for fire protection (as a permitted use by right in all zoning districts)
- Covering all rain gutters with non-combustible leaf shields
- Requiring only non-combustible fences and decks
- Requiring enclosed eaves on all structures
- Installing fireproof vents on all structures (fire-rated, and flame and ember resistant)

Action DE-232.2: Identify developed areas within the County that do not meet current SRA Fire Safe Regulations or certified local ordinances.

Action DE-232.3: Developed areas identified within the County that do not meet current SRA Fire Safe Regulations or certified local ordinances should be retrofitted to comply with Policy DE-232 to the greatest extent possible.

Action DE-232.4: Develop a non-conforming retrofit plan for existing developments to meet Fire Safe Regulations and Defensible Space requirements.

Policy DE-233: The County supports an effective and economically viable fire protection and emergency response provided by fire protection agencies.

Policy DE-234: Coordinate with fire protection districts to determine and report capabilities to adequately serve existing and potential development.

Action DE-234.1: Develop a service level inventory for all fire protection authorities that identifies existing fire station locations, staffing levels, areas lacking service, and typical response times for service areas.

Policy DE-235 Developments shall be approved only if sufficient fire-fighting resources, such as fire stations, equipment, personnel, hydrants, and water supplies, will be available to serve all phases of development and include ongoing operations and maintenance.

Action Item DE-235.1 Work with fire protection organizations to achieve funding stability necessary to maintain adequate staffing, facilities and equipment.

Action Item DE-235.2 Collaborate with fire protection authorities, land managers, private landowners, and others to improve fire management strategies for reducing the impacts of wildfires on forest and watershed ecosystems.

Action Item DE-235.3 Work with fire protection providers (i.e., CalFire, U.S. Forest Service, local fire protection districts, and cities) to ensure development is compatible with fire protection capabilities.

Policy DE-236 The County will support viable emergency response and transport services such as emergency medical services.

Policy DE-237: Areas within the SRA and Fire Hazard Severity Zones shall be evaluated to determine the appropriate type, density, and locations of new development or reconstruction, and ensure adequate circulation, infrastructure, and services are available consistent with the latest Fire Safe Regulations.

Action Item DE-237.1: After a wildfire event, coordinate with USGS on Preliminary Hazard Assessments to identify areas prone to flooding and mudslide/debris flows.

Policy DE-238 New development not located in a fire protection district should mitigate impacts on first responders to emergency calls, and should be required to contribute its fair share cost of providing emergency services.

Action Item DE-238.1 No later than July 2022, the County shall develop a plan for short- and long-term funding to offset service delivery costs to local fire and emergency response districts for serving areas not within their district boundaries. This may include bonding, assessments, and/or direct fee for service. It is specifically recognized that some funding mechanisms may require voter approval in order to be implemented.

Action Item DE-238.2 Acknowledgement of the lack of fire and emergency services (or the limited availability of such services) shall be recorded with the County Recorder for all developed parcels located outside of a fire protection district. This acknowledgement shall be made available to all subsequent purchasers of the property. Proof of recordation shall be a condition of approval of all discretionary permits for projects located outside of a fire protection district.

Policy DE-239: Encourage the Air Quality Management District to coordinate with CalFire when providing public information about “burn” or “no burn” days.

Policy DE-240: Coordinate with the Mendocino County Fire Safe Council to develop and refine their “Defensible Space” program for County residents.

Policy DE-241: The County shall work with local communities and property owners to engage in and facilitate the removal of highly invasive flammable weeds (gorse, French broom, eucalyptus, etc.)

Policy DE-242: The County shall collaborate with the Mendocino County Fire Safe Council to add funding, expand programs, and distribute information on the Chipping Program, Ukiah Valley Fire Fuels Reduction Project, Defensive Space Assistance for Income-Eligible, and hazard tree removal programs.

Policy DE-243: The County shall coordinate with tribal nation governments and communities within the County to complete vegetation and fuel management projects surrounding their communities, including encouraging such activities on public and private roads.

Emergency Medical Services

Policy DE-269: The County shall work with local medical providers to ensure that low-cost medical and emergency medical services are available to those in isolated or disadvantaged unincorporated areas of the county.

(Mendocino, June 2021)

2.5.1.3 Development

As described under Section 2.5.2 below, population in Mendocino County has fallen over the last decade— even while the County faces development pressures from its more urban neighboring counties. Other economic changes in the County include changes in the timber and agricultural industries and global climate change. The long-term availability of energy and water resources is also a factor as the County plans for new growth.

Both timber and agriculture are a continued and vital part of the County's economy. They have both been protected by longstanding County policies which seek to concentrate development into existing cities, towns and villages, and to retain large areas of the County in timber and farmland. However, timber and agriculture face challenges. The timber industry faces increasing competition from worldwide sources of lumber that have made it difficult for local mills to remain competitive, resulting in the reduction of the former 200-plus lumber mills to only a handful. Many industrial jobs have been lost.

Agriculture, unlike timber, is not in decline, although it has changed with the addition of vast areas of viticulture, and attendant tourism. The change from historic crops such as pears, apples, prunes, and livestock to grapes and wine-making has also resulted the loss of the fruit orchards, sheep ranches, forests, and other historic uses that defined their regions in the past.

A limited water supply combined with uncertainty about the availability of future supplies, has served to limit development in most of the county. More recent challenges include changes in agriculture from low-intensity farming to more water-intensive crops like wine grapes, reductions in rainfall and river flows resulting from global climate change, and changes in upstream use of water that could limit flows in the rivers. There are also growing concerns about the impacts of development on water quality.

The reliability of energy resources is also particularly important in Mendocino County because the county's widely separated cities and towns make it necessary for many residents to travel long distances to work, shop and recreate. Fuel costs are therefore a major concern to residents and businesses. Most of the county's current energy resources originate outside of the county.

Climate change and its relationship to development is also of increasing concern. Directing new growth into the incorporated cities and established communities and increasing bike, pedestrian and transit systems will help lower transportation related GHG emissions, while improving building energy efficiency standards and promoting the use of renewable sources (wind, solar, hydro, and geothermal, among others) will lower emissions as well as consumption of fossil fuels in the county as a whole.

(Mendocino, 2009a)

2.5.2 EXISTING POPULATION AND PROJECTED GROWTH

CSA 3 does not have a service population as it does not currently provide any services. However, the CSA covers almost the entirety of Mendocino County, which has a population of 91,601 as of April 1, 2020. (USCB, 2021c) The average population for Mendocino County is 24.16 persons per square mile.

The rate of growth in Mendocino County from 2010 (87,841 residents) to 2020 (91,601) was 4.3%, as shown in the table below.

	1980	1990	2000	2010	2020
Mendocino County	66,738	80,345	86,265	87,841	91,601
Percent Change	30%	20%	7%	2%	4%

Source: USCB, 2021a and USCB, 2021c.

As shown in Table 2.3, if the last ten years is an indication of average growth for the next ten years, the County will see very little growth in overall population. Growth projections published by Caltrans indicate a very slow overall County population growth of approximately 0.15%. (Caltrans, 2019) Based on this growth rate, CSA 3 can expect a small population increase of approximately 400 people in the next three years.

