

MENDOCINO

Local Agency Formation Commission

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

COMMISSIONERS

Maureen Mulheren, Chair
County Member

Gerald Ward, Vice-Chair/Treasurer
Public Member

Gerardo Gonzalez
City Member

Katharine Cole
Special District Member

Candace Horsley
Special District Member

Glenn McGourty
County Member

Mari Rodin
City Member

Francois Christen, Alternate
Special District Member

Douglas Crane, Alternate
City Member

John Haschak, Alternate
County Member

Richard Weinkle, Alternate
Public Member

STAFF

Executive Officer
Uma Hinman

Clerk/Analyst
Larkyn Feiler

Counsel
Scott Browne

REGULAR MEETINGS

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

A G E N D A

Regula Commission Meeting

Monday, June 5, 2023 at 9:00 am

Location

**Mendocino County Board of Supervisors Chambers and Conference Room C
501 Low Gap Road, Ukiah, California**

Hybrid Meeting

The Mendocino LAFCo will conduct this meeting in a **hybrid** format to accommodate both in-person and remote (video or telephone) participation by the public and staff pursuant to GOV 54953. Unless approved under the provisions of AB 2449, Commissioners will attend in-person at the meeting location identified above. The **hybrid** meeting can be accessed by the public in person, or remotely as described in the Instructions for Remote Participation Option, below.

Instructions for Remote Participation Option

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

1. Zoom meeting link: <https://mendocinocounty.zoom.us/j/86908450946>
2. Telephone option (audio only):
Dial: **(669) 900-9128** (*Please note that this is not a toll-free number*)
Meeting ID: **869 0845 0946**

Public Participation is encouraged and public comments are accepted:

1. Live: via the Zoom meeting link or telephone option above
2. Via Email: eo@mendolaafco.org by 8:30 a.m. the day of the meeting
3. Via Mail: Mendocino LAFCo, 200 S School Street, Ukiah, CA 95482

Meeting Participation

To provide comments, please use the raise hand function in Zoom.

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

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

Live web streaming and recordings of Regular Commission meetings are available via the [Mendocino County YouTube Channel](#). Links to recordings, approved minutes, and meeting documents are available on the [LAFCo website](#).

1. CALL TO ORDER and ROLL CALL

2. PUBLIC EXPRESSION

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

3. OTHER BUSINESS

None

4. CONSENT CALENDAR

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

4a) May 1, 2023 Regular Meeting Summary

4b) May 2023 Claims & Financial Report

4c) FY 2023-24 Contract with County of Mendocino Information Services for GIS and Meeting Support Services

4d) Proposed Amendment to FY 2022-23 Budget to Shift Funds Between Budget Accounts

4e) Letter of Legislative Support for AB 1753 CALAFCO Sponsored Omnibus Bill

5. PUBLIC HEARING ITEMS

5a) PUBLIC HEARING Final Budget and Work Program for Fiscal Year 2023-24

The Commission will consider and take action on the Final Budget and Work Program for Fiscal Year (FY) 2023-2024. RECOMMENDED ACTIONS: 1) Adopt LAFCo Resolution 2022-23-12 with Exhibits A and B approving the Final Budget and Work Program for Fiscal Year 2023-24, which reflect the priorities for the coming fiscal year, and 2) direct the Executive Officer to transmit the Final Budget and Work Program to the funding agencies and others as specified in Government Code §56381.

6. WORKSHOP ITEMS

None

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

7a) Proposed Amendment No. 3 to the Executive Officer Services Agreement

The Commission will consider Amendment No. 3 to the Executive Officer Services Agreement adjusting Hinman & Associates Consulting, Inc.'s staff hourly rates.

8. INFORMATION AND REPORT ITEMS

The following informational items are reports on current LAFCo activities, communications, studies, legislation, and special projects. General direction to staff for future action may be provided by the Commission. No immediate action will be taken on any of the following items.

8a) Work Plan, Current and Future Proposals (Written)

8b) Correspondence (Copies provided upon request)

8c) CALAFCO Business and Legislative Report

- Nomination Period for annual Achievement Awards

8d) Executive Officer's Report (Verbal)

8e) Committee Reports (Executive Committee, Policies & Procedures) (Verbal)

8f) Commissioner Reports, Comments or Questions (Verbal)

Due to a scheduling conflict in the Board Chambers, the remainder of the meeting will be conducted in County Conference Room C, 501 Low Gap Rd, Ukiah, CA 95482

9. CLOSED SESSION – Conducted in Conference Room C

9a) Conduct Interviews with Candidates for Legal Counsel Services Contract

Pursuant to Government Code Section 54957(b)(1) – consider appointment of Legal Counsel.

ADJOURNMENT

The next Regular Commission Meeting is tentatively scheduled for Monday, **July 3, 2023** at 9:00 AM in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah.

Notice: This agenda has been posted at least 72 hours prior to the meeting and in accordance with the Brown Act Guidelines and teleconferencing rules under AB 2449.

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

Americans with Disabilities Act (ADA) Compliance: Commission meetings are held via a hybrid model – the in-person option held in a wheelchair accessible facility and also by teleconference. Individuals requiring special accommodations to participate in this meeting are requested to contact the LAFCo office at (707) 463-4470 or by e-mail to eo@mendolafco.org. Notification 48 hours prior to the meeting will enable the Commission to make reasonable arrangements to ensure accessibility to this meeting. If attending by teleconference, if you are hearing impaired or otherwise would have difficulty participating, please contact the LAFCo office as soon as possible so that special arrangements can be made for participation, if reasonably feasible.

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

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at 9:00 AM in the
Mendocino County
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501 Low Gap Road, Ukiah

Agenda Item No. 4a

DRAFT MINUTES

Mendocino Local Agency Formation Commission

Regular Meeting (Hybrid) of Monday, May 1, 2023

County Board of Supervisors Chambers 501 Low Gap Road, Ukiah, California

1. CALL TO ORDER and ROLL CALL (Video Time 4:25)

Chair Mulheren called the meeting to order at 9:01 a.m.

Regular Commissioners Present: Maureen Mulheren, Gerald Ward, Gerardo Gonzalez, Glenn McGourty, Mari Rodin, Candace Horsley (arrived at 9:02 a.m.), and Katharine Cole

Regular Commissioners Absent:

Alternate Commissioners Present: Richard Weinkle, Francois Christen (arrived at 9:03 a.m.), Douglas Crane

Alternate Commissioners Absent: John Haschak

Staff Present: Uma Hinman, Executive Officer and Larkyn Feiler, Clerk /Analyst

2. PUBLIC EXPRESSION

None

3. OTHER BUSINESS

None

4. CONSENT CALENDAR (Video Time 6:22)

4a) April 3, 2023 Regular Meeting Summary

4b) April 2023 Claims & Financial Report

Commissioner Ward asked for clarification on the City of Willits NOP and EO Hinman responded that a Notice of Preparation (NOP) is part of the California Environmental Quality Act (CEQA) process to solicit early comments for an Environmental Impact Report (EIR) and the Counsel time spent is not reimbursable since there is no application on file.

Commissioner Ward asked if GIS costs for applications is recouped from applicants and EO Hinman confirmed that is the case unless work is related to public inquiries or the work plan.

April 2023 Claims totaling:	\$ 15,205.49
Hinman & Associates Consulting	13,318.67
P. Scott Browne	900.00
Commissioner Stipends	149.13
Petty Cash	188.29
Streamline	50.00
Ukiah Valley Conference Center	599.40

Motion: Approve the consent calendar.		
Motion Maker: Ward	Motion Second: McGourty	Outcome: Passed unanimously
Roll Call Vote: Ayes: (6) Ward, Gonzalez, McGourty, Rodin, Horsley, Cole, Mulheren		

5. PUBLIC HEARING ITEMS (Video Time 9:22)

5a) PUBLIC HEARING Proposed Fiscal Year 2023-24 Budget and Work Program

Chair Mulheren opened the Public Hearing at 9:06 a.m. for the Commission to consider adoption of the proposed budget and work program for Fiscal Year (FY) 2023-24.

EO Hinman provided a [staff presentation](#) on the item. (Video Time 9:47 - 25:50)

The following are summary Commission discussion points for this item.

1. The coast region water/wastewater districts MSR/SOI study will evaluate the ability of private companies to deliver water as feasible. Determinations on capacity, deficiencies, and ability to provide adequate services to the service area are critical to the study and rely on information from providers and various other sources. Once adopted the study will be posted online and made available to the Mendocino County Water Agency as requested.
2. A Request for Proposals (RFP) for outsourcing the work plan is estimated to be prepared in the remainder of this fiscal year and consultant development of the MSR/SOI study is anticipated to be completed by June of 2024.
3. Staff has not been informed of smaller districts that struggle or are unable to pay LAFCo apportionment fees.
4. The remainder work plan funds (\$37,000) from this fiscal year will be applied towards the next fiscal year budget revenues and are included in the unreserved equity (\$56,000).
5. The proposed Basic Services budget line item supports approximately a 0.76 full-time equivalent employee (FTE) shared between the Executive Officer, Analyst, and Clerk/Administrative Assistant; applications and Work Plan tasks are under separate budget accounts. Applications revenue for the current fiscal year is approximately \$19K. The FTE is limited by the budget and in 2016 was 0.5 FTE shared between the Executive Officer, Analyst, and Clerk.
6. In-house staff time that will become available from outsourcing the work plan will be redirected to application processing and organizational improvements, such as policy and procedure updates and a streamlined MSR/SOI process.
7. There is a balance between addressing LAFCo directives and the ability of agencies to pay LAFCo apportionment fees. There is concern about a substantial increase in future apportionment fees if excess funds are not available to balance future budgets. Other staffing options should be considered next year. Historically there are excess funds each year.
8. A cost efficiency option is to connect MSR/SOI Updates with application requests since many agencies experience little change.
9. It is desirable to increase in-house staff productivity, which is more cost-effective than relying on consultants.
10. Staff recommends developing a streamlined MSR/SOI process with the intent for cost savings over time by reducing the number of and extending the time in between in-depth studies. This would involve a comprehensive 10-year review schedule and a midpoint streamlined checklist review, especially for agencies without significant changes since the prior study, to satisfy the LAFCo law requirement of SOI Updates every 5-years as needed.

Chair Mulheren opened the Public Comment Period at 9:32 a.m. No public comment was received.

Chair Mulheren closed the Public Hearing and Public Comment Period at 9:33 a.m.

Motion: Adopt Resolution 2022-23-11 approving the Proposed Budget and Work Program, and direct staff to:

- a) Distribute the adopted Proposed Budget and Work Program to the 55 funding agencies (county, 4 cities, and 50 independent special districts) as required by GOV 56381; and
- b) Schedule a public hearing for June 5, 2023 to consider and adopt of a Final Budget and Work Program for FY 2023-2024.

Motion Maker: Gonzalez	Motion Second: McGourty	Outcome: Passed unanimously
Roll Call Vote: Ayes: (6) McGourty, Rodin, Ward, Gonzalez, Horsley, Cole, Mulheren		

6. WORKSHOP ITEMS

None

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

7a) Firm/Individual Selection to Provide General Legal Counsel Services (Video Time 37:19)

The Commission considered the Executive Committee recommendation of Marsha A. Burch Law Office for firm/individual selection for General Legal Counsel Services and proceeding with contract negotiation.

EO Hinman provided a presentation. The following are summary Commission discussion points for this item.

1. The Executive Committee had a robust discussion on this item regarding firm/individual qualifications, conflicts of interest, evaluation criteria and scoring, and representation priorities.
2. Ms. Burch is well qualified to provide the Commission General Legal Counsel Services and the Commission can seek Special Legal Counsel Services for specific areas of expertise if needed.
3. There was concern that the RFP process could have been better. Staff presented the rankings at a Personnel Committee meeting with the Commission Officers and then the Executive Committee held a meeting to consider the Personnel Committee recommendation for the selection of Marsha A. Burch Law Office. It would have been more objective to have proposal scoring, in-depth conversions, and interviews at the Executive Committee level.
4. There was concern regarding staff's assignment of points for the scoring. Points were reduced for conflicts of interest whether managed or not, and there was no objective system for point reductions related to rates and qualifications.
5. The point structure and criteria were adapted from processes in other LAFcos due to the short turn-around time.
6. Commissioner Rodin's scoring resulted in the following top-ranking firms to proceed with interviews: Best Best & Krieger LLP; Colantuono, Highsmith & Whatley, PC; and Sloan Sakai Yeung & Wong.
7. The Personnel Committee, which consisted of staff and the Commission's Officers, received essentially the same packet of information as the Executive Committee. The Commissioner Officers independently reviewed the proposals and considered the scoring criteria and weighting before the Personnel Committee meeting.
8. The Personnel Committee review also considered personal experience, online research, and staff preference.
9. There have been no follow-up questions posed to the RFP responders.
10. The two top criteria should be expertise and neutrality, which are key in good legal advice and preventing conflicts.
11. Commissioner Horsley's scoring resulted in the following top-ranking firms: Colantuono, Highsmith & Whatley, PC; Sloan Sakai Yeung & Wong; and Best Best & Krieger LLP.
12. Ms. Burch has significant experience with the CKH, CEQA, local government, and litigation and has demonstrated reliability and problem solving in representing the Commission over the last year plus in Mr. Browne's absence. Mr. Brown is current counsel and has extensive LAFco experience with eight LAFcos, even if not noted in the proposal.
13. The importance of outcome over cost is critical for legal services; problem solving is essential to limit conflict.
14. Marsha A. Burch Law Office was the top-ranking firm because of the existing quality working relationship, cost-efficiency, the demonstrated excellence in providing General Counsel Services, and staff preference to proceed with existing representation instead of starting over in building trust and bringing new counsel up to speed.
15. It is inefficient to have Special Legal Counsel if General Legal Counsel can provide all the services needed.
16. Larger firms have paralegals that can perform work at lower rates.

17. The flat fee billing approach does not include a refund for unused retainer, it may be less costly to pay by the hour.
18. Staff preference is important, but staff experience is limited, and a different firm may be equally responsive.
19. The qualifications of a larger firm do not necessarily equate to the qualifications of the individual that will actually provide services. Often larger firms rely on paralegals to perform the work, and the preference for direct attorney involvement from a larger firm may ultimately result in much higher costs. It is a common approach for local agencies to have General Counsel that provides routine services and Special Counsel for areas of specific expertise.
20. The RFP criteria and weighting should be refined and memorialized in local policy for future processes.
21. Counsel is an integral part of the team, and it is important to ensure a good fit on paper and face-to-face.

No public comments were provided on the item.

Motion: Approve the Executive Committee recommendation of Marsha A. Burch Law Office for firm/individual selection for General Legal Counsel Services and proceed with contract negotiation.		
Motion Maker: Ward	Motion Second: Gonzalez	Outcome: Failed by one vote
Roll Call Vote: Ayes: (3) Ward, Gonzalez, Mulheren		Nays: (4) McGourty, Rodin, Horsley, Cole

Discussion ensued regarding the need for more time to further evaluate the proposals and conduct interviews at the Executive Committee level before returning to the Commission with a recommendation, since there is a high level of unresolved debate on this item.

Further proposal evaluation/questions should address the following items, at minimum:

- a) LAFCo-specific qualifications of the primary and back-up counsel.
- b) The types of and approach to conflicts of interest.
- c) The type of work that would be handled by attorneys and paralegals.
- d) Experience with the types of issues staff foresees in future applications (finances, consolidations, tax sharing, etc.).
- e) Experience with the expanded level of services anticipated (CEQA comments, policy development, etc.).

Staff was directed to continue the evaluation/interview process with the following firms/individuals: Marsha A. Burch Law Office; Colantuono, Highsmith & Whatley, PC; Sloan Sakai Yeung & Wong; and Best Best & Krieger LLP.

Staff was directed to confirm whether Commissioners that are not members of the Executive Committee can attend the meeting when interviews are conducted and clarify whether non-members can participate in the meeting.

Chair Mulheren asked Commissioners to provide additional questions for the firms/individuals to EO Hinman as soon as possible after the meeting to assist in preparing for the interviews.

8. INFORMATION AND REPORT ITEMS

8a) Work Plan, Current and Future Proposals (Video Time 1:30:55)

EO Hinman presented the item and noted that there are four applications on file that are pending a tax share agreement, one pre-application request is on file from the City of Fort Bragg related to a proposed annexation of newly acquired properties for recreation and water storage, and a request was received from the City of Ukiah to withdraw the application to detach the overlap areas with the Ukiah Valley Sanitation District. Staff is also working on developing the scope of the coastal water/wastewater agencies MSR/SOI study.

Commissioner Ward asked for more information about the Anderson Valley Community Services District annexation proposal and EO Hinman confirmed that this annexation was initially included with a 2017 application for activation of ambulance powers; however, the annexation component was removed following the tax share negotiation process.

Commissioner Rodin asked for clarification regarding at what point in the application process does staff seek legal advice and EO Hinman responded that it is project-specific, noted that there have been a number of legal questions on the Elk CSD and CSA 3 proposed activation of latent powers, and at minimum counsel reviews proposed resolutions.

8b) Correspondence

None

8c) CALAFCO Business and Legislation Report (Video Time 1:35:46)

EO Hinman reported that the CALAFCO Staff Workshop was last week, the CALAFCO Legislative Committee meeting is scheduled for May 5, 2023, and more information can be provided upon request.

8d) Executive Officer's Report (Video Time 1:36:16)

EO Hinman provided an update that Hinman & Associates Consulting hired a second part-time analyst to assist with application processing and work plan development. Commissioner Horsley asked if the new hire is local and EO Hinman responded that the new hire has Land Use Planning and MSR experience and will be working remotely from San Diego.

8e) Committee Reports (Executive Committee, Policies & Procedures, Work Plan Ad Hoc) (Video Time 1:37:19)

Chair Mulheren asked if the Policies and Procedures Committee will meet after the legal counsel services RFP process regarding policy development for future RFPs. EO Hinman agreed and noted that it would best to wait for counsel selection as they will be needed to review proposed policy language.

8f) Commissioners Reports, Comments or Questions (Video Time 1:38:03)

Commissioner Horsley gave apologies for tardiness due to an urgent home repair issue.

ADJOURNMENT (Video Time 1:38:31)

There being no further business, the meeting adjourned at 10:35 a.m.

The next regular meeting of the Commission is scheduled on Monday, **June 5, 2023** at 9:00 a.m. The meeting will be conducted in a hybrid format to accommodate both in-person and remote participation. The in-person meeting will be held in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah.

Live web streaming and recordings of Commission meetings are available via the County of Mendocino's YouTube Channel. [May 1, 2023 YouTube meeting recording](#). Links to recordings and approved minutes are also available on the [LAFCo website](#).

MENDOCINO Local Agency Formation Commission Staff Report

DATE: June 5, 2023
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: **Claims and Financial Report for May 2023**

RECOMMENDED ACTION

Approve the May 2023 claims and financial report.

Name	Account Description	Amount	Total
Hinman & Associates Consulting, Inc.	5300 Basics Services	\$ 13,850.00	\$ 23,003.15
	5601 Office Supplies (QB)	\$ 85.00	
	5700 Internet (Comcast)	\$ 201.31	
	6200 Bookkeeping	\$ 440.00	
	7000 Work Plan (Coastal W/WW Districts)	\$ 7,987.50	
	6800 Conference Registration (CALAFCO Staff Work Workshop)	\$ 439.34	
	8031 AVCSO Annexation of SOI		
	8032 Fort Bragg Pre-Application		
P. Scott Browne	6300 Legal Counsel (Monthly flat fee)	\$ 900.00	\$ 900.00
Commissioner Stipends	6740 In-County Travel & Stipends		\$ 149.13
	Weinkle (May)	\$ 50.00	
	Christen (May)	\$ 99.13	
Streamline	5700 Website Hosting	\$ 50.00	\$ 50.00
Newspapers	8030 Publications and Legal Notices	\$ 349.03	\$ 349.03
Mendocino County	6000 Televising Meetings		\$ 3,152.00
	6670 GIS		
	6400 A-87 Costs County Services	\$ 3,152.00	
Ukiah Valley Conf. Center	5500 Office Space	\$ 555.00	\$ 594.80
	5600 Postage and copies	\$ 39.80	
Total Claims			\$ 28,198.11

Deposits: None

Attachments:

- Budget Tracking Spreadsheet
- Work Plan Tracking
- Invoices: Hinman & Associates Consulting, P. Scott Browne

Please note that copies of all invoices, bank statements, reconciliation reports, and petty cash register were forwarded to the Treasurer.

FY 2022-23 YEAR TO DATE FINANCIAL SUMMARY			
	BUDGET	ACTUAL TO DATE	BALANCE
REVENUE TOTALS	\$ 265,100.00	\$ 236,017.69	\$ 29,082.31
Operating Income (Apportions)	\$ 265,000.00	\$ 220,000.00	\$ 45,000.00
Interest	\$ 100.00	\$ 91.51	\$ 8.49
Miscellaneous	\$ -		
Applications & SALC	\$ -	\$ 15,926.18	\$ (15,926.18)
EXPENSES TOTALS	\$ 263,800.00	\$ (203,474.91)	\$ 60,325.09
Basic Services (Staffing)	\$ 125,100.00	\$ (110,576.25)	\$ 14,523.75
Services and Supplies	\$ 68,700.00	\$ (45,356.48)	\$ 23,343.52
Work Plan (MSRs and SOIs)	\$ 70,000.00	\$ (31,131.25)	\$ 38,868.75
Applications & SALC		\$ (16,410.93)	\$ 11,980.50
ACCOUNT BALANCES			
CASH AVAILABLE			\$ 129,639
County of Mendocino (Estimated; current statement unavailable)			\$ 30,670
Operations (Quickbooks balance)			\$ 98,969
RESERVES			\$ 116,024
Legal Reserve			\$ 50,000
Operations Reserve			\$ 66,024
CONTINGENCIES			\$ 30,815
Work Plan (unreserved cash balance)			\$ 30,815
		Accounts Total	\$ 245,663

Mendocino LAFCo Budget Tracking

REVENUE		BUDGET	1st Qtr Subtotal	2nd Qtr Subtotal	3rd Qtr Subtotal	April	May	June	4th Qtr Subtotal	YTD Subtotal	Balance
4020	OPERATING INCOME (APPORTIONMENTS)	\$ 265,000.00	\$ 60,000.00	\$ 60,000.00	\$ -	\$ 100,000.00			\$ 100,000.00	\$ 220,000.00	\$ 45,000.00
4800	MISCELLANEOUS (SERVICE FEES OH, COPIES)		\$ 850.00	\$ 591.20	\$ 2,762.50	\$ 175.00	\$ -	\$ -	\$ 175.00	\$ 4,378.70	\$ (4,378.70)
4910	INTEREST	\$ 100.00	\$ 26.65	\$ 26.38	\$ 27.05	\$ 11.43			\$ 11.43	\$ 91.51	\$ 8.49
Income/Fees Subtotals		\$ 265,100.00	\$ 60,876.65	\$ 60,617.58	\$ 2,789.55	\$ 100,186.43	\$ -	\$ -	\$ 100,186.43	\$ 224,470.21	
8000	APPLICATIONS									YTD Subtotal	Total Deposit TD
8010	City of Ukiah Detachment of UVSD lands (D-2014-8010)	\$ 21,500.00	\$ -	\$ -	\$ -	\$ (4,641.75)			\$ (4,641.75)	\$ (4,641.75)	\$ 16,858.25
8022	City of Ukiah North Annexation Pre-Application (P-2020-01)	\$ 1,500.00	\$ -	\$ -	\$ -				\$ -	\$ -	\$ 1,500.00
8024	Millview CWD Annexation Pre-Application (P-2020-04)	\$ 3,500.00	\$ -	\$ -	\$ -				\$ -	\$ -	\$ 3,500.00
8025	City of Ukiah Annexation of City-Owned Properties (A-2021-01)	\$ 5,000.00	\$ -	\$ -	\$ -				\$ -	\$ -	\$ 5,000.00
8028	Elk CSD Activation of Latent Powers (L-2022-01)	\$ 3,000.00	\$ 2,000.00	\$ -	\$ -				\$ -	\$ 2,000.00	\$ 5,000.00
8029	City of Ukiah Annexation of Western Hills Properties (A-2022-02)	\$ 5,000.00	\$ -	\$ -	\$ -				\$ -	\$ -	\$ 5,000.00
8030	City of Ukiah/UVSD Application for Out Of Agency Services (O-2022-03)	\$ -	\$ -	\$ 2,500.00	\$ -	\$ 6,042.93			\$ 6,042.93	\$ 8,542.93	\$ 8,542.93
8031	AVCSD Annexation of SOI (A-2023-01)	\$ -	\$ -	\$ -	\$ 6,000.00				\$ -	\$ 6,000.00	\$ 6,000.00
8032	Fort Bragg Pre-Application Review (P-2023-02)	\$ -				\$ 1,500.00			\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
8601	Sustainable Ag Lands Committee Grant	\$ 3,225.00	\$ 2,525.00	\$ -	\$ -				\$ -	\$ 2,525.00	\$ 5,750.00
Application Deposit Subtotals			\$ 4,525.00	\$ 8,500.00	\$ 6,000.00	\$ 2,901.18	\$ -	\$ -	\$ 2,901.18	\$ 15,926.18	\$ 58,651.18
REVENUE TOTAL			\$ 65,401.65	\$ 69,117.58	\$ 8,789.55	\$ 103,087.61	\$ -	\$ -	\$ 103,087.61	\$ 240,396.39	
EXPENSES		BUDGET	1st Qtr Subtotal	2nd Qtr Subtotal	3rd Qtr Subtotal	April	May	June	4th Qtr Subtotal	Total Expenses YTD	Budget Balance
5300	Basic Services - EO/Analyst/Clerk	\$ 125,100.00	\$ 21,800.00	\$ 21,565.00	\$ 40,951.25	\$ 12,410.00	\$ 13,850.00		\$ 26,260.00	\$ 110,576.25	\$ 14,523.75
	Unfunded Mandates (Public Records Requests)		\$ -	\$ -	\$ -				\$ -		
5500	Rent	\$ 6,500.00	\$ 1,590.00	\$ 1,590.00	\$ 1,665.00	\$ 555.00	\$ 555.00		\$ 1,110.00	\$ 5,955.00	\$ 545.00
5600	Office Expenses	\$ 3,300.00	\$ 1,046.85	\$ 542.18	\$ 1,109.37	\$ 317.69	\$ 124.80		\$ 442.49	\$ 3,140.89	\$ 159.11
5700	Internet & Website Costs	\$ 2,500.00	\$ 431.01	\$ 337.34	\$ 353.33	\$ 153.67	\$ 251.31		\$ 404.98	\$ 1,526.66	\$ 973.34
5900	Publication & Legal Notices	\$ 2,000.00	\$ -	\$ 507.54	\$ -		\$ 349.03		\$ 349.03	\$ 856.57	\$ 1,143.43
6000	Televising Meetings	\$ 2,000.00	\$ 230.10	\$ 501.05	\$ 517.61				\$ -	\$ 1,248.76	\$ 751.24
6100	Audit Services	\$ 3,800.00	\$ 1,875.00	\$ -	\$ 1,875.00				\$ -	\$ 3,750.00	\$ 50.00
6200	Bookkeeping	\$ 4,500.00	\$ 1,485.00	\$ 440.00	\$ 1,210.00	\$ 440.00	\$ 440.00		\$ 880.00	\$ 4,015.00	\$ 485.00
6300	Legal Counsel (\$ Browne)	\$ 19,000.00	\$ 2,700.00	\$ 2,700.00	\$ 2,700.00	\$ 900.00	\$ 900.00		\$ 1,800.00	\$ 9,900.00	\$ 9,100.00
6400	A-87 Costs County Services	\$ 2,100.00	\$ -	\$ -	\$ -		\$ 3,152.00		\$ 3,152.00	\$ 3,152.00	\$ (1,052.00)
6500	Insurance - General Liability	\$ 3,200.00	\$ 2,799.92	\$ -	\$ -				\$ -	\$ 2,799.92	\$ 400.08
6600	Memberships (CALAFCO/CSDA)	\$ 3,700.00	\$ 2,329.00	\$ 1,250.00	\$ -				\$ -	\$ 3,579.00	\$ 121.00
6670	GIS Contract with County	\$ 2,000.00	\$ 548.96	\$ 1,240.68	\$ 633.54				\$ -	\$ 2,423.18	\$ (423.18)
6740	In-County Travel & Stipends	\$ 4,000.00	\$ -	\$ -	\$ 378.38	\$ 149.13	\$ 149.13		\$ 298.26	\$ 676.64	\$ 3,323.36
6750	Travel & Lodging Expenses	\$ 6,000.00	\$ -	\$ 1,268.52	\$ -				\$ -	\$ 1,268.52	\$ 4,731.48
6800	Conferences (Registrations)	\$ 4,100.00	\$ 625.00	\$ -	\$ -		\$ 439.34		\$ 439.34	\$ 1,064.34	\$ 3,035.66
7000	Work Plan (MSRs and SOIs)	\$ 70,000.00	\$ 14,627.50	\$ 8,516.25	\$ -		\$ 7,987.50		\$ 7,987.50	\$ 31,131.25	\$ 38,868.75
Subtotals		\$ 263,800.00	\$ 52,088.34	\$ 40,458.56	\$ 51,393.48	\$ 14,925.49	\$ 28,198.11	\$ -	\$ 43,123.60	\$ 187,063.98	
8000	APPLICATIONS									Total Expenses TD	Deposit Balance
8010	City of Ukiah Detachment of UVSD lands (D-2014-8010)	\$ 16,858.25	\$ -	\$ -	\$ -				\$ -	\$ 16,858.25	\$ -
8022	City of Ukiah North Annexation Pre-Application (P-2020-01)	\$ 1,500.00	\$ -	\$ -	\$ -				\$ -	\$ 1,122.00	\$ 378.00
8024	Millview CWD Annexation Pre-Application (P-2020-04)	\$ 3,500.00	\$ -	\$ -	\$ -				\$ -	\$ 3,609.50	\$ (109.50)
8025	City of Ukiah Annexation of City-Owned Properties (A-2021-01)	\$ 5,000.00	\$ 120.00	\$ 31.25	\$ 218.75	\$ 62.50			\$ 62.50	\$ 4,035.00	\$ 965.00
8028	Elk CSD Activation of Latent Powers (L-2022-01)	\$ 5,000.00	\$ 2,047.50	\$ 516.25	\$ -				\$ -	\$ 4,236.25	\$ 763.75
8029	City of Ukiah Annexation of Western Hills Properties (A-2022-02)	\$ 5,000.00	\$ 80.00	\$ -	\$ -				\$ -	\$ 250.00	\$ 4,750.00
8030	City of Ukiah/UVSD Out of Agency Service Agreement (O-2022-03)	\$ 8,542.93	\$ -	\$ 937.50	\$ 7,605.43				\$ -	\$ 8,542.93	\$ -
8031	AVCSD Annexation of SOI (A-2023-01)	\$ 6,000.00	\$ -	\$ -	\$ 1,874.25	\$ 392.50			\$ 392.50	\$ 2,266.75	\$ 3,733.25
8032	Fort Bragg Pre-Application Request (P-2023-02)	\$ 1,500.00	\$ -	\$ -	\$ -				\$ -	\$ -	\$ 1,500.00
8601	Sustainable Ag Lands Committee Grant	\$ 5,750.00	\$ 2,525.00	\$ -	\$ -				\$ -	\$ 5,750.00	\$ -
Contract Staff Billing Subtotal			\$ 3,922.50	\$ 922.50	\$ 6,531.25	\$ 280.00			\$ 280.00	\$ 11,656.25	
Service Fees Overhead (OH) Subtotal			\$ 850.00	\$ 562.50	\$ 2,762.50	\$ 175.00			\$ 175.00	\$ 4,350.00	
Application Expenses Total			\$ 4,772.50	\$ 1,485.00	\$ 9,698.43	\$ 455.00	\$ -	\$ -	\$ 455.00	\$ 16,410.93	
EXPENSES TOTAL			\$ 56,860.84	\$ 41,943.56	\$ 61,091.91	\$ 15,380.49	\$ 28,198.11	\$ -	\$ 43,578.60	\$ 203,474.91	
MONTHLY CLAIMS TOTAL (not including OH fees)						\$ 15,205.49	\$ 28,198.11	\$ -			