2.6 DISADVANTAGED UNINCORPORATED COMMUNITIES

Senate Bill (SB) 244, which became effective in January 2012, requires LAFCo to evaluate any Disadvantaged Unincorporated Communities (DUCs), including the location and characteristics of any such communities, when preparing an MSR that addresses agencies that provide water, wastewater, or structural fire protection services. A DUC is an unincorporated geographic area with 12 or more registered voters with a median household income (MHI) that is less than 80% of the State MHI of \$75,235, or \$60,188 (USCB, 2021b). This State legislation is intended to ensure that the needs of these communities are met when considering service extensions and/or annexations in unincorporated areas.

Mendocino County has an MHI of \$51,416 (USCB, 2021c) and qualifies as a DUC. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GOV §56375(8)(A) and LAFCo Policy.

3 MUNICIPAL SERVICES

A Municipal Service Review (MSR) is a comprehensive analysis of the services provided by a local government agency to evaluate the capabilities of that agency to meet the public service needs of their current and future service area. The MSR determinations inform the SOI Update process and assist LAFCo in considering the appropriateness of a public service provider's existing and future service area boundary. The information and analysis presented in Chapters 2 and 3 of this document form the basis for the MSR determinations provided under Section 3.2.

3.1 SERVICE OVERVIEW

3.1.1 SERVICES AND FACILITIES

CSA 3 does not currently provide any services or have any facilities, and therefore does not have any customers or capital improvement plans to address service deficiencies or expansions.

CSA 3 has been a longstanding inactive district and Mendocino County is currently considering adding powers or services to CSA 3 that would allow for the establishment of Zones of Benefit (ZOB) as a funding vehicle to provide extended services to various areas of the County.

3.1.2 OUT-OF-AGENCY SERVICES

CSA 3 does not currently provide any services, and there are no pending or anticipated requests for or commitments to provide out-of-agency services.

3.1.3 SHERWOOD FWC ZOB PILOT PROGRAM

On January 8, 2019, the Board of Supervisors formed an Ad Hoc Committee to discuss issues related to second access roads within the County and issues related to emergency access and/or evacuation routes. (Mendocino, 2021d) This Ad Hoc Committee for one-way-in, one-way-out communities has been working with the Sherwood Firewise Community (FWC) for several years to address emergency access needs for communities along the Sherwood Road corridor located northeast of the City of Willits in the Brooktrails Township Community Services District and adjacent areas as depicted in Figure 3.1.

The Sherwood FWC has obtained grants from the Community Foundation of Mendocino County and pro bono work from Kronick Moskovitz Tiedemann & Girard law firm in Sacramento to develop the framework for a CSA 3 ZOB to be funded by a benefit assessment through the Benefit Assessment Act of 1982 and Proposition 218.

On January 25, 2021, the Board of Supervisors considered a plan to implement the CSA 3 Sherwood FWC ZOB Pilot Program and directed County staff to continue working on necessary steps for implementation. County staff provided an update to the Board of Supervisors on August 3, 2021, which was continued to August 17, 2021. County staff scheduled a vote-by-mail ballot election process for ZOB creation and assessment on March 15 and 17, 2022, which was postponed at the March 1, 2022 Board of Supervisors meeting at LAFCo's request in order to proceed with the activation of latent powers application first. The activation of latent powers would address emergency access road maintenance services.

The following is a brief project scope for the Sherwood FWC ZOB Pilot Program:

- Reduce the need for two-way traffic along Sherwood Road during wildfire incidents and allow unimpeded two-lanes of travel for improved evacuation safety of residents, businesses, and visitors.
- During wildfire incidents, dedicate the 3.5-miles of Sherwood Road from the intersection at Poppy Drive to North Main Street in the City of Willits to one-way evacuation traffic only.
- Provide two alternate dry weather access routes for emergency equipment over private roads commonly referred to as the "FirCo Haul Road" and the "Willits Creek Trail Road".
- Collect funding from property owners in the Brooktrails, Spring Creek, Sylvandale, and Gates Subdivisions for road maintenance of the Willits Creek and Firco Emergency Equipment Access Routes.
- Based on an Engineer's Report, there would be an estimated \$30 annual benefit assessment charged to property owners of developed or improved parcels occupied for residential or business uses.
- Assessment funds would be used for on-going routine private road maintenance service including vegetation clearance, road drainage ditches, conduit cleaning and replacement, and road surface gravel and grading treatments.
- CSA 3 Sherwood FWC ZOB would serve as a funding mechanism only, and County staff appointed by the CSA 3 Board of Directors would collect and administer the assessment funding and implement the road maintenance activities either directly or by contract.
- The assessment would be collected annually until the CSA 3 Board of Directors determines it is no longer needed.
- The proposed road maintenance work will compliment hazardous fuel reduction efforts already completed during the Oak Fire by CAL FIRE for critical firefighter access.

(Board, 2021b) (Board, 2021a) (Board, 2021b) (Board, 2022) (CSA 3, 2022) (Mendocino, 2022)

3.2 DETERMINATIONS

This section presents the required MSR determinations pursuant to California Government Code §56430(a) for County Service Area No. 3.

3.2.1 MSR REVIEW FACTORS

3.2.1.1 Growth

Growth and population projections for the affected area

1. The jurisdictional boundary of CSA 3 encompasses the entire unincorporated area of Mendocino County. The District boundary is not countywide.
2. The District does not currently provide any services and therefore has no service population.
3. The 2020 Census estimated a population of 91,601 residents for Mendocino County.
4. Mendocino County population growth is expected to increase at an annual rate of approximately 0.15%. Based on this growth rate, CSA 3 can expect a small population increase of approximately 400 people in the next three years.
5. Mendocino County has land use authority over privately-owned lands within the CSA 3 boundary and makes land-use decisions based on the County's General Plan and Zoning Regulations.

3.2.1.2 Disadvantaged Unincorporated Communities

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

6. Mendocino County has an MHI of \$51,416 and qualifies as a disadvantaged unincorporated community (DUC) with less than 80% of the States Median Household Income (MHI). Special consideration will be given to any DUCs affected by future annexation proposals consistent with GOV §56375(8)(A) and LAFCo Policy.

3.2.1.3 Capacity of Facilities and Adequacy of Services

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence

7. CSA 3 does not provide any services and has no facilities, equipment, infrastructure, personnel, or reoccurring revenue.
8. The District does not provide any out-of-agency services.
9. CSA 3 has been a longstanding inactive district and Mendocino County is currently considering adding powers or services to CSA 3 that would allow for the establishment of Zones of Benefit as a funding vehicle to provide extended services to various areas of the County.
10. The creation of a CSA 3 Zone of Benefit and Benefit Assessment for the Sherwood Firewise Community area as a funding mechanism to provide on-going routine road maintenance on two alternate dry weather emergency equipment access routes is intended to improve wildfire evacuation safety for residents, businesses, and visitors and requires a LAFCo activation of latent powers application first.
11. It is currently unclear whether CSA 3 will provide an efficient and practical way for addressing County goals and community needs. Therefore, in lieu of preparing a long-term plan for CSA 3 service

provision at this time, it is recommended that County staff provide the Commission an annual progress report on CSA 3 activities and plans.