Mendocino LAFCo
FY 2022-23 Estimated Work Plan Implementation Schedule and Cost Tracking
 June 5, 2023

Subject to Change: The estimated schedule and costs for the Fiscal Year 2022-23 Work Plan are subject to change based on agency responsiveness, timely provision of requested information, complexity of issues, level of public and affected agency controversy, and changing needs and priorities.

CEQA: Based on LAFCo practice, the work plan assumes minimal costs for CEQA compliance related to preparing a Notice of Exemption, unless an agency proposes a non-coterminous SOI and pays for any necessary studies and preparation of a Negative Declaration or Environmental Impact Report.

Rolling Work Plan: It is difficult to completely contain staff activities in a single fiscal year; therefore, completion of a study may roll over to the next fiscal year. This estimated work plan implementation schedule and cost tracking table is intended to enhance communication and transparency.

Agency	Coordination/ Request for Information	Admin Draft	Public Workshop	Public Hearing	Final Study	Total Cost Estimate ¹	Previous FY Expenses	FY 2022-23 Budget	FY 2022-23 Expenses	Total Cost to Date ²
County Service Area 3	Complete	Complete	4/4/2022	6/6/2022 7/11/2022	7/15/2022	\$10,000	\$16,199	\$0	\$1,031	\$17,230
Ukiah Valley Sanitation District	Complete	Complete	9/12/2022 11/7/2022	12/19/2022	12/22/2022	\$40,000	\$22,703	\$10,000	\$6,848	\$29,551
City of Ukiah	Complete	Complete	9/12/2022 11/7/2022	12/19/2022	12/22/2022	\$25,000	\$8,380	\$15,000	\$15,265	\$23,645
Inland Water Districts (8)	Pending					\$25,000	\$0	\$25,000		\$0
Coastal Water Districts (6)	In Process					\$20,000	\$0	\$20,000	\$7,988	\$7,988
					Estimated Total			\$70,000	\$31,131	

¹ Column indicates the initial cost estimated for each study and accounts for in process studies rolled over from prior fiscal years.

² Column indicates a running total for actual expenses incurred to date for each study in process and is not limited to a specific fiscal year.



Hinman & Associates Consulting

PO Box 1251 | Cedar Ridge, CA 95924
 (916) 813-0818 | uhinman@comcast.net

Date May 29, 2023
To Mendocino LAFCo
Project Executive Officer Services
Work Period April 24 - May 28, 2023

Invoice No.
Invoice Total **\$ 23,003.15**

Account	Description	Staff/Hours		Other (At Cost)	Totals
		Executive Officer \$110	Analyst \$75		
5300	Basic Services Public Records Act Requests	88.75	54.50		\$ 13,850.00
5601	Office Supplies Quickbooks Online Fee			\$ 85.00	\$ 85.00
5700	Internet & Website Costs (Comcast, Hostinger)			\$ 201.31	\$ 201.31
6200	Bookkeeping	4.00			\$ 440.00
6800	Conferences (Registrations: Staff Workshop)			\$ 439.34	\$ 439.34
7001	Coastal Region Water/Wastewater MSR/SOI	15.00	84.50		\$ 7,987.50
Totals		\$ 11,852.50	\$ 10,425.00	\$ 725.65	\$ 23,003.15

5300 Basic Services

Administrative tasks, file research and maintenance of official records and files. Respond to public inquiries and research requests. Prepare meeting minutes for Commission and Executive Committee meetings. Prepare and process April and May claims. Implement and coordinate interview process for candidates for Legal Counsel Services. Agenda packet development for June 5, 2023 regular Commission meeting. Distribute proposed budget and work program for FY 2023-24. Coordination with County GIS and Assessor staff regarding mapping requirements for LAFCo applications, application processing procedures and the R&TC 99 processes.

6200 Bookkeeping

Entered claims into Quickbooks and prepared checks. Reconciled Quickbooks.

7000 Work Plan (Sphere of Influence Updates, Municipal Service Reviews, and Special Studies)

Research and developing approach, templates and requests for information for coastal water and wastewater districts.

From: Intuit QuickBooks Team <No_Reply@notifications.intuit.com>
Sent: Friday, May 19, 2023 3:47 AM
To: eo@mendolafco.org
Subject: We received your QuickBooks subscription payment!



Payment success

Executive Officer, thank you for your payment.

Invoice number:
10001228772863
Invoice date: 05/19/2023
Total: \$85.00
Payment method: VISA ending in [REDACTED]

Sign in to QuickBooks where you can see your billing history and view, save, and print your invoice.


[View billing history](#)


Account details


Billed to: Mendocino LAFCo
Company ID ending:
Items on this invoice: QuickBooks Online Plus

(1) For subscriptions, your payment method on file will be automatically charged monthly/annually at the then-current list price until you cancel. If you have a discount it will apply to the then-current list price until it expires. Additional service fees may apply based on whether you add or remove services and your usage. See your [Billing & Subscription](#) page for additional pricing details. To cancel your subscription at any time, go to [Account & Settings](#) and cancel the subscription. (2) For one-time services, your payment method on file will reflect the charge in the amount referenced in this invoice. Terms, conditions, pricing, features, service, and support options are subject to change without notice.



 2 x Tickets
Order total: \$878.68

 Wednesday, April 26, 2023 at 1:00 PM - Friday, April 28, 2023 at 12:00 PM (PT)
Add to [Google](#) · [Outlook](#) · [iCal](#) · [Yahoo](#)

 Ironstone Vineyards
1894 6 Mile Road
Murphys, CA 95247
[View on map](#)

[View event details](#)

CALAFCO

[Follow](#)

Questions about this event?

[Contact the organizer](#)

Order Summary

Order [#6300466709](#) - April 3, 2023

\$878.68 paid by Visa

Last 4 digits:

Appears on your card statement as EB *CALAFCO Staff Work

Uma Hinman 1 x **Member Full Workshop** \$439.34

Larkyn Feiler 1 x **Member Full Workshop** \$439.34

\$878.68

[View and manage your order online](#)

Contact the [organizer](#) for any questions related to this purchase.

This order is subject to Eventbrite [Terms of Service](#) and [Privacy Policy](#), and [Cookie Policy](#).

Your tickets

2 eTickets

The organizer will follow up with instructions on how to redeem your tickets and access the event.

Additional Information

The event organizer has provided the following information:

None

eventbrite



This email was sent to eo@mendolafco.org

Eventbrite | 535 Mission Street, 8th Floor | San Francisco, CA 94105

Copyright © 2023 Eventbrite. All rights reserved.

[Privacy Policy](#)

From: Comcast Business Customer Care <online.communications@alerts.comcast.net>
Sent: Friday, May 12, 2023 5:41 AM
To: EO@MENDOLAFCO.ORG; clerk@mendolafco.org
Subject: Your Comcast Business billing statement is ready

Important information about your Comcast Business account

COMCAST BUSINESS

Your monthly bill is available in My Account.

Sign in to My Account to view your statement and make a payment. If your account is enrolled in Auto Pay, your amount due will automatically be deducted from your preferred payment method on the due date listed below.

Bill Overview

Amount Due: \$93.67

Payment Due Date: 06/04/2023

Account Information

Account Number: ****

Service Address: 200 S SCHOOL ST STE K UKIAH, CA 95482-4828

VIEW STATEMENT

If you have questions regarding your bill, visit us [online](#) or [contact us](#). Customer support is available 24/7.

Thank you for being a valued Comcast Business customer.

Sincerely,

Comcast Business

COMCAST
BUSINESS



Hostinger International Ltd.
61 Lordou Vironos Street
Larnaca 6023
Cyprus
VAT Reg #: **CY10301365E**

INVOICE

Invoice # **HCY-900759**
Invoice Date # **May 15, 2023**
Invoice Amount # **\$107.64 (USD)**
Next Billing Date # **May 25, 2024**
Order Nr. # **hh_53419676**
PAID

BILLED TO
Uma Hinman
United States of America
clerk@mendolafco.org

DESCRIPTION	PRICE	DISCOUNT	TOTAL EXCL. VAT	VAT	AMOUNT (USD)
Enterprise Email (billed every year) May 25, 2023 to May 25, 2024	\$35.88 x 3	-	\$107.64	-	\$107.64

Total excl. VAT	\$107.64
Total	\$107.64
Payments	(\$107.64)
Amount Due (USD)	\$0.00

Law Office of P. Scott Browne
P.O. Box 764
Rough and Ready, CA 95975
5302724250
Tax ID: 68-0348904

May 15, 2023

Mendocino LAFCo
200 South School St. Ste F
Ukiah, CA 95482

Invoice Number: 1257
Invoice Period: 04-16-2023 - 05-15-2023

Payment due by the 15th of next month.

RE: Mendocino LAFCo - General
Mendocino LAFCo - General

Mendocino LAFCo - General

Time Details

Date	Staff Member	Description	Hours	
04-16-2023	PSB	Monthly flat rate, as agreed upon in Legal Representation Agreement		
04-18-2023	MB	Respond to questions re: School District Trustee Zones; Message to Executive Officer	0.40	
04-26-2023	PSB	Staff Workshop (Time split between all LAFCo clients)	1.20	
04-27-2023	PSB	Staff Workshop; Present on LAFCo 101 (Time split between all LAFCo clients)	1.20	
04-28-2023	MB	Telephone conference with Executive Officer re: Agenda	0.20	
05-10-2023	MB	Respond to questions re: closed session	0.20	
			Total	900.00

Total for this Invoice 900.00
Total Amount to Pay 900.00

Project Statement of Account

As of 05-15-2023

Project		Balance Due
Mendocino LAFCo - General		900.00
	Total Amount to Pay	900.00

Mendocino LAFCo - General

Transactions

Date	Transaction	Applied	Invoice	Amount
04-15-2023	Previous Balance			900.00
05-12-2023	Payment Received - Reference ck# 1861			(900.00)
05-12-2023	Payment Applied	900.00	1248	
05-15-2023	Invoice 1257			900.00
			Balance	900.00

**COUNTY OF MENDOCINO
SERVICE LEVEL AGREEMENT**

This Agreement is by and between the MENDOCINO COUNTY EXECUTIVE OFFICE, INFORMATION TECHNOLOGY, hereinafter referred to as the "COUNTY IT", and MENDOCINO LOCAL AGENCY FORMATION COMMISSION (LAFCO), hereinafter referred to as the "CUSTOMER".

WITNESSETH

WHEREAS, CUSTOMER desires to obtain COUNTY IT for its professional assistance and support with regard to the technical support activities of the Mendocino County Executive Office, Information Technology; and,

WHEREAS, COUNTY IT is willing to provide such services on the terms and conditions set forth in this AGREEMENT and is willing to provide same to CUSTOMER.

NOW, THEREFORE it is agreed that CUSTOMER does hereby retain COUNTY IT to provide the services described in Exhibit "A", and COUNTY IT accepts such engagement, on the General Terms and Conditions hereinafter specified in this Agreement, the Additional Provisions attached hereto, and the following described exhibits, all of which are incorporated into this Agreement by this reference:

- Exhibit A Definition of Services
- Exhibit B Payment Terms

The term of this Agreement shall be from July 1, 2023, and shall continue through June 30, 2024.

IN WITNESS WHEREOF

DEPARTMENT FISCAL REVIEW:

DEPARTMENT HEAD _____ DATE _____

Budgeted: Yes No

Budget Unit: 1960 _____

Line Item: 826392 _____

Grant: Yes No

Grant No.: N/A _____

CONTRACTOR/COMPANY NAME

By: _____

Date: _____

NAME AND ADDRESS OF CONTRACTOR:

Mendocino LAFCO _____

200 S. School Street _____

Ukiah, CA 95482 _____

INSURANCE REVIEW:

By: _____
Risk Management

Date: _____

By signing above, signatory warrants and represents that he/she executed this Agreement in his/her authorized capacity and that by his/her signature on this Agreement, he/she, or the entity upon behalf of which he/she acted, executed this Agreement

EXECUTIVE OFFICE/FISCAL REVIEW:

By: _____
Deputy CEO or Designee

Date: _____

COUNTY COUNSEL REVIEW:

APPROVED AS TO FORM:

CHRISTIAN M. CURTIS,
County Counsel

By: _____
Deputy

Date: _____

Signatory Authority: \$0-25,000 Department; \$25,001- 50,000 Purchasing Agent; \$50,001+ Board of Supervisors
Exception to Bid Process Required/Completed _____
Mendocino County Business License: Valid
Exempt Pursuant to MCC Section: _____

GENERAL TERMS AND CONDITIONS

1. **INDEPENDENT CONTRACTOR:** No relationship of employer and employee is created by this Agreement; it being understood and agreed that COUNTY IT is an Independent Contractor. COUNTY IT is not the agent or employee of the CUSTOMER in any capacity whatsoever and CUSTOMER shall not be liable for any acts or omissions by COUNTY IT nor for any obligations or liabilities incurred by COUNTY IT.
2. **INDEMNIFICATION:** To the furthest extent permitted by law (including without limitation California Civil Code sections 2782 and 2782.8, if applicable), CUSTOMER shall assume the defense of, indemnify, and hold harmless the COUNTY IT, its officers, agents, and employees, from and against any and all claims, demands, damages, costs, liabilities, and losses whatsoever alleged to be occurring or resulting in connection with the performance or obligations under this AGREEMENT, unless arising out of the sole negligence or willful misconduct of COUNTY IT.
3. **WORKERS' COMPENSATION:** Each party shall be responsible for providing its own Worker's Compensation insurance.
4. **CONFORMITY WITH LAW AND SAFETY:**
 - a. In performing services under this Agreement, COUNTY IT shall observe and comply with all applicable laws, ordinances, codes, and regulations of governmental agencies, including federal, state, municipal, and local governing bodies, having jurisdiction over the scope of services, including all applicable provisions of the California Occupational Safety and Health Act. COUNTY IT shall indemnify and hold CUSTOMER harmless from any and all liability, fines, penalties, and consequences from any of COUNTY IT's failures to comply with such laws, ordinances, codes, and regulations.
 - b. **Accidents:** If a death, serious personal injury, or substantial property damage occurs in connection with performance of this Agreement while at or in transit to CUSTOMER's location, COUNTY IT shall immediately notify CUSTOMER's Risk Manager's Office by telephone. COUNTY IT shall promptly submit to CUSTOMER a written report, in such form as may be required by CUSTOMER of all accidents which occur in connection with this Agreement. This report must include the following information: (1) name and address of the injured or deceased person(s); (2) name and address of involved sub-contractor, if any; (3) name and address of COUNTY IT's liability insurance carrier; and (4) a detailed description of the accident and whether any of CUSTOMER's equipment, tools, material, or staff were involved.
 - c. COUNTY IT further agrees to take all reasonable steps to preserve all physical evidence and information which may be relevant to the circumstances surrounding a potential claim, while maintaining public safety,

and to grant to the CUSTOMER the opportunity to review and inspect such evidence, including the scene of the accident.

5. PAYMENT: For services performed in accordance with this Agreement, payment shall be made to COUNTY IT as provided in Exhibit "B" hereto as funding permits.

If CUSTOMER overpays COUNTY IT for any reason, COUNTY IT agrees to return the amount of such overpayment to CUSTOMER, or at CUSTOMER's option, permit CUSTOMER to offset the amount of such overpayment against future payments owed to COUNTY IT under this Agreement or any other agreement.

6. TAXES: Payment of all applicable federal, state, and local taxes shall be the sole responsibility of CUSTOMER.

7. THIRD PARTY LICENSES: If contemplated in Exhibit A of this agreement, COUNTY IT may provide copies, licenses, sublicenses, or other right to computer software at the rate for reimbursement so provided. Such software is subject to all Terms, conditions, and other restrictions under which it may be licensed by its author, vendor, or other licensor. CUSTOMER agrees to adhere to and be bound by such licensing terms. COUNTY IT is not the manufacturer of any such software, and provides no warranties or representations, including but not limited to any warranty as to fitness for any particular purpose.

8. NOTICES: All notices, requests, demands, or other communications under this Agreement shall be in writing. Notices shall be given for all purposes as follows:

Personal delivery: When personally delivered to the recipient, notices are effective on delivery.

First Class Mail: When mailed first class to the last address of the recipient known to the party giving notice, notice is effective three (3) mail delivery days after deposit in a United States Postal Service office or mailbox. Certified Mail: When mailed certified mail, return receipt requested, notice is effective on receipt, if delivery is confirmed by a return receipt.

Overnight Delivery: When delivered by overnight delivery (Federal Express/Airborne/United Parcel Service/DHL WorldWide Express) with charges prepaid or charged to the sender's account, notice is effective on delivery, if delivery is confirmed by the delivery service.

Facsimile transmission: When sent by facsimile to the facsimile number of the recipient known to the party giving notice, notice is effective on receipt, provided that, (a) a duplicate copy of the notice is promptly given by first-class or certified mail or by overnight delivery, or (b) the receiving party delivers a written confirmation of receipt. Any notice given facsimile shall be deemed received on the next business day if it is received after 5:00 p.m. (recipient's time) or on a non-business day.

Addresses for purpose of giving notice are as follows:

To COUNTY IT: MENDOCINO COUNTY EXECUTIVE OFFICE
INFORMATION TECHNOLOGY DIVISION
501 Low Gap Road, Room 1440
Ukiah, CA 95482
Attn: Administration

To CUSTOMER: MENDOCINO LAFCO
200 S. School Street
Ukiah, CA 95482
ATTN: Administration

Any correctly addressed notice that is refused, unclaimed, or undeliverable because of an act or omission of the party to be notified shall be deemed effective as of the first date that said notice was refused, unclaimed, or deemed undeliverable by the postal authorities, messenger, or overnight delivery service.

Any party may change its address or facsimile number by giving the other party notice of the change in any manner permitted by this Agreement.

9. USE OF CUSTOMER PROPERTY: COUNTY IT shall not use CUSTOMER property (including equipment, instruments, and supplies) or personnel for any purpose other than in the performance of his/her obligations under this Agreement.
10. AUDITS; ACCESS TO RECORDS: Each party shall make available to the other, its authorized agents, officers, or employees, for examination any and all ledgers, books of accounts, invoices, vouchers, cancelled checks, and other records or documents evidencing or relating to the expenditures and disbursements charged in connection with this agreement.

Each party shall maintain full and adequate records to show the actual costs incurred by in the performance of this Agreement. Each party further reserves the right to examine and reexamine said books, records and data during the four (4) year period following termination of this Agreement or completion of all work hereunder, as evidenced in writing, and each party shall in no event dispose of, destroy, alter, or mutilate said books, records, accounts, and data in any manner whatsoever for four (4) years after the CUSTOMER makes the final or last payment or within four (4) years after any pending issues between the CUSTOMER and COUNTY IT with respect to this Agreement are closed, whichever is later.

11. TIME OF ESSENCE: Time is of the essence in respect to all provisions of this Agreement that specify a time for performance; provided, however, that the foregoing shall not be construed to limit or deprive a party of the benefits of any grace or use period allowed in this Agreement.

12. **TERMINATION:** The COUNTY IT has and reserves the right to suspend, terminate or abandon the execution of any work by without cause at any time upon giving to CUSTOMER notice. Such notice shall be in writing and may be issued by any county officer authorized to execute or amend the contract, the County Chief Executive Officer, or any other person designated by the County Board of Supervisors. In the event of termination, the COUNTY IT shall be entitled to payment for services provided hereunder prior to the effective date of said suspension, termination, or abandonment. Said payment shall be computed in accordance with Exhibit B hereto, provided that the maximum amount payable to COUNTY IT for its professional assistance and support with regard to the technical support activities of the Mendocino County Executive Office, Information Technology shall not exceed payment for services provided hereunder prior to the effective date of said suspension, termination or abandonment or lack of funding.
13. **NON APPROPRIATION:** If CUSTOMER should not appropriate or otherwise make available funds sufficient to purchase, lease, operate or maintain the products set forth in this Agreement, or other means of performing the same functions of such products, CUSTOMER may unilaterally terminate this Agreement only upon ninety (90) days written notice to COUNTY IT. Upon termination, CUSTOMER shall remit payment for all products and services delivered to CUSTOMER and all expenses incurred by COUNTY IT prior to COUNTY IT'S receipt of the termination notice.
14. **CHOICE OF LAW:** This Agreement, and any dispute arising from the relationship between the parties to this Agreement, shall be governed by the laws of the State of California, excluding any laws that direct the application of another jurisdiction's laws.
15. **VENUE:** All lawsuits relating to this contract must be filed in Mendocino County Superior Court, Mendocino County, California.
16. **WAIVER:** No waiver of a breach, failure of any condition, or any right or remedy contained in or granted by the provisions of this Agreement shall be effective unless it is in writing and signed by the party waiving the breach, failure, right or remedy. No waiver of any breach, failure, right or remedy shall be deemed a waiver of any other breach, failure, right or remedy, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies.
17. **ENTIRE AGREEMENT:** This Agreement, including all attachments, exhibits, and any other documents specifically incorporated into this Agreement, shall constitute the entire agreement between CUSTOMER and COUNTY IT relating to the subject matter of this Agreement. As used herein, Agreement refers to and includes any documents incorporated herein by reference and any exhibits or attachments. This Agreement supersedes and merges all previous understandings, and all other agreements, written or oral, between the parties and sets forth the entire understanding of the parties regarding the subject matter thereof. This Agreement may not be modified except by a written document signed by both parties. In the event of a conflict between the body of this Agreement and any of the Exhibits, the provisions in the body of this Agreement shall control.