3.2.1.4 Financial Ability of Agency

Financial ability of agencies to provide services

12. There is no annual budget or audit to evaluate as CSA 3 has been inactive for decades. CSA 3 has never collected ad valorem property taxes and the District has no reoccurring revenues or expenses.
13. The Board of Supervisors authorized one-time fund transfers to CSA 3 in 2019 and 2020 for a total of \$50,000 to keep the District active.
14. CSA 3 currently has no reserves, outstanding debt, grants, or capital improvement plans.
15. Once the District provides services, it will be required to prepare an annual budget and have annual financial audits prepared by a qualified Certified Public Accountant likely through Mendocino County. The District shall provide LAFCo a complete copy of all future financial audit reports prepared by a Certified Public Accountant within 12 months of the end of the fiscal year or years under examination consistent with the timeframes established by Government Code Section 26909(a)(2)(b)(ii) as amended by SB 448. Audits should also be posted on the District's webpage for public access.
16. In order for the District to provide services in the future, a funding mechanism would be needed to ensure that the District would operate in a financially sound manner. If property tax assessments are to be used to fund any future services, a Proposition 218 election would need to be held and a majority of voting taxpayers would need to approve the assessments. An Engineer's Report would be required prior to any Proposition 218 election. The Report would provide the cost of long-term operations, maintenance, and capital costs, including staffing, equipment, and facilities needed.
17. Future benefit assessments for future Zones of Benefit should include an annual inflationary cost adjustment mechanism aligned with the Construction Cost Index in order to ensure that long-term funding remains commensurate with any rising or falling costs in construction.

3.2.1.5 Shared Services and Facilities

Status of, and opportunities for, shared facilities

18. CSA 3 does not currently provide any services or have any facilities, equipment, or infrastructure and therefore does not share services or facilities with other local government agencies.

3.2.1.6 Accountability, Structure, and Operational Efficiencies

Accountability for community service needs, including governmental structure and operational efficiencies

19. The CSA 3 Board of Directors is governed by the Mendocino County Board of Supervisors comprised of five seats and elected to serve staggered 4-year terms.
20. Regularly scheduled meetings for the Board of Supervisors are held on two Tuesdays of the month at 9:00 a.m. at the County Administration Center located at 501 Low Gap Road in Ukiah. All meetings are open to the public and are publicly posted a minimum of 72 hours prior to the meeting in accordance with the Brown Act.
21. The Board of Supervisors conducts business and takes action by approving motions and adopting resolutions and ordinances by a majority vote of a sufficient quorum. The Board of Supervisors have adopted policies and procedures related to elected officials including conflict of interest and

reimbursement, finances, and personnel. The Board of Supervisors receive two hours of training on public service ethics laws and principles at least once every two years pursuant to AB 1234. Board of Supervisors must consider proposed increases to rates and fees at properly noticed Public Hearings and subject to mailing a Notice of Hearing for Protests to all property owners pursuant to Proposition 218. The Board of Supervisors complies with local government ethics laws and regulations and operates with accountability and transparency.

22. As a matter of order, the Board of Supervisors should convene as the CSA Board of Directors in transacting County-dependent district business during Board of Supervisors public meetings.
23. The CSA has a website at <https://www.mendocinocounty.org/government/transportation/csa-3>, which currently contains the District’s agendas and minutes from Board meetings related to reactivation. When CSA 3 becomes more active, the website should be updated with additional information, such as meeting dates, agendas, bylaws, procedures, maps, and other relevant documents. The CSA 3 website would benefit from a similar format as the Board of Supervisors website, which has a searchable database of documents.
24. The District has no personnel and relies on the County for staffing services.
25. The public can submit written or provide verbal comments or complaints in person or by phone at the Board office during business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m., or at the Board of Supervisors meetings during the general public comment period.
26. In consideration of SB 448 and the long history of CSA 3 inactivity, it is recommended that if the District does not activate latent powers within five-years of adoption of this study, the Commission consider initiating dissolution proceedings. This recommendation does not limit the ability of the Commission to initiate dissolution proceedings sooner as provided by applicable laws.
27. There are no government restructure options for the District to achieve organizational or operational efficiencies identified during the preparation of this MSR.

3.2.1.7 Other Service Delivery Matters

Any other matter related to effective or efficient service delivery, as required by commission policy

28. There are no other matters related to service delivery required by Mendocino LAFCo Policy.

4 SPHERE OF INFLUENCE

LAFCo prepares a Municipal Service Review (MSR) prior to or in conjunction with the Sphere of Influence (SOI) establishment or update process. An SOI Update considers whether a change to the SOI, or probable future boundary, of a local government agency is warranted to plan the logical and orderly development of that agency in a manner that supports CKH Law and the Policies of the Commission. The MSR and required determinations are presented in Chapters 2 and 3 of this document and form the basis of information and analysis for this SOI study. This chapter presents the SOI establishment or update and required determinations pursuant to California Government Code §56425(e).

4.1 SOI ESTABLISHMENT

4.1.1 EXISTING SPHERE OF INFLUENCE

CSA 3 has been inactive for decades and there is no record of prior LAFCo efforts to establish a Sphere of Influence (SOI) for this County-dependent district. Therefore, this study is intended to establish an SOI for CSA 3.

4.1.2 EXISTING SERVICES

CSA 3 has been inactive for decades and does not currently provide any services or have any facilities, equipment, infrastructure, personnel, or reoccurring revenue.

Therefore, there are no existing services to note or describe related to the nature, location, and extent of any functions or classes of services provided by CSA 3 per GOV §56425(i).

An activation of latent powers application will be needed to proceed with provision of CSA 3 services.

4.1.3 STUDY AREAS

There are multiple Study Areas for CSA 3 evaluated in this report.

4.1.3.1 Sherwood Road Study Area

The Sherwood Road Study Area, known as the CSA 3 Sherwood FWC ZOB Pilot Program, discussed in Section 3.1.3, is well defined and based on years of collaboration between the Sherwood Firewise Community (FWC) and the County of Mendocino related to addressing community needs for multiple emergency access routes.

4.1.3.2 Ukiah Eastern Hills Study Area

The Ukiah Eastern Hills Study Area is in early stages of conception and is not currently geographically well-defined, but generally involves existing residential subdivisions in the Eastern Hills of the Ukiah Valley area along Redemeyer Road (Figure 4.1).

4.1.3.3 Other Communities

In addition to the study areas described above, there are multiple other one-way-in, one-way-out communities in the County with fire vulnerability and evacuation concerns that need a secondary emergency access route.

The 2021 Mendocino County Safety Element Update and the 2020 Mendocino County Evacuation Plan identify areas with evacuation limitations. Please note that the areas identified in the Safety Element and Evacuation Plan are not based on an exhaustive or prioritized list of community needs.