18. HEADINGS: Herein are for convenience of reference only and shall in no way affect interpretation of this Agreement.
19. MODIFICATION OF AGREEMENT: This Agreement may be supplemented, amended, or modified only by the mutual agreement of the parties. No supplement, amendment or modification of this Agreement shall be binding unless it is in writing and signed by authorized representatives of both parties.
20. ASSURANCE OF PERFORMANCE: If at any time the CUSTOMER has good objective cause to believe COUNTY IT may not be adequately performing its obligations under this Agreement or that COUNTY IT may fail to complete the Services as required by this Agreement, CUSTOMER may request from COUNTY IT prompt written assurances of performance and a written plan acceptable to CUSTOMER, to correct the observed deficiencies in COUNTY IT's performance. COUNTY IT shall provide such written assurances and written plan within thirty (30) calendar days of its receipt of CUSTOMER's request and shall thereafter diligently commence and fully perform such written plan. COUNTY IT acknowledges and agrees that any failure to provide such written assurances and written plan within the required time is a material breach under this Agreement.
21. SUBCONTRACTING/ASSIGNMENT: COUNTY IT shall not subcontract, assign, or delegate any portion of this Agreement or any duties or obligations hereunder without the CUSTOMER's prior written approval.
 - a. Neither party shall, on the basis of this Agreement, contract on behalf of or in the name of the other party. Any agreement that violates this Section shall confer no rights on any party and shall be null and void.
 - b. Only the department head or his or her designee shall have the authority to approve subcontractor(s).
22. SURVIVAL: The obligations of this Agreement, which by their nature would continue beyond the termination on expiration of the Agreement, including without limitation, the obligations regarding Indemnification (Paragraph 2), shall survive termination or expiration for two (2) years.
23. SEVERABILITY: If a court of competent jurisdiction holds any provision of this Agreement to be illegal, unenforceable, or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions, or portions of them, will not be affected, unless an essential purpose of this Agreement would be defeated by the loss of the illegal, unenforceable, or invalid provision.
24. INTELLECTUAL PROPERTY WARRANTY: During the course of this AGREEMENT, COUNTY IT may access CUSTOMER's computers or other electronic devices for the purposes of providing the services contemplated in Exhibit A or any amendment or addendum thereto. CUSTOMER represents and warrants that it has obtained all appropriate licenses for any software or other intellectual

property on such devices. Said licenses shall be sufficient for both CUSTOMER's ordinary operation of the devices and all maintenance or other services COUNTY IT performs pursuant to this agreement. In the event COUNTY IT is subject to any claim, lawsuit, or demand by a third party related to such software or other intellectual property, CUSTOMER shall indemnify and defend COUNTY IT pursuant to Paragraph 2 of this Agreement.

25. ELECTRONIC COPIES: The parties agree that an electronic copy, including facsimile copy, email, or scanned copy of the executed Agreement, shall be deemed, and shall have the same legal force and effect as, an original document.
26. COOPERATION: COUNTY IT and CUSTOMER shall cooperate in the performance of all work hereunder.

[END OF GENERAL TERMS AND CONDITIONS]

EXHIBIT A

DEFINITION OF SERVICES

A. **Inclusions – COUNTY IT will provide:**

1. Primary IT Contact information for Support
 - Administration Phone: (707) 234-6348
 - Service Desk Phone: (707) 234-6000
 - Email: InformationTechnology@mendocinocounty.org
2. Geographical Information Services (GIS) and Mapping as it pertains to geographical analysis & design and creation of mapping products
3. Audio visual administration and support including recording meetings, copying meetings, uploading, and encoding.
 - a. A minimum of one (1) week notice shall be given for audio visual administration requests for scheduling purposes.
 - b. Requests for audio visual support shall at a minimum be sent to the following email. CC to additional IT staff is acceptable for further awareness. InformationTechnology@mendocinocounty.org
4. Documentation will be maintained for all services provided.

B. **Exclusions – COUNTY IT will NOT provide:**

1. Support for unlicensed or unregistered products outside this agreement, unless otherwise specified
2. Support for products operating in environments that do not meet the recommended minimum configuration standards. Special exceptions and support arrangements may be negotiated for products that are not within the control of the CUSTOMER. Such products will be specified in item 1 of Inclusions.
 - a. Approved exceptions after agreement execution will be documented writing
3. Support for products and services that violate established policies and procedures.
4. Funding for CUSTOMER equipment and/or software outside of this agreement.
5. Support for personally owned equipment or services.

[END OF DEFINITION OF SERVICES]

EXHIBIT B

PAYMENT TERMS

Within 30 days following each month, COUNTY IT shall submit to CUSTOMER an invoice detailing the COUNTY IT hours spent performing technical support as specified in this Agreement for which reimbursement is sought. Based on the expenses identified in the invoice, CUSTOMER shall remit payment within thirty (30) days, following acceptance of cost report/invoice.

COUNTY IT and CUSTOMER will exercise due diligence in resolving any questions that may arise in regards to services and/or billings. CUSTOMER shall not be charged for operational mistakes and errors unless the errors clearly originated in CUSTOMER.

COUNTY IT will receive payment according to the Technical Services and Support rates listed below.

MENDOCINO COUNTY INFORMATION TECHNOLOGY TECHNICAL SERVICES AND SUPPORT STANDARD RATES		
SUPPORT COSTS*	RATE	UNIT OF COST
ADMINISTRATIVE ASSISTANT	\$49.64 – \$60.33	PER HOUR
APPLICATIONS DEVEL/ANALYST	\$80.13 – \$112.68	PER HOUR
BUSINESS SYSTEMS ANALYST	\$84.14 – \$117.62	PER HOUR
COMMUNICATIONS COORDINATOR	\$92.69 – \$112.68	PER HOUR
COMMUNICATIONS TECHNICIAN	\$72.66 – \$88.33	PER HOUR
GIS COORDINATOR	\$88.40 – \$107.44	PER HOUR
GIS TECHNICIAN	\$72.66 – \$88.33	PER HOUR
IS SPECIALIST	\$71.33 – \$86.70	PER HOUR
IS TECHNICIAN	\$58.68 – \$86.70	PER HOUR
NETWORK SYSTEMS ANALYST	\$83.37 – \$117.20	PER HOUR
TRAVEL COSTS	RATE	UNIT OF COST
MILEAGE	\$0.625	PER MILE

1. Weighted average salary rate is per hour based on the above referenced class specifications. Weighted rates may be modified during the term of this agreement as necessary.
 - a. Weighted average salary rates include 5% management administration overhead.

2. Requests for services outside of regular business hours, as identified in Exhibit A, will be billed at the following rates:
 - a. Service charges will equal 1.5 times the weighted average salary rate
 - b. For responding staff not on-call, the minimum call out will equal three (3) hours.

3. Mileage rate is based on the Internal Revenue Service standard mileage rates and mileage calculations are based on travel from 501 Low Gap, Ukiah and returning to same address.

[END OF PAYMENT TERMS]

DRAFT

MENDOCINO Local Agency Formation Commission Staff Report

DATE: June 5, 2023
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: **Proposed Amendment to FY 2022-23 Budget to Shift Funds Between Budget Accounts**

RECOMMENDATION

Adopt Resolution No. 2022-23-13 authorizing a budget amendment to shift \$3,100 in unutilized budget from Budget Account 6750 to increase Account 6400 to \$3,200 and Account 6670 to \$4,000 to meet invoiced and projected expenditures, and with no change to the adopted budget operating expenses total of \$263,800.

BACKGROUND

In June 2022, the Commission adopted a budget of \$263,800 (Attachment 1). The Commission may make adjustments to its budget at any time during the fiscal year as it deems necessary. If needed, in the processing of claims, the Executive Officer may approve expenditures exceeding individual account budgets up to 5 percent of a budget line, not to exceed \$3,000. Any budget exceedances will be reported to the Commission at the following regular meeting. (Mendocino LAFCo Policy 5.1.6)

The following table (Table 1) summarizes the adopted budget for the three accounts included in the amendment request, current expenditure totals, including May claims, and the proposed budget account amendments.

Table 1. Proposed Amendments to Specific FY 2022-23 Budget Accounts				
Budget Account	Adopted Budget (\$)	Expenditures to Date (\$)	Account Budget Expended (%)	Proposed Budget Amendment (\$)
6400 A-87 Costs	2,100	3,152	150	3,200
6670 GIS Services	2,000	2,423	121	4,000
6750 Travel & Lodging	6,000	1,269	21	2,900

Including claims through the month of May, 150% of the Account 6400 (A-87 Costs) budget and 121% of Account 6670 (GIS Services Contract) budget have been expended. Additionally, LAFCo is anticipating a bill for GIS services provided since January for the June claims.

Account 6400: A-87 Costs

Mendocino LAFCo contracts with the County of Mendocino for Information Services support to provide Commission meeting recording and live streaming and for GIS services. Additionally, the County Auditor’s Office annually invoices and collects apportionment fees on behalf of LAFCo. Invoices for A-87 costs are based on actual costs of the year prior to the last (i.e., Fiscal Year 2020-21).

A-87 Costs consist of two categories: general operations (indirect costs) and programming (direct costs). General operations capture the County's indirect costs of maintaining systems, cyber-security, and keeping programs current, and are allocated to all users of County services on the basis of transaction counts. Programming represents direct cost allocations, which consist of staff time related to specific work and support services.

The actual A-87 costs due this fiscal year are 50% over the adopted budget for the line item.

Account 6670: GIS Services

LAFCo maintains a contract with Mendocino County Information Services for GIS support, primarily for sphere of influence mapping and map preparation and analysis for studies. Approximately 121% of the Account budget has been expended as of the last billing, which included staff time through December 2022. Billing for GIS staff time since January is anticipated for the June claims.

Account 6750 Travel & Lodging

Expenditures for Account 6750 consist of out-of-county travel expenses that are typically associated with Commission and staff attendance of conferences and training. Participation in these opportunities was minimal this fiscal year with one Commissioner attending the CALAFCO annual conference and one staff person attending the CALAFCO Staff Workshop. Nearly 80% of the budget remains with no additional expenses anticipated through the end of the fiscal year.

The proposed Budget Amendment proposes to shift \$3,100 in unutilized budget from Budget Account 6750 to increase Account 6400 to \$3,200 and Account 6670 to \$4,000 to meet invoiced and projected service needs, and with no change to the current budget operating expenses total of \$263,800 (Attachment 1).

Attachments

- (1) Proposed Amended Fiscal Year 2022-23 Budget
- (2) Resolution No. 2022-23-13 Proposed FY 2022-23 Budget Amendment

Attachment 1

Mendocino Local Agency Formation Commission Amended Budget for FY 2022-2023

June 5, 2023

DRAFT

ACCOUNT #	DESCRIPTION	FY 2022-23 Adopted	FY 2022-23 Amendment
REVENUE			
	<i>Anticipated Cash Balance</i>		
4000	LAFCo Apportionment Fees	\$ 265,000	\$ 265,000
4100	Service Fee Overhead		
4800	Miscellaneous		
4910	Interest Income	\$ 100	\$ 100
	Revenue Subtotal	\$ 265,100	\$ 265,100
EXPENSES			
5300	Basic Services (<i>EO, Analyst, Clerk</i>)	\$ 125,100	\$ 125,100
5500	Rent	\$ 6,500	\$ 6,500
5600	Office Expenses	\$ 3,300	\$ 3,300
5700	Internet & Website Costs	\$ 2,500	\$ 2,500
5900	Publication and Legal Notices	\$ 2,000	\$ 2,000
6000	Televising Meetings	\$ 2,000	\$ 2,000
6100	Audit Services	\$ 3,800	\$ 3,800
6200	Bookkeeping	\$ 4,500	\$ 4,500
6300	Legal Counsel	\$ 19,000	\$ 19,000
6400	A-87 Costs County Services	\$ 2,100	\$ 3,200
6500	Insurance-General Liability	\$ 3,200	\$ 3,200
6600	Memberships (<i>CALAFCO/CSDA</i>)	\$ 3,700	\$ 3,700
6670	GIS Contract with County	\$ 2,000	\$ 4,000
6740	In-County Travel & Stipends	\$ 4,000	\$ 4,000
6750	Travel & Lodging Expense	\$ 6,000	\$ 2,900
6800	Conferences (<i>Registrations</i>)	\$ 4,100	\$ 4,100
7000	Work Plan (<i>MSRs and SOIs</i>)	\$ 70,000	\$ 70,000
	Operating Expense Total	\$ 263,800	\$ 263,800
	REVENUE/EXPENSE DIFFERENCE <i>(Negative balance indicates use of fund balance and/or reserves)</i>	\$ 1,300	
RESERVES / CONTINGENCIES			
	Legal Reserves	\$ 50,000	
	Operations Reserves @ 25% Annual Operating Budget	\$ 65,950	
	Total Reserves	\$ 115,950	
	<i>Anticipated Cash Balance</i>	\$ 30,815	
	Proposed Work Plan Contingency	\$ 30,815	

Resolution No. 2022-23-13
of the Local Agency Formation Commission of Mendocino County

Approving the
Amendment to the Fiscal Year 2022-23 Budget

WHEREAS, in accordance with the Cortese Knox Hertzberg Local Government Act of 2000, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, annually adopts a budget pursuant to Government Code Section 56381(a) to fulfill its purposes and functions that are set by State law; and

WHEREAS, the Commission adopted a Fiscal Year 2022-23 Budget with expenditures totaling \$263,800 at its June 6, 2022 meeting; and

WHEREAS, the Commission may make adjustments to its budget at any time during the fiscal year as it deems necessary;

WHEREAS, the Executive Officer may approve expenditures in exceedance of individual budget accounts up to 5 percent of a budget line, not to exceed \$3,000, in accordance with Commission Policy 5.1.6; and

WHEREAS, the actual and projected expenditures for County of Mendocino A-87 Services (Account 6400) and GIS Services (Account 6670) exceed the thresholds defined in Commission Policy 5.1.6; and

WHEREAS, the Commission considered a proposed Fiscal Year 2022-23 Budget Amendment to shift \$3,100 in unutilized funds from Account 6750 Travel & Lodging Expenses to increase Account 6400 A-87 Costs County Services to \$3,200 to cover invoiced expenses and Account 6670 GIS Contract with County to \$4,000 to meet projected expenses through the end of the fiscal year, with no change to the adopted budget of \$263,800 for operating expenses; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposed Fiscal Year 2022-23 Budget Amendment on June 5, 2023.

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

1. The Commission approves a Fiscal Year 2022-23 Budget Amendment shifting a total of \$3,100 in unutilized funds from Account 6750 to Accounts 6400 and 6670, as shown in Exhibit A.

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 5th day of June 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

MAUREEN MULHEREN, Commission Chair

ATTEST:

UMA HINMAN, Executive Officer

DRAFT

Exhibit A

Mendocino Local Agency Formation Commission Amended Budget for FY 2022-2023

June 5, 2023

DRAFT

ACCOUNT #	DESCRIPTION	FY 2022-23 Adopted	FY 2022-23 Amendment
REVENUE			
	<i>Anticipated Cash Balance</i>		
4000	LAFCo Apportionment Fees	\$ 265,000	\$ 265,000
4100	Service Fee Overhead		
4800	Miscellaneous		
4910	Interest Income	\$ 100	\$ 100
	Revenue Subtotal	\$ 265,100	\$ 265,100
EXPENSES			
5300	Basic Services (<i>EO, Analyst, Clerk</i>)	\$ 125,100	\$ 125,100
5500	Rent	\$ 6,500	\$ 6,500
5600	Office Expenses	\$ 3,300	\$ 3,300
5700	Internet & Website Costs	\$ 2,500	\$ 2,500
5900	Publication and Legal Notices	\$ 2,000	\$ 2,000
6000	Televising Meetings	\$ 2,000	\$ 2,000
6100	Audit Services	\$ 3,800	\$ 3,800
6200	Bookkeeping	\$ 4,500	\$ 4,500
6300	Legal Counsel	\$ 19,000	\$ 19,000
6400	A-87 Costs County Services	\$ 2,100	\$ 3,200
6500	Insurance-General Liability	\$ 3,200	\$ 3,200
6600	Memberships (<i>CALAFCO/CSDA</i>)	\$ 3,700	\$ 3,700
6670	GIS Contract with County	\$ 2,000	\$ 4,000
6740	In-County Travel & Stipends	\$ 4,000	\$ 4,000
6750	Travel & Lodging Expense	\$ 6,000	\$ 2,900
6800	Conferences (<i>Registrations</i>)	\$ 4,100	\$ 4,100
7000	Work Plan (<i>MSRs and SOIs</i>)	\$ 70,000	\$ 70,000
	Operating Expense Total	\$ 263,800	\$ 263,800
	REVENUE/EXPENSE DIFFERENCE <i>(Negative balance indicates use of fund balance and/or reserves)</i>	\$ 1,300	
RESERVES / CONTINGENCIES			
	Legal Reserves	\$ 50,000	
	Operations Reserves @ 25% Annual Operating Budget	\$ 65,950	
	Total Reserves	\$ 115,950	
	<i>Anticipated Cash Balance</i>	\$ 30,815	
	Proposed Work Plan Contingency	\$ 30,815	

MENDOCINO

Local Agency Formation Commission

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

COMMISSIONERS

Maureen Mulheren, Chair
County Member

Gerald Ward,
Vice Chair/Treasurer
Public Member

Katharine Cole
Special District Member

Gerardo Gonzalez
City Member

Candace Horsley
Special District Member

Glenn McGourty
County Member

Mari Rodin
City Member

Francois Christen, Alternate
Special District Member

Douglas Crane, Alternate
City Member

John Haschak, Alternate
County Member

Richard Weinkle, Alternate
Public Member

STAFF

Executive Officer
Uma Hinman

Clerk/Analyst
Larkyn Feiler

Counsel
Scott Browne

REGULAR MEETINGS

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

June 5, 2023

Honorable Anna Caballero, Chair
Senate Government and Finance Committee
1021 O St., Ste. 7620
Sacramento, CA 95814

**RE: SUPPORT of AB 1753, Local Government: Reorganization Omnibus Bill
Set for Hearing 6/7/2023 – Senate Governance and Finance Committee**

Dear Senator Caballero:

The Mendocino Local Agency Formation Commission (LAFCo) is pleased to support the Assembly Local Government Committee Bill AB 1753, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

This annual bill includes technical changes to the Act which governs the work of LAFCos. These changes are necessary as Commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. AB 1753 currently makes minor technical corrections to language used in the Act. By making these minor technical corrections, AB 1753 will increase the clarity of the Act for all stakeholders.

AB 1753 helps ensure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state and Mendocino LAFCo respectfully requests your support.

Please do not hesitate to reach out with questions or concerns about our position.

Yours sincerely,

Maureen Mulheren
Commission Chair

cc: Members and Consultants, Senate Governance and Finance Committee
The Honorable Cecilia Aguiar-Curry, California State Assembly Caucus
René LaRoche, Executive Director, CALAFCO

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: June 5, 2023
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: **Public Hearing** for the Final Budget and Work Program for FY 2023-24

RECOMMENDATION

- 1) Adopt Resolution 2022-23-12 with Exhibits A and B, approving the Final Budget and Work Program for Fiscal Year 2023-2024, which reflect the priorities for the coming fiscal year; and
- 2) Direct the Executive Officer to transmit the Final Budget and Work Program for FY 2023-2024 to the funding agencies, the County Auditor-Controller, and others as specified in GC §56381.

BACKGROUND

The Proposed Budget and Work Program for Fiscal Year (FY) 2023-24 were unanimously adopted by the Commission at its May 1, 2023 regular meeting. Pursuant to Government Code (GC) §56381, the Proposed Budget and Work Program were distributed to each of the funding agencies for review and comment. No changes are recommended in the proposed Final Budget and Work Program.

The proposed Final FY 2023-24 Budget meets expected expenditures, is funded by the projected revenues and includes a small amount for increasing reserves to minimums (Table 1). The recommended Final Budget totals \$320,000 in expenditures, which represents an overall increase of approximately 21 percent from the FY 2022-23 budget and takes into account the current inflationary trends. See Attachment 1.

Table 1. Summary of Proposed Final FY 2023-24 Budget		
	FY 2022-23 Adopted (\$)	FY 2023-24 Proposed Final (\$)
EXPENDITURES		
Basic Services (Staffing)	125,100	133,000
Services and Supplies	68,700	87,000
Work Plan	70,000	100,000
Expenditures Total	263,800	320,000
Reserves – increase/(decrease)	1,300	14,025
Work Plan Contingency - increase/(decrease)	30,810	6,975
Appropriations Total	295,910	341,000
REVENUES		
<i>Anticipated Cash Balance</i>	<i>30,810</i>	<i>56,000</i>
Apportionments	265,000	275,000
Fees/Reimbursements/Interest	100	10,000
Revenues Total	295,910	341,000
Net Financial Impact	0	0

Section 56381(c) of CKH provides, “If, at the end of the fiscal year, the commission has funds in excess of what it needs, the commission may retain those funds and calculate them into the following fiscal year’s budget.” It is anticipated that there will remain a cash balance of approximately \$56,000 at the end of the current fiscal year to appropriate for the FY 2023-24 budget, which will minimize the increase in apportionments (Table 1). The recommended apportionment of \$275,000, funded equally on a one-third basis by the County, cities and special districts, is an increase of 3.7% over the last two fiscal years.

A detailed description and discussion of the revenues, expenditures, reserves and work program recommended for next fiscal year are provided in the [May 1, 2023 Proposed Fiscal Year 2023-24 Budget and Work Program Staff Report](#). Additionally, a description of budget accounts has been provided as Attachment 2.

Agency/Public Comments

On May 4, 2023, the [Mendocino LAFCo FY 2023-24 Proposed Budget](#) was distributed to the County of Mendocino and each city and independent special district for review and comment. In addition, a notice of public hearing of the final budget was published in the Ukiah Daily Journal, Willits News, Fort Bragg Advocate-News, and the Mendocino Beacon on May 13 and 11, respectively (Attachment 4).

No public comments were received by staff as of May 31, 2023.

Attachments: (1) Proposed Final FY 2023-24 Budget and Work Program
(2) FY 2023-24 Budget Categories
(3) Proof of Publication
(4) Draft Resolution No. 2022-23-12
(5) PowerPoint Presentation

Attachment 1

Mendocino Local Agency Formation Commission Proposed Final Budget for FY 2023-2024

June 5, 2023

ACCOUNT #	DESCRIPTION	FY 2022-23		FY 2023-24
		Adopted	Projected	Proposed
REVENUE				
4000	LAFCo Apportionment Fees	\$ 265,000	\$ 265,000	\$ 275,000
4100	Fees and Reimbursements (Includes Service Fee OH)	\$ -	\$ 9,000	\$ 9,500
4800	Miscellaneous			
4910	Interest Income	\$ 100	\$ 100	\$ 500
	REVENUE TOTAL	\$ 265,100	\$ 274,100	\$ 285,000
	<i>Anticipated Cash Balance</i>			\$ 56,000
	TOTAL			\$ 341,000
EXPENSES				
5300	Basic Services (EO, Analyst, Clerk)	\$ 125,100	\$ 125,100	\$ 133,000
5500	Rent	\$ 6,500	\$ 6,500	\$ 7,000
5600	Office Expenses	\$ 3,300	\$ 3,300	\$ 4,500
5700	Internet & Website Costs	\$ 2,500	\$ 2,000	\$ 3,000
5900	Publication and Legal Notices	\$ 2,000	\$ 1,500	\$ 3,000
6000	Televising Meetings	\$ 2,000	\$ 2,000	\$ 2,400
6100	Audit Services	\$ 3,800	\$ 3,750	\$ 4,000
6200	Bookkeeping	\$ 4,500	\$ 4,500	\$ 5,500
6300	Legal Counsel	\$ 19,000	\$ 15,000	\$ 30,000
6400	A-87 Costs County Services	\$ 2,100	\$ 2,100	\$ 2,500
6500	Insurance-General Liability	\$ 3,200	\$ 2,800	\$ 3,000
6600	Memberships (CALAFCO/CSDA)	\$ 3,700	\$ 3,580	\$ 4,000
6670	GIS Contract with County	\$ 2,000	\$ 3,000	\$ 3,000
6740	In-County Travel & Stipends	\$ 4,000	\$ 1,200	\$ 4,000
6750	Travel & Lodging Expense	\$ 6,000	\$ 2,500	\$ 6,500
6800	Conferences (Registrations)	\$ 4,100	\$ 1,800	\$ 4,500
7000	Work Plan (MSRs and SOIs)	\$ 70,000	\$ 35,000	\$ 100,000
9000	Misc Exp (Special District Training Support, bank charges)	\$ 60	\$ 100	\$ 100
	OPERATING EXPENSE TOTAL	\$ 263,800	\$ 215,630	\$ 320,000
	Increase to Operational Reserves per Policy			\$ 14,025
	Increase to Work Plan Contingency			\$ 6,975
				\$ 341,000
8000	Application Fees (Revenue)		\$ 19,000	\$ 37,500
8000	Applications (Expenses)		\$ 23,000	\$ 30,000
8600	Special Projects	\$ 9,200	\$ 2,525	\$ -
	REVENUE/EXPENSE DIFFERENCE	\$ 1,300	\$ 58,470	\$ -
	<i>(Negative balance indicates use of fund balance and/or reserves)</i>			
RESERVES / CONTINGENCIES				
	Legal Reserves	\$ 50,000		\$ 50,000
	Operations Reserves @ 25% Annual Operating Budget	\$ 65,950		\$ 80,000
	Total Reserves	\$ 115,950		\$ 130,000
	Work Plan Contingency	\$ 30,815		\$ 37,760

Proposed Final Work Program (Basic Services and Work Plan)

FY 2023-24

June 5, 2023

Tasks	Description & Assumptions	Estimated Budget
Basic Services		
Office Hours & Administrative Duties	Clerk duties not related to projects; office hours; public assistance; PRA requests; budget development, tracking, amendments; accounts payable, QuickBooks; annual audit; EO correspondence; response to requests for Agency Comments for projects and/or environmental documents routed to LAFCo for review, etc.; carrying out Commission direction.	\$ 70,000
Commission & Committee Meetings	Commission & Committee meeting attendance (12 Regular and 8 Committee); agenda packet development, staff reports, presentations, minutes.	\$ 34,000
Work Plan Support	Prepare and distribute Public Notices, development of staff reports specifically related to MSR/SOI studies, presentation at Commission meetings for Public Workshops and Public Hearings.	\$ 5,000
Consult Legal Counsel	Contract allows for a minimum of 4 hours per month.	Per Contract
Application Forms	Update application forms; map research and process clarification	\$ 8,000
Application Processing	Process change of organization or reorganization applications initiated by landowner petition or resolution of application from Cities and Special Districts to modify existing powers, annex and/or detach territory from agency boundaries, and create, dissolve, or consolidate/merge local agencies.	Paid by applicant
Policy Development	Prepare policy amendment and development as needed (overhaul)	\$ 15,000
Transparency Improvements to Website	Assess/implement website improvements (JPAs, maps, etc.)	\$ 1,000
Total		\$ 133,000
Work Plan		
MSR/SOI Update	Prepare and adopt combined Municipal Service Review and Sphere of Influence (MSR/SOI) Update studies pursuant to GOV \$56425 and \$56430, either in-house or by contract.	\$ 100,000
<p>The agencies listed below have priority for preparation of a LAFCo-initiated MSR/SOI Update in Fiscal Year 2023-24.</p> <p>The actual completion of a specific study may span multiple fiscal years. The budget allocation for each agency is based on estimated costs. Actual costs for study completion may be higher or lower than estimated below.</p> <p>Work Plan implementation is subject to change due to various factors, such as: (a) agency responsiveness and timely provision of requested information, (b) complexity of issues involved, (c) level of public and affected agency controversy, (d) changing needs and priorities, (e) overall staff workload, and (f) higher than anticipated costs.</p> <p>The Work Plan budget assumes minimal costs for CEQA compliance related to filing a Notice of Exemption (NOE). Agencies requesting a non-coterminous SOI may expedite a potential multi-fiscal year process by contributing to the cost of preparing an Initial Study and associated environmental document (ND/MND, EIR, etc.).</p>		
The total Work Plan Budget is not limited to the following designations. These budget allocations may shift to other agencies as needed during the year.	Coastal Water/Wastewater Districts (7 special districts, 10 mutual water companies) (initiated in FY 2022-23) Outsourced/Consultant Contract	\$ 100,000
Total		\$ 100,000

Attachment 2

Mendocino LAFCo Budget Accounts

Revenue

The following summarizes the revenue categories of the Mendocino LAFCo Budget:

4000 LAFCo Apportionment Fees

These funds are provided on an equal 1/3 basis per category of the County, cities and independent special districts. The apportionments for the individual cities and independent special districts are calculated by the County Auditor-Controller using the formula set forth in Government Code Section 56381.