4.1.3.4 Fire Service Gaps Study Area

The gaps in between the service areas of existing local fire agencies could potentially be supported by activation of latent fire powers through CSA 3 (Figure 4.2). Refer to Section 2.3.10.1 for more information.

4.1.3.5 Water Service Gaps Study Area

The gaps in between the service areas of existing local water agencies could potentially be supported by activation of latent water powers through CSA 3 (Figure 4.3). Refer to Section 2.3.10.2 for more information.

4.1.4 AREA OF INTEREST DESIGNATION

LAFCo's Area of Interest Policy, per Section 10.1.12, provides for the designation or identification of unincorporated areas located near to, but outside the jurisdictional boundary and established SOI of a city or district, in which land use decisions or other governmental actions of another local agency directly or indirectly impact the subject local agency.

An Area of Interest (AOI) designation serves as a compromise approach that recognizes situations involving challenging boundary or municipal service delivery considerations, or for which urbanization may be anticipated in the intermediate or long-range planning horizons. It is a tool intended to enhance communication and coordination between local agencies.

An AOI designation is most helpful when the county and city or district can reach agreement that development plans related to LAFCo designated AOI will be treated the same as if these areas were within the city or district SOI boundary, particularly regarding notification to and consideration of input from the city or district.

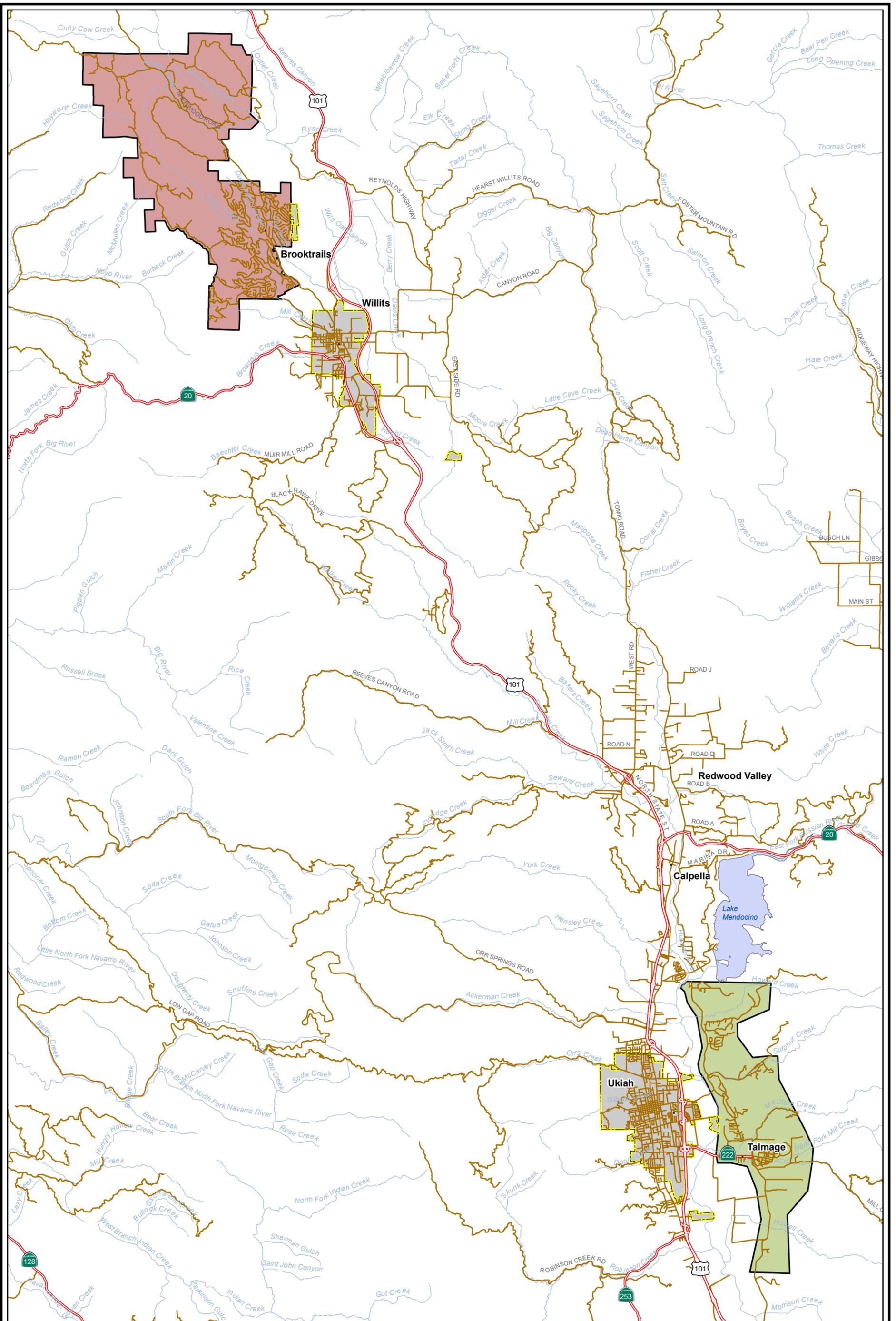
The Ukiah Eastern Hills, Fire Service Gaps, and Water Service Gaps Study Areas described above are designated as Areas of Interest for CSA 3.

4.1.5 PROPOSED SOI

The Sherwood Road Study Area describe above is proposed for a Service Specific Sphere, per LAFCo Policy 10.1.6, for road maintenance of emergency access routes.

There is no further SOI boundary (Figure 4.1) proposed for CSA 3 at this time since the District does not currently provide any services or have any facilities, equipment, infrastructure, personnel, or reoccurring revenue.

Once a detailed service plan is established for a well-defined service area within the District, a LAFCo application to activate latent powers accompanied by a sphere amendment will be needed to proceed with such provision of District services.