4800 Miscellaneous Revenue

These funds are incurred by nonoperational income including but not limited to reimbursements.

4910 Interest Income

These funds are the interest earned from LAFCo's banking institutions and County investment portfolio. The funds deposited with the County, until transferred, are invested in accordance with Sections 53601 and 53635 of the California Government Code that specify the authorized investments that an investment pool can purchase.

Expenses

The following summarizes the expenditure categories of the Mendocino LAFCo Budget:

5300 Basic Services

This category includes costs incurred for Mendocino LAFCo's contract staff, which include an Executive Officer, Analyst and Clerk. The current contract for staffing is with Hinman & Associates Consulting, Inc.

5500 Rent

This category includes costs for leasing and maintenance of Mendocino LAFCo office space. Currently, the office space is located in the Ukiah Valley Conference Center under lease from the City of Ukiah. The rent includes an office space and access to the common workroom.

5600 Office Expenses

This category includes office equipment (laptop, printer, etc.), general office supplies, postage and miscellaneous office expenses required for the maintaining the functions of the office.

5700 Internet and Website Costs

This category includes costs for the usage, technical support, equipment purchasing, leasing and maintenance for the Mendocino LAFCo website, telephone and internet service. Mendocino LAFCo currently contracts with Streamline for website hosting, Comcast for internet service, and Hostinger for email accounts.

5900 Publication and Legal Notices

This category includes costs incurred for required legal notices and other communications for Commission-initiated and other projects (e.g., spheres of influence reviews and updates, municipal service reviews, and annual budget adoption) that are not reimbursable through application fees.

6000 Televising Meetings

This category includes costs associated with video recording and hosting services. Mendocino LAFCo contracts with the County of Mendocino to provide technical staff and equipment for the video recording of meetings and hosting on the County's YouTube channel.

6100 Audit Services

Mendocino LAFCo audited financial statements are prepared by an independent auditor.

6200 Bookkeeping

Bookkeeping includes staff time for maintaining LAFCo's Quickbooks program, processing claims, reconciling accounts with bank statements, and running financial reports.

6300 Legal Counsel

This category includes costs incurred for contract legal counsel services.

6400 A-87 Costs

This category includes costs incurred for billing, collection and disbursement services provided by the County of Mendocino. It also includes a portion of indirect costs associated with County maintenance of Information Services systems, programs and cyber-security that are billed to all departments and agencies using County services.

6500 Insurance

This category includes costs incurred for insurance coverage. Mendocino LAFCo purchases general liability insurance coverage from the Special Districts Risk Management Authority (SDRMA). General liability covers the general operation of the agency includes coverage for personal injury (including bodily injury and property damage), non-owned auto liability, public officials' errors and omissions and employment practices liability.

6600 Memberships

This category covers memberships fees to CALAFCO and California Special Districts Association (CSDA).

6670 Professional Services – GIS Services

This category includes Geographic Information Systems (GIS) services such as mapping and spatial analysis, which are contracted with the County of Mendocino.

6740 In-County Travel & Stipends

The category includes Commission stipends and in-County travel expenses such as mileage to attend regular Commission meetings. Mileage is reimbursed at the current IRS mileage rate.

6750 Travel & Lodging Expenses

This category includes costs incurred for travel and lodging expenses for commissioners and staff to attend the CALAFCO annual conference, staff workshop, board meetings and other educational activities.

6800 Conferences

This category consists of registration costs for commissioner and staff attendance to conferences and workshops.

7000 Work Plan

This category includes costs related to the preparation of state mandated studies and reports such as municipal service reviews, sphere of influence updates, and other studies directed by the commission.

8000 Applications

This category is reserved for costs related to application processing. Subcategories are assigned for each application for independent tracking purposes.

Reserves and Contingencies

The following summarizes the reserves and contingency categories of Mendocino LAFCo Budget:

Legal Reserves

Restricted funds used for costs related to agency litigation not covered by application fees and deposits.

Operations Reserves

Restricted funds used for unforeseen costs related to operations not covered by application fees and deposits.

Work Plan Contingency

Contingency funds for flexible implementation of the annual work plan, unforeseen increases in scope of work related to the work plan tasks, sphere of influence associated CEQA analyses, etc.

Fort Bragg Advocate-News

690 S. Main Street
Fort Bragg, California 95437
707-964-5642

2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST
UKIAH, CA 95482

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

**STATE OF CALIFORNIA
COUNTY OF MENDOCINO**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the Office Clerk of the Fort Bragg Advocate-News, a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California under the date of May 9, 1952 - Case Number 9151, that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been printed in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates:

05/11/2023

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

Dated at Fort Bragg, California,
May 22th, 2023



Molly E. Lane, LEGAL CLERK

Attachment 3

Legal No. **0006751208**

B23084

Mendocino Local Agency Formation Commission

NOTICE OF PUBLIC HEARING.

NOTICE IS HEREBY GIVEN that on Monday, June 5, 2023, at 9:00 AM (or as soon thereafter as the matter may be heard) in a hybrid meeting format with in-person participation in the Mendocino County Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, and remote (video or telephone) participation under GOV Section 54953 as described in the Instructions for Remote Participation Option in the agenda to be posted at least 72 hours in advance of the meeting, and livestreamed at www.youtube.com/MendocinoCountyVideo, the Mendocino Local Agency Formation Commission (LAFCo) will hold a Public Hearing to consider the Final Budget and Work Program for Fiscal Year 2023-2024. The LAFCo Budget for Fiscal Year 2023-2024 anticipates \$341,000 in revenues (\$275,000 apportionment fees) and \$320,000 in expenditures, not including reimbursable application costs. The proposed Final Budget includes utilizing \$56,000 in anticipated cash balance to balance the budget and to increase operational reserves and contingencies.

This item is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15306 and Section 15061(b)(3). Copies of all related documents may be reviewed once available (72 hours in advance of the meeting) at the LAFCo website (www.mendolafco.org) or at the LAFCo office. If you cannot attend the Public Hearing described in this notice, you may submit written comments prior to the hearing. Please direct comments, questions, and requests to review documents to LAFCo, 200 South School Street, Ukiah, CA 95482; e-mail: eo@mendolafco.org; phone: (707) 463-4470. All interested persons are invited to attend, be heard, and participate in the hearings. BY ORDER OF THE MENDOCINO LOCAL AGENCY FORMATION COMMISSION. UMA HINMAN, Executive Officer.
5/11/2023

The Mendocino Beacon

690 S. Main Street
Fort Bragg, California 95437
707-964-5642

2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST
UKIAH, CA 95482

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

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COUNTY OF MENDOCINO**

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05/11/2023

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Dated at Fort Bragg, California,
May 22th, 2023



Molly E. Lane, LEGAL CLERK

Legal No. **0006751208**

B23084

Mendocino Local Agency Formation Commission

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5/11/2023

The Willits News

77 W Commercial Street
PO Box 628
Willits, CA 95490
707-459-4643

2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST
UKIAH, CA 95482

PROOF OF PUBLICATION

**STATE OF CALIFORNIA
COUNTY OF MENDOCINO**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of The Willits News, a newspaper of general circulation, printed and published Every Wednesday and Friday in the City of Willits, California, County of Mendocino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California, in the year 1903, Case Number 9150; that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

05/13/2023

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

Dated at Willits, California this 22th day of May, 2023.



Signature

Legal No. **0006751202**

0210-23

5-13/23

Mendocino Local Agency Formation Commission

NOTICE OF PUBLIC HEARING.

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Ukiah Daily Journal

617 S. State St
Ukiah, California 95482
(707) 468-3500
advertising@record-bee.com

2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST
UKIAH, CA 95482

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

STATE OF CALIFORNIA COUNTY OF MENDOCINO

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

05/13/2023

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

Dated at Ukiah, California,
May 22th, 2023



Molly E. Lane, LEGAL CLERK

Legal No. **0006751202**

0210-23

5-13/23

Mendocino Local Agency Formation Commission

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Attachment 4

Resolution No. 2022-23-12 of the Local Agency Formation Commission of Mendocino County

Adopting the Final Budget and Work Program for Fiscal Year 2023-24

WHEREAS, in accordance with the Cortese Knox Hertzberg Act of 2000, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, annually adopts a budget pursuant to Government Code Section 56381(a) to fulfill its purposes and functions that are set by State law; and

WHEREAS, at a minimum, the proposed and final budget shall be equal to the budget adopted for the previous fiscal year unless the Commission finds that reduced staffing or program costs will nevertheless allow the Commission to fulfill the purposes and program of this chapter pursuant to Government Code Section 56381(a); and

WHEREAS, the Mendocino Local Agency Formation Commission has heretofore approved a Proposed Budget for the Commission and held a duly noticed public hearing as required by law on May 1, 2023 for the purpose of developing a Final Budget for Fiscal Year 2023-24; and

WHEREAS, the Proposed Final Fiscal Year 2023-24 Budget and Work Program have been circulated to all affected agencies pursuant to Government Code Section 56381(a); and

WHEREAS, the Commission hereby advises member agencies of the potential necessity to incrementally increase agency apportionment rates in the fiscal years to follow in order for the Commission to achieve its expanding state mandated responsibilities, consistent with Government Code Section 56381; and

WHEREAS, the Commission heard and fully considered all evidence presented at a duly noticed public hearing held on the Fiscal Year 2023-24 Final Budget and Work Program on June 5, 2023.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER, pursuant to Government Code Section 56381, as follows:

1. The Commission hereby adopts the Final Budget for the 2023-24 fiscal year as set forth in Exhibit A, attached hereto; and
2. Establishes the Work Program priorities for the 2023-24 fiscal year as identified in Exhibit B, attached hereto; and
3. Finds that the Fiscal Year 2023-24 Final Budget as set forth in Exhibit A will not result in reductions in staffing or program costs to such an extent that the Commission would be impeded from fulfilling the purpose and programs of the Cortese-Knox-Hertzberg Local Government Reorganization Act; and
4. Directs the Executive Officer to forward the Final Budget, as adopted, to all the independent special districts, cities and the County.

BE IT FURTHER RESOLVED that the aforementioned Fiscal Year 2023-24 Final Budget and Work Program is officially adopted and ordered to be circulated to all affected agencies pursuant to Government Code Section 56381(a).

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 5th day of June 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

MAUREEN MULHEREN, Commission Chair

ATTEST:

UMA HINMAN, Executive Officer

DRAFT

Exhibit A

Mendocino Local Agency Formation Commission Final Budget for FY 2023-2024

June 5, 2023

ACCOUNT #	DESCRIPTION	FY 2022-23		FY 2023-24
		Adopted	Amended	Proposed
REVENUE				
4000	LAFCo Apportionment Fees	\$ 265,000	\$ 265,000	\$ 275,000
4100	Fees and Reimbursements (Includes Service Fee OH)	\$ -	\$ 9,000	\$ 9,500
4800	Miscellaneous			
4910	Interest Income	\$ 100	\$ 100	\$ 500
	REVENUE TOTAL	\$ 265,100	\$ 274,100	\$ 285,000
	<i>Anticipated Cash Balance</i>			\$ 56,000
	TOTAL			\$ 341,000
EXPENSES				
5300	Basic Services (EO, Analyst, Clerk)	\$ 125,100	\$ 125,100	\$ 133,000
5500	Rent	\$ 6,500	\$ 6,500	\$ 7,000
5600	Office Expenses	\$ 3,300	\$ 3,300	\$ 4,500
5700	Internet & Website Costs	\$ 2,500	\$ 2,500	\$ 3,000
5900	Publication and Legal Notices	\$ 2,000	\$ 2,000	\$ 3,000
6000	Televising Meetings	\$ 2,000	\$ 2,000	\$ 2,400
6100	Audit Services	\$ 3,800	\$ 3,800	\$ 4,000
6200	Bookkeeping	\$ 4,500	\$ 4,500	\$ 5,500
6300	Legal Counsel	\$ 19,000	\$ 19,000	\$ 30,000
6400	A-87 Costs County Services	\$ 2,100	\$ 3,200	\$ 2,500
6500	Insurance-General Liability	\$ 3,200	\$ 3,200	\$ 3,000
6600	Memberships (CALAFCO/CSDA)	\$ 3,700	\$ 3,700	\$ 4,000
6670	GIS Contract with County	\$ 2,000	\$ 4,000	\$ 3,000
6740	In-County Travel & Stipends	\$ 4,000	\$ 4,000	\$ 4,000
6750	Travel & Lodging Expense	\$ 6,000	\$ 2,900	\$ 6,500
6800	Conferences (Registrations)	\$ 4,100	\$ 4,100	\$ 4,500
7000	Work Plan (MSRs and SOIs)	\$ 70,000	\$ 70,000	\$ 100,000
9000	Misc Exp (Special District Training Support, bank charges)	\$ 60	\$ 60	\$ 100
	OPERATING EXPENSE TOTAL	\$ 263,800	\$ 263,800	\$ 320,000
	Increase to Operational Reserves per Policy			\$ 14,025
	Increase to Work Plan Contingency			\$ 6,975
				\$ 341,000
8000	Application Fees (Revenue)			\$ 37,500
8000	Applications (Expenses)			\$ 30,000
8600	Special Projects	\$ 9,200	\$ 9,200	\$ -
	REVENUE/EXPENSE DIFFERENCE	\$ 1,300	\$ 1,300	\$ -
	<i>(Negative balance indicates use of fund balance and/or reserves)</i>			
RESERVES / CONTINGENCIES				
	Legal Reserves	\$ 50,000	\$ 50,000	\$ 50,000
	Operations Reserves @ 25% Annual Operating Budget	\$ 65,950	\$ 65,950	\$ 80,000
	Total Reserves	\$ 115,950	\$ 115,950	\$ 130,000
	Work Plan Contingency	\$ 30,815	\$ 30,815	\$ 37,760