County Service Area 3 Sphere of Influence and Area of Interest

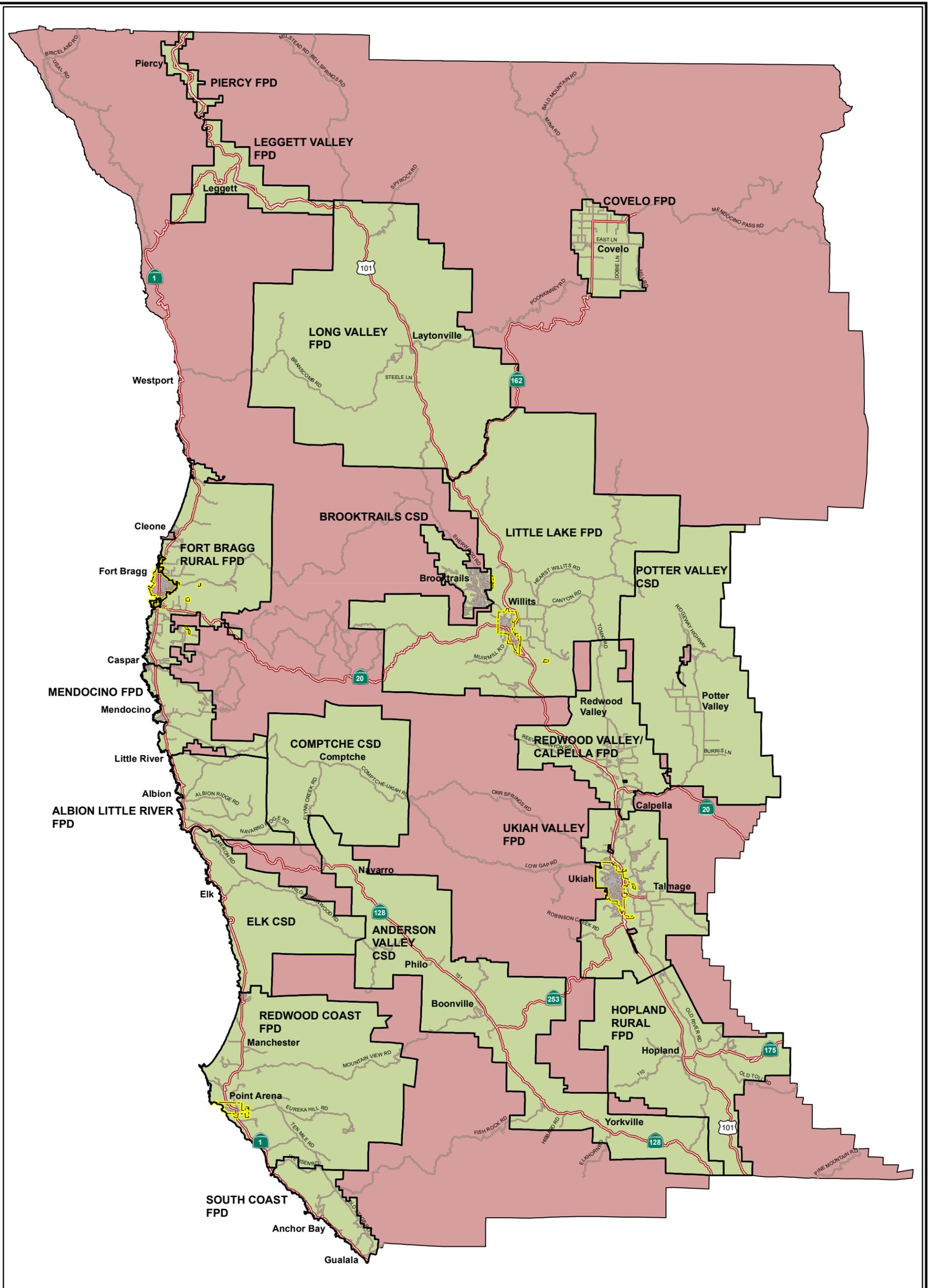
Service Specific Sphere of Influence for road maintenance of emergency access routes for the future Sherwood Firewise Community Zone of Benefit.

- Service Specific Sphere of Influence
- Ukiah Eastern Hills Area of Interest
- Cities
- Highways
- Roads
- Streams

Source: This map was prepared by the County GIS Program within the Information Services Division, May 13, 2022.

Note: This map is not a survey product and should not be used to determine legal boundaries.



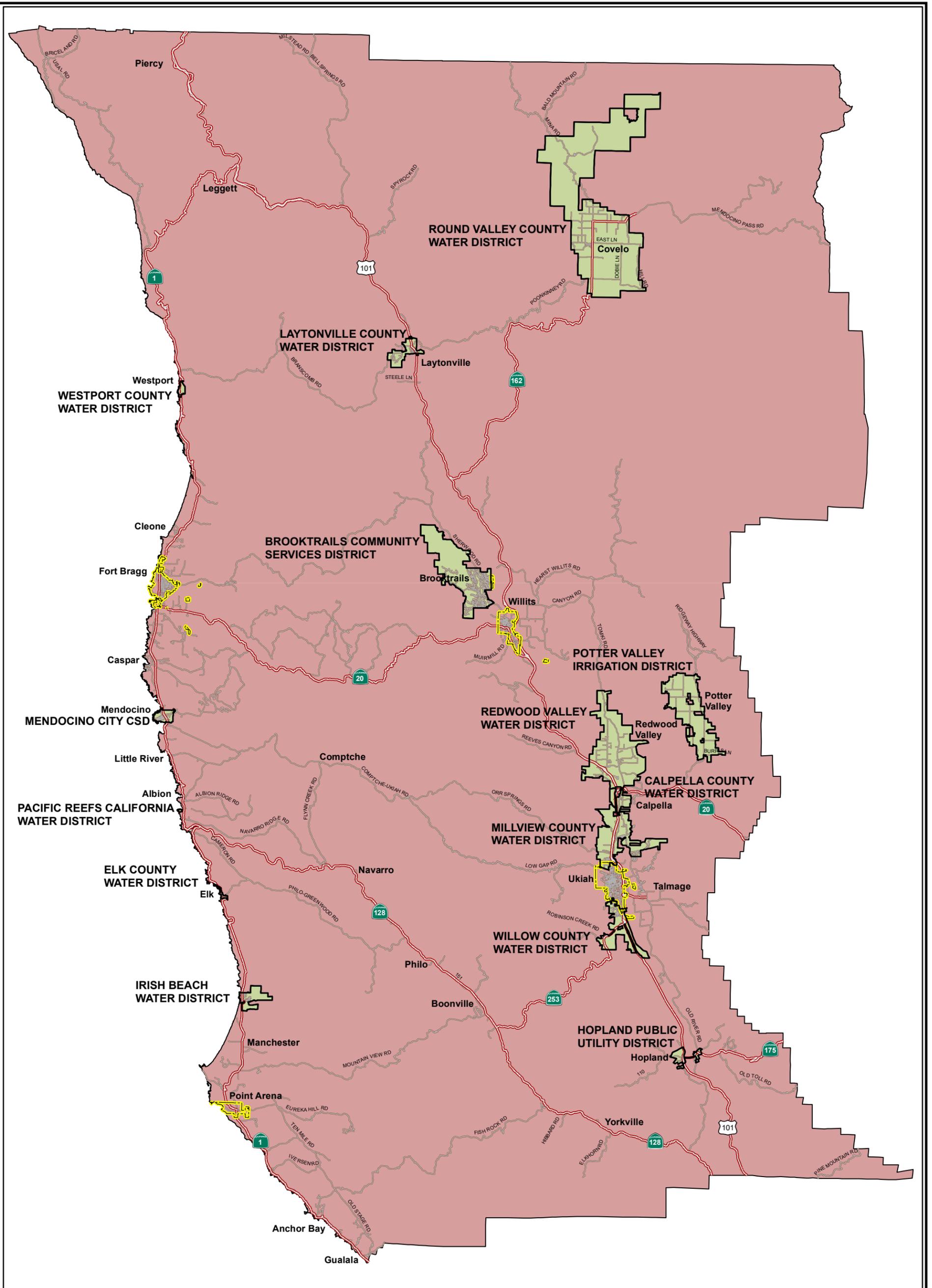


Fire Protection Districts within Mendocino County

- Fire Districts
- Fire Service Gaps Areas of Interest, (AOI)
- Incorporated Cities
- Highways
- Roads

Source: This map was prepared by the Mendocino County Department of Information Services GIS Program, May 4, 2022.
 Note: This map is not a survey product.

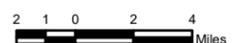




Water Districts within Mendocino County

- Water Districts
- Water Service Gaps Area of Interest, (AOI)
- Incorporated Cities
- Highways
- Roads

Source: This map was prepared by the Mendocino County Department of Information Services GIS Program, May 10, 2022.
 Note: This map is not a survey product.



4.1.6 CONSISTENCY WITH LAFCO POLICIES

The proposed District SOI is consistent with Mendocino LAFCo Policies (refer to Section 1.5 for the specific SOI policies).

4.1.7 DETERMINATIONS

It is recommended that the Commission establish a Service Specific Sphere of Influence for CSA 3 that is limited to the future Sherwood Firewise Community Zone of Benefit, as depicted on Figure 4.1, for road maintenance of emergency access routes, and designate an Area of Interest for the Ukiah Eastern Hills, Fire Service Gaps, and Water Service Gaps Study Areas, as depicted on Figures 4.1, 4.2, and 4.3. The following statements have been prepared in support of this recommendation.

4.1.7.1 Land Uses

The present and planned land uses in the area, including agricultural and open space lands

CSA 3 includes all the land uses presently in effect in Mendocino County, including those listed as land use designations in the General Plan: Coastal Zone, Agricultural, Commercial, Forest Land, Industrial, Open Space, Public Lands, Public Service, Range Land, Remote Residential, Rural Residential, Suburban Residential, and Rural Community. Mendocino County has land use authority over privately-owned lands within the District boundary and makes land-use decisions based on the County's General Plan and Zoning Regulations.

4.1.7.2 Need for Facilities and Services

The present and probable need for public facilities and services in the area

CSA 3 has been a longstanding inactive district and Mendocino County is currently considering adding powers or services to CSA 3 that would allow for the establishment of Zones of Benefit as a funding vehicle to provide extended services to various areas of the County. The most recent and active discussions have centered around the creation of a Zone of Benefit to enable the County to provide maintenance of emergency access roads in the Sherwood Firewise Community area for improved wildfire evacuation safety purposes.

It is currently unclear whether CSA 3 will provide an efficient and practical way for addressing County goals and community needs. Therefore, in lieu of preparing a long-term plan for CSA 3 service provision at this time, it is recommended that County staff provide the Commission an annual progress report on CSA 3 activities and plans.

4.1.7.3 Capacity of Facilities and Adequacy of Services

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide

CSA 3 does not currently provide any services or have any facilities, personnel, or reoccurring revenue. Therefore, CSA 3 currently has no facility capacity or deficiencies and no service delivery adequacy issues.

4.1.7.4 Communities of Interest

The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency

The jurisdictional boundary of CSA 3 encompasses the entire unincorporated area of Mendocino County, therefore, there are no additional communities of interest in the study area.

4.1.7.5 Disadvantaged Unincorporated Communities

The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence

Mendocino County has an MHI of \$51,416 and qualifies as a disadvantaged unincorporated community (DUC) with less than 80% of the States Median Household Income (MHI). Special consideration will be given to any DUCs affected by future annexation proposals consistent with GOV §56375(8)(A) and LAFCo Policy.

DRAFT

5 REFERENCES

- California Department of Transportation (Caltrans). 2019 County-Level Economic Forecast: Mendocino County Economic Forecast. [Online]. Available at: [Mendocino County Economic Forecast](#). Accessed October 15, 2021.
- Category Five Professional Consultants, Inc. (CFPC). July 2020. Mendocino County Evacuation Plan, Includes Repopulation, An Annex to the Mendocino County Emergency Operations Plan. [Online]. Available at: <https://www.mendocinocog.org/files/cbb6532a3/%2307c+EvacuationPlan071520.pdf>.
- County Service Area 3 (CSA 3). 2022. Sample Zone of Benefit Sherwood Firewise Communities County Service Area 3 Proposition 218 Notice Benefit Assessment Ballot. [Online]. Available at: <https://www.mendocinocounty.org/government/transportation/csa-3>.
- LAFCo, County of Mendocino. August 12, 1974. Resolution 74-5: Resolution Approving Formation of a County Service Area Designated as County Service Area 3.
- LAFCo, County of Mendocino. June 3, 1985. Resolution 85-6: Resolution Making Determinations on the Proposal Designated as Unincorporated Area of Mendocino County Annexation to County Service Area #3.
- LAFCo, County of Mendocino. April 4, 2016. Multi-District Fire Protection Services Municipal Service Review. [Online]. Available at: <https://www.mendolafco.org/files/a6813f761/Mulit+Fire+District+MSR+Adopted+4-4-16+w+Reso.pdf>
- LAFCo, County of Mendocino. November 5, 2018. Policies & Procedures Manual. [Online]. Available at: <http://mendolafco.org/wp-content/uploads/2018/11/FINAL-Adopted-Mendo-LAFCo-PP-Manual-2018-1.pdf>
- LAFCo, County of Mendocino. 2019a. February 4, 2019. Regular Commission Meeting. Video recording available online at: <https://www.youtube.com/watch?v=OofY2kTUvoY&list=PLraKTU7AyZLQSWrivynWsfVnleKBpgK-f&index=1>.
- LAFCo, County of Mendocino. 2019b. April 4, 2019. Letter to Derek Miller, California State Controller's Office Re: Determination of District Status – County Service Area No. 3.
- LAFCo, County of Mendocino. 2022. February 8, 2022. Letter to Derek Miller, California State Controller's Office Re: Determination of District Status – County Service Area No. 3.
- LAFCo, County of Sonoma (LAFCo 2). September 2004. Municipal Service Review for Coast Life Support District. [Online]. Available at: <http://sonomalafco.org/Cities-and-Districts/Municipal-Service-Reviews/>

- Mendocino County (Mendocino). August 2009a. Mendocino County General Plan: Chapter 1.0 Introduction. [Online]. Available at: <https://www.mendocinocounty.org/home/showpublisheddocument/5228/636242309517830000>. Accessed October 26, 2021.
- Mendocino County (Mendocino). June 5, 2018. Mendocino County Conflict of Interest Code. [Online]. Available at: <https://www.mendocinocounty.org/home/showpublisheddocument/21925/636681278944170000>. Accessed October 24, 2021.
- Mendocino County (Mendocino). June 22, 2021. Mendocino County General Plan: Chapter 3.0 Development Element. [Online]. Available at: <https://www.mendocinocounty.org/home/showpublisheddocument/43488/637587674672130000>.
- Mendocino County (Mendocino). 2021a. Board of Supervisors. [Online]. Available at: <https://www.mendocinocounty.org/government/board-of-supervisors>. Accessed October 23, 2021.
- Mendocino County (Mendocino). 2021b. Boards and Commissions. [Online]. Available at: [Boards and Commissions | Mendocino County, CA](#). Accessed October 24, 2021.
- Mendocino County (Mendocino). 2021c. Mendocino County Board of Supervisors 2021 Special Assignments Roster. [Online]. Available at: <https://www.mendocinocounty.org/home/showpublisheddocument/39856/637456985813470000> Accessed October 24, 2021.
- Mendocino County (Mendocino). 2021d. Mendocino County Board of Supervisors Ad Hoc Committee-Topic Index. [Online]. Available at: <https://www.mendocinocounty.org/home/showpublisheddocument/45487/637661733946400000>. Accessed October 24, 2021.
- Mendocino County (Mendocino). March 2022. Response to Request for Information.
- Mendocino County Auditor-Controller (Auditor). March 23, 2017. Letter to George Lolas, Chief Operating Officer, California State Controller's Office, Re: County Service Area #3.
- Mendocino County Auditor-Controller (Auditor). 2022. January 3, 2022. County Service Area 3 Ledger Balance munis Report.
- Mendocino County Board of Supervisors (Board). 1974a. August 27, 1974. Resolution 74-325: Resolution of Intent to Form County Service Area 3.
- Mendocino County Board of Supervisors (Board). 1974b. October 8, 1974. Resolution 74-377: Resolution Formation of County Service Area 3 (South Coast Ambulance Service).
- Mendocino County Board of Supervisors (Board). 1985a. March 19, 1985. Resolution 85-048: Resolution of the Mendocino County Board of Supervisors of Application to Annex the Unincorporated Areas of Mendocino County Lying Without County Service Area #3 to County Service Area #3.
- Mendocino County Board of Supervisors (Board). 1985b. May 21, 1985. Resolution 85-103: Resolution of the Mendocino County Board of Supervisors of Application to Annex the Unincorporated Areas of Mendocino County Lying Without County Service Area #3 to County Service Area #3.

- Mendocino County Board of Supervisors (Board). 1985c. June 18, 1985. Resolution 85-118: Resolution of the Mendocino County Board of Supervisors Initiating Proceedings to Annex the Unincorporated Areas of Mendocino County Outside of County Service Area #3 to County Service Area #3.
- Mendocino County Board of Supervisors (Board). 1985d. July 23, 1985. Resolution 85-144: Resolution Ordering Annexation of the Unincorporated Areas of Mendocino County Lying Without County Service Area #3 to County Service Area #3.
- Mendocino County Board of Supervisors (Board). 1989. May 23, 1989. Resolution 89-097: Resolution of the Mendocino County Board of Supervisors Amending Resolution #85-118 Initiating Proceedings to Annex the Unincorporated Areas of Mendocino County Outside of County Service Area #3 to County Service Area #3.
- Mendocino County Board of Supervisors (Board). 1991a. February 19, 1991. Resolution 91-041: Resolution of the Mendocino County Board of Supervisors Amending Resolution #85-118 Initiating Proceedings to Annex the Unincorporated Areas of Mendocino County Outside of County Service Area #3 to County Service Area #3
- Mendocino County Board of Supervisors (Board). 1991b. February 19, 1991. Resolution 91-042: Resolution of the Mendocino County Board of Supervisors Establishing Special Zone of Benefit # ___ for Fire Protection Services Known as Sanel Valley Fire Protection Zone Under County Service Area #3.
- Mendocino County Board of Supervisors (Board). 1991c. August 13, 1991. Resolution 91-174: Resolution of the Mendocino County Board of Supervisors Establishing a Benefit Assessment for the Sanel Valley Fire Protection Area Zone of Benefit #1, County Service Area #3.
- Mendocino County Board of Supervisors (Board). 1992. June 2, 1992. Resolution 92-091: Resolution of the Mendocino County Board of Supervisors Establishing the Annual Benefit Assessment for the Sanel Valley Fire Protection Area Zone of Benefit #1, County Service Area #3.
- Mendocino County Board of Supervisors (Board). 1992b. June 2, 1992. General Services Agenda Item No. 12 Agenda Summary for Sanel Valley Fire Protection Zone of Benefit Rate Resolution.
- Mendocino County Board of Supervisors (Board). January 10, 2017. Policy Manual. Mendocino County [Online]. Available at: <https://www.mendocinocounty.org/government/executive-office/policy-manual>. Accessed October 24, 2021.
- Mendocino County Board of Supervisors (Board). February 26, 2019. [Online]. Mendocino County Board of Supervisors Action Minutes, Agenda Item No. 6a. Available at: <https://mendocino.legistar.com/Calendar.aspx>. Accessed October 23, 2021.
- Mendocino County Board of Supervisors (Board). 2021a. January 25, 2021. [Online]. Mendocino County Board of Supervisors Action Minutes, Agenda Item No. 2. Available at: <https://mendocino.legistar.com/Calendar.aspx>. Accessed October 23, 2021.
- Mendocino County Board of Supervisors (Board). 2021b. August 3, 2021. [Online]. Mendocino County Board of Supervisors Agenda Item No. 6b Agenda Summary. Available at: <https://www.mendocinocounty.org/government/transportation/csa-3>. Accessed October 23, 2021.

Mendocino County Board of Supervisors (Board). 2022. March 1, 2022. [Online]. Mendocino County Board of Supervisors Agenda Item No. 4e Agenda Summary. Available at: <https://www.mendocinocounty.org/government/transportation/csa-3>. Accessed March 15, 2022.

Mendocino County County Executive Officer (CEO). 2019. March 21, 2019. Memorandum to Mendocino Local Agency Formation Commission Re: Funding of County Service Area No. 3 (CSA 3).

United States Census Bureau (USCB). 2021a. Annual Estimates of the Resident Population: April 1, 2010-July 1, 2019. American Community Survey. Table PEPANNRES: Mendocino. [Online]. Available at: <https://data.census.gov/cedsci/table?q=population&t=Populations%20and%20People&g=0500000US06045&tid=PEPPOP2019.PEPANNRES>. Accessed October 25, 2021.

United States Census Bureau (USCB). 2021b. Quick Facts: California. [Online]. Available at: <https://www.census.gov/quickfacts/fact/table/CA/INC110219>. Accessed October 25, 2021.

United States Census Bureau (USCB). 2021c. Quick Facts: Mendocino County. [Online]. Available at: <https://www.census.gov/quickfacts/fact/table/mendocinocountycalifornia/BZA010219>. Accessed October 25, 2021 and April 26, 2022.

6 ACRONYMS

AOI	Area of Interest
BOS	Board of Supervisors
Caltrans	California Department of Transportation
CDP	Census Designated Place
CEQA	California Environmental Quality Act
CEO	County Executive Officer
CKH	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
CSA	County Service Area
CSD	Community Services District
CSDA	California Special Districts Association
DUC	Disadvantaged Community
EMS	Emergency Medical Services
FPD	Fire Protection District
FY	Fiscal Year
FWC	Firewise Community
GOV	California Government Code
HCD	Health Care District
ILG	Institute for Local Government
JPA	Joint Powers Authority or Agreement
LAFCo	Local Agency Formation Commission
MCAFD	Mendocino County Association of Fire Districts
MCFA	Mendocino County Fire Chiefs Association
MCOG	Mendocino Council of Governments
MHI	Median Household Income
MOU	Memorandum of Understanding
MSR	Municipal Service Review
SB	Senate Bill
SOI	Sphere of Influence
USCB	United States Census Bureau
ZOB	Zone of Benefit

7 ACKNOWLEDGEMENTS

7.1 REPORT PREPARATION

This Municipal Service Review and Sphere of Influence Update was prepared by Hinman & Associates Consulting, Inc., contracted staff for Mendocino LAFCo.

- Uma Hinman, Executive Officer
- Larkyn Feiler, Analyst
- Kristen Meadows, Commission Clerk

7.2 ASSISTANCE AND SUPPORT

This Municipal Service Review and Sphere of Influence study could not have been completed without the assistance and support from the following organizations and individuals.

Mendocino County	Steve Dunicliff, Deputy CEO Judy Morris, Deputy CEO Nathaniel Raff, Deputy County Counsel Howard Dashiell, Department of Transportation Director Leif Farr, GIS Coordinator
------------------	---

8 APPENDICES

8.1 APPENDIX A – OPEN GOVERNMENT RESOURCES

The purpose of this appendix is to provide a brief list of some educational resources for local agencies interested in learning more about the broad scope of public interest laws geared towards government transparency and accountability. This appendix is not intended to be a comprehensive reference list or to substitute legal advice from a qualified attorney. Feel free to contact the Mendocino LAFCo office at (707) 463-4470 to make suggestions of additional resources that could be added to this appendix.

The websites listed below provide information regarding the following open government laws: (1) **Public Records Act** (Government Code §6250 et seq.), (2) **Political Reform Act** – Conflict-of-Interest regulations (Government Code §81000 et seq.), (3) **Ethics Principles and Training** (AB 1234 and Government Code §53235), (4) **Brown Act** – Open Meeting regulations (Government Code §54950 et seq.), and (5) **Online Compliance** regulations (Section 508 of the US Rehabilitation Act and Government Code §11135).

- Refer to the State of California Attorney General website for information regarding public access to governmental information and processes at the following link: <https://oag.ca.gov/government>.
- Refer to the State of California Attorney General website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <https://oag.ca.gov/ethics>.
- The Fair Political Practices Commission (FPPC) is primarily responsible for administering and enforcing the Political Reform Act. The website for the Fair Political Practices Commission is available at the following link: <http://www.fppc.ca.gov/>.
- Refer to the California Department of Rehabilitation website for information regarding Section 508 of the US Rehabilitation Act and other laws that address digital accessibility at the following link: <http://www.dor.ca.gov/DisabilityAccessInfo/What-are-the-Laws-that-Cover-Digital-Accessibility.html>.
- Refer to the Institute for Local Government (ILG) website to download the Good Governance Checklist form at the following link: www.ca-ilg.org/post/good-governance-checklist-good-and-better-practices.
- Refer to the Institute for Local Government (ILG) website to download the Ethics Law Principles for Public Servants pamphlet at the following link: www.ca-ilg.org/node/3369.
- Refer to the Institute for Local Government (ILG) website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <http://www.ca-ilg.org/ethics-education-ab-1234-training>.
- Refer to the California Special Districts Association (CSDA) website for information regarding online and website compliance webinars at the following link: <http://www.csda.net/tag/webinars/>.

8.2 APPENDIX B – WEBSITE COMPLIANCE HANDOUT

Refer to the next page.

DRAFT

Appendix B

California Website Compliance Checklist

Use this checklist to keep your district's website compliant with State and Federal requirements.

Public Records Act

SB 929

Our district has created and maintains a website

Passed in 2018, all independent special districts must have a website that includes contact information (and all other requirements) by Jan. 2020

SB 272

Our Enterprise System Catalog is posted on our website

All local agencies must publish a catalog listing all software that meets specific requirements—free tool at getstreamline.com/sb272

AB 2853 (optional):

We post public records to our website

This bill allows you to refer PRA requests to your site, if the content is displayed there, potentially saving time, money, and trees

The Brown Act

AB 392:

Agendas are posted to our website at least 72 hours in advance of regular meetings, 24 hours in advance of special meetings

This 2011 update to the Act, originally created in 1953, added the online posting requirement

AB 2257:

A link to the most recent agenda is on our home page, and agendas are searchable, machine-readable and platform independent

Required by Jan. 2019—text-based PDFs meet this requirement, Microsoft Word docs do not

State Controller Reports

Financial Transaction Report:

A link to the Controller's "By the Numbers" website is posted on our website

Report must be submitted within seven months after the close of the fiscal year—you can add the report to your site annually, but posting a link is easier

Compensation Report:

A link to the Controller's PublicPay website is posted in a conspicuous location on our website

Report must be submitted by April 30 of each year—you can also add the report to your site annually, but posting a link is easier

Healthcare District Websites

AB 2019:

If we're a healthcare district, we maintain a website that includes all items above, plus additional requirements

Including budget, board members, Municipal Service Review, grant policy and recipients, and audits

Open Data

AB 169:

Anything posted on our website that we call "open data" meets the requirements for open data

Defined as "retrievable, downloadable, indexable, and electronically searchable; platform independent and machine readable" among other things

Section 508 ADA Compliance

CA gov code 7405:

State governmental entities shall comply with the accessibility requirements of Section 508 of the federal Rehabilitation Act of 1973

Requirements were updated in 2018—if you aren't sure, you can test your site for accessibility at achecker.ca



California Special Districts Association
CSDA
Districts Stronger Together

csda.net



getstreamline.com

The Brown Act: new agenda requirements

Tips for complying with AB 2257 by January, 2019

Placement:

What it says: An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda.

What that means: Add a link to the **current agenda directly to your homepage**. It cannot be in a menu item or otherwise require more than a single click to open the agenda.

Exception:

What it says: A link to the agenda management platform may be added to the home page instead of a link directly to the current agenda, if the agency uses an integrated agenda management platform that meets specified requirements, including, among others, that the current agenda is the first agenda available at the top of the integrated agenda management platform.

What that means: If you use an agenda management system, you may add a link to that system directly to your homepage (again, not in a menu item), if the format of the agenda meets the requirements below, and if the current agenda is the first at the top of the list.

Format:

What it says: [agenda must be] Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications. Platform independent and machine readable. Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

What that means: You cannot add Word Docs or scanned (image-based) PDFs of your agenda to your website—Word Docs are not platform independent (the visitor must have Word to read the file), and scanned PDFs are not searchable. Instead, **keep your agenda separate from the packet** and follow these steps:

1. From Word or other document system: Export agenda to PDF
2. Add that agenda to your website (or to your agenda management system), and include a link to that agenda on your homepage
3. Then, you can print the agenda, add it to your pile of documents for the packet, and scan that to PDF - just keep the packet separate from the agenda (only the agenda must meet AB 2257)
4. Keep the link on the homepage until the next agenda is available, then update the link

Questions? Contact sloane@getstreamline.com or dillong@csga.net