Exhibit B

Final Work Program (Basic Services and Work Plan)

FY 2023-24

June 5, 2023

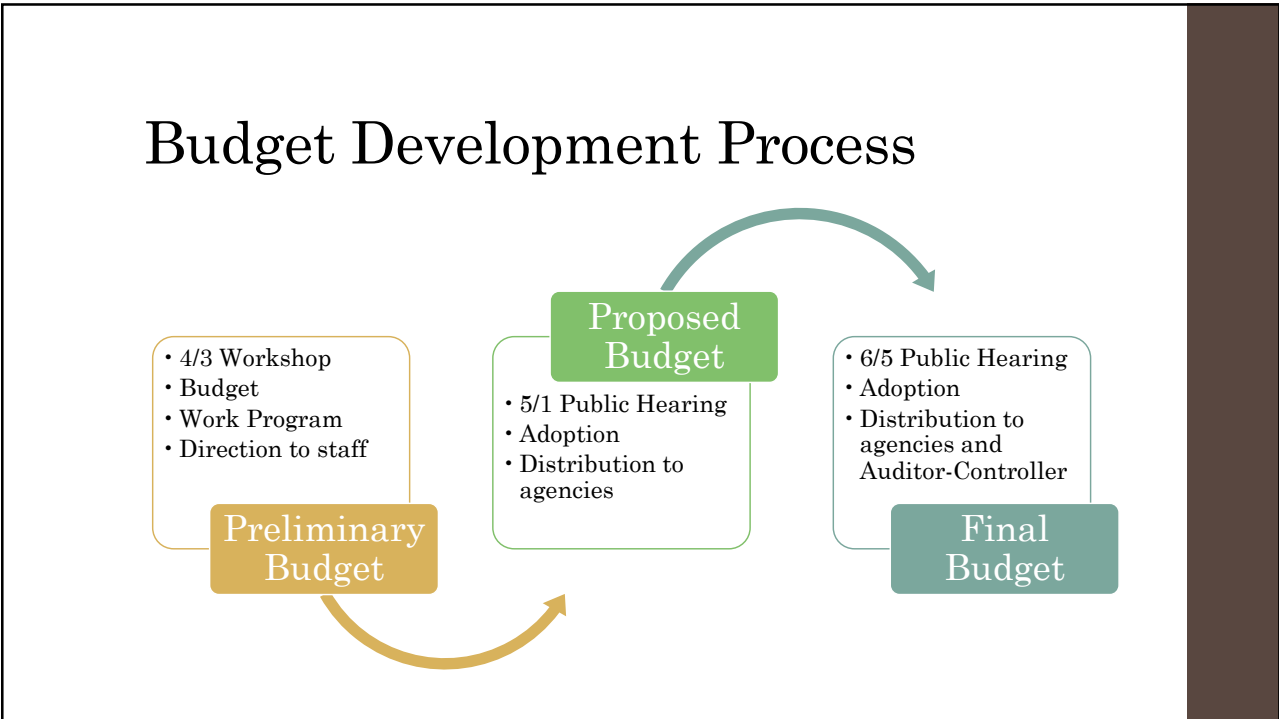
Tasks	Description & Assumptions	Estimated Budget
Basic Services		
Office Hours & Administrative Duties	Clerk duties not related to projects; office hours; public assistance; PRA requests; budget development, tracking, amendments; accounts payable, QuickBooks; annual audit; EO correspondence; response to requests for Agency Comments for projects and/or environmental documents routed to LAFCo for review, etc.; carrying out Commission direction.	\$ 70,000
Commission & Committee Meetings	Commission & Committee meeting attendance (12 Regular and 8 Committee); agenda packet development, staff reports, presentations, minutes.	\$ 34,000
Work Plan Support	Prepare and distribute Public Notices, development of staff reports specifically related to MSR/SOI studies, presentation at Commission meetings for Public Workshops and Public Hearings.	\$ 5,000
Consult Legal Counsel	Contract allows for a minimum of 4 hours per month.	Per Contract
Application Forms	Update application forms; map research and process clarification	\$ 8,000
Application Processing	Process change of organization or reorganization applications initiated by landowner petition or resolution of application from Cities and Special Districts to modify existing powers, annex and/or detach territory from agency boundaries, and create, dissolve, or consolidate/merge local agencies.	Paid by applicant
Policy Development	Prepare policy amendment and development as needed (overhaul)	\$ 15,000
Transparency Improvements to Website	Assess/implement website improvements (JPAs, maps, etc.)	\$ 1,000
Total		\$ 133,000
Work Plan		
MSR/SOI Update	Prepare and adopt combined Municipal Service Review and Sphere of Influence (MSR/SOI) Update studies pursuant to GOV \$56425 and \$56430, either in-house or by contract.	\$ 100,000
<p>The agencies listed below have priority for preparation of a LAFCo-initiated MSR/SOI Update in Fiscal Year 2023-24.</p> <p>The actual completion of a specific study may span multiple fiscal years. The budget allocation for each agency is based on estimated costs. Actual costs for study completion may be higher or lower than estimated below.</p> <p>Work Plan implementation is subject to change due to various factors, such as: (a) agency responsiveness and timely provision of requested information, (b) complexity of issues involved, (c) level of public and affected agency controversy, (d) changing needs and priorities, (e) overall staff workload, and (f) higher than anticipated costs.</p> <p>The Work Plan budget assumes minimal costs for CEQA compliance related to filing a Notice of Exemption (NOE). Agencies requesting a non-coterminous SOI may expedite a potential multi-fiscal year process by contributing to the cost of preparing an Initial Study and associated environmental document (ND/MND, EIR, etc.).</p>		
The total Work Plan Budget is not limited to the following designations. These budget allocations may shift to other agencies as needed during the year.	Coastal Water/Wastewater Districts (7 special districts, 10 mutual water companies) (initiated in FY 2022-23) Outsourced/Consultant Contract	\$ 100,000
Total		\$ 100,000

Attachment 5

Agenda Item 5a

FY 2023-24 Final Budget

Mendocino LAFCo
Regular Commission Meeting
June 5, 2023



Revenue

Apportionment	Interest	Unreserved Equity	Service Fees
<ul style="list-style-type: none"> • Established with Budget • State formula • 1/3 equal split (County, cities, special districts) 	<ul style="list-style-type: none"> • Bank accounts • County Treasury 	<ul style="list-style-type: none"> • Unutilized budget from previous FY 	<ul style="list-style-type: none"> • Service fees include portion to offset overhead and long term planning activities

Reserves and Contingencies

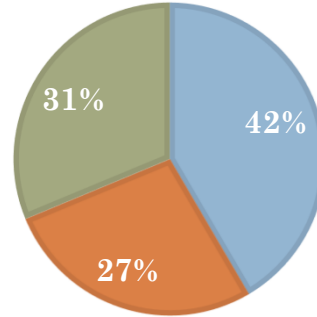
Operating Reserves	Legal Reserves	Work Plan Contingency
<ul style="list-style-type: none"> • \$80,000 • 25% operating budget 	<ul style="list-style-type: none"> • \$50,000 	<ul style="list-style-type: none"> • Approx \$37,760 • Unreserved equity/cash balance • Work Plan roll over

Expenditures

1. Basic Services
 - Staffing: EO, Analyst, Clerk
2. Services and Supplies
 - Organization operations, equipment, professional services, training
3. Work Plan (MSR/SOI Updates)
 - 7 special districts
 - 10 private water companies
4. Application processing

FY 2023-24 BUDGET CATEGORIES

■ Staffing ■ Services and Supplies ■ Work Plan



Work Program

Basic Services

Policy development, budget development, Commission and Committee meetings, carrying out Commission direction, administrative duties, public inquiries, office operations, etc.

Work Plan

Tentative plan for future work products to meet state mandates for preparation of MSR/SOI Updates

FY 2023-24 Work Plan

Coastal region water and wastewater districts and mutual water companies

#	Water Districts	Mutual Water Companies
1	Gualala Community Services District	Albion Mutual Water Company
2	Caspar South Water District	Anchor Bay Water Works
3	Elk County Water District	Big River Vista Mutual Water Company
4	Irish Beach Water District	Caspar South Service Company
5	Mendocino County Water Works District No. 2 ¹	Hills Ranch Mutual Water Company
6	Pacific Reefs California Water District	North Gualala Water Company
7	Westport County Water District	Point Arena Water Works
8		Point of View Mutual Water Company
9		Seafair Road and Water Company
10		Surfwood Mutual Water Corporation
Notes:		
¹ First round MSR/SOI study for the district.		

FY 2023-24 Recommended Final Budget

	FY 2022-23 Adopted (\$)	FY 2023-24 Proposed Final (\$)
EXPENDITURES		
Basic Services (Staffing)	125,100	133,000
Services and Supplies	68,700	87,000
Work Plan	70,000	100,000
Expenditures Total	263,800	320,000
Reserves – increase/(decrease)	1,300	14,025
Work Plan Contingency - increase/(decrease)	30,810	6,975
Appropriations Total	295,910	341,000
REVENUES		
Anticipated Cash Balance	30,810	56,000
Apportionments	265,000	275,000
Fees/Reimbursements/Interest	100	10,000
Revenues Total	295,910	341,000
Net Financial Impact	0	0

Summary and Recommendation

Summary:

- No changes from the Adopted Proposed Budget & Work Program
- No public comments received prior to the meeting

Recommendation:

Adopt Resolution 22-23-12, approving the Final Budget and Work Program for Fiscal Year 2023-24 and directing the Executive Officer to distribute the Final Budget and Work Program to:

- Funding agencies (County, cities, and special districts)
- County Auditor-Controller for apportionment calculation and collection

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: June 5, 2023
TO: Mendocino Local Agency Formation Commission
FROM: Uma Hinman, Executive Officer
SUBJECT: **Proposed Amendment No. 3 to the Executive Officer Services Agreement**

RECOMMENDATION

The Commission approve and authorize Chair signature for Amendment No. 3 to the Executive Officer Services Agreement with Hinman & Associates Consulting, Inc.

BACKGROUND

Mendocino LAFCo has contracted with Hinman & Associates Consulting, Inc. since 2016 to provide Executive Officer Services, which includes staffing the Executive Officer, Analyst and Clerk positions. There have since been two amendments.

Hinman & Associates Consulting, Inc. is requesting an increase in hourly rates for the Analyst and Clerk/Administrative Assistant positions with an effective date of July 1, 2023 (Table 1).

Staff/Role	Current Rate	Proposed Rate
Uma Hinman, Executive Officer	\$110.00	\$110.00
Analyst	\$75.00	\$86.00
Clerk/Administrative Assistant	\$40.00	\$53.00

Since most of the tasks assigned to the Analyst are related to the Work Plan and application processing, it is anticipated that the rate changes will be accommodated within the recommended budget for Fiscal Year 2023-24; no change to the budget is proposed. This is the first increase requested for the Clerk/Administrative Assistant position since 2016.

Additionally, an increase of the monthly limit on Basic Services charges to \$15,000 (see Attachment 1, Exhibit A, term 4) is included in the Amendment. The limit has been \$10,000 since 2014 despite increases in work program tasks and staff rates.

The attached Draft Amendment No. 3 to the Executive Officer Services Agreement with Hinman & Associates Consulting, Inc. contains strikethroughs and underlines to identify the proposed amendments.

Attachment: Draft Amendment No. 3 to the Executive Officer Services Agreement

**Mendocino Local Agency Formation Commission
Executive Officer Services Agreement**

AMENDMENT NO. 3

This Amendment No. 3 to the Agreement, dated as of June 5, 2023, is by and between the Mendocino Local Agency Formation Commission, hereinafter referred to as "COMMISSION", and Hinman & Associates Consulting, Inc., hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, pursuant to Government Code Section 56375(k) COMMISSION may contract for professional or consulting services; and,

WHEREAS, the COMMISSION maintains a contract for professional services with CONTRACTOR to provide Executive Officer Services; and

WHEREAS, CONTRACTOR agrees to the amendment included herein as "Exhibit A", Payment Terms, Item 2 Staff Hourly Rates as were contained in the Executive Officer Services Agreement Amendment 2, Exhibit C, dated March 7, 2022.

NOW, THEREFORE it is agreed that COMMISSION does hereby amend the Executive Officer Services contract to include Amendment No. 3 as stated in the attached "Exhibit A" effective July 1, 2023.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

Mendocino LAFCo

Contractor

By: _____
Maureen Mulheren, Chair

Uma Hinman, President/CEO

“EXHIBIT A”

(CONTRACT EXHIBIT C)

PAYMENT TERMS

1. COMMISSION shall pay CONTRACTOR for actual time spent in completion of BASIC SERVICES at the rates and within task payment limits shown below. COMMISSION shall also reimburse CONTRACTOR for allowable costs incurred in the performance of those services. Office overhead, preparation of invoices, travel time by CONTRACTOR and incidental expenses other than the allowable costs set forth below will not be compensated.
2. The following designated contract personnel and their hourly rates are specified under this Agreement as follows:

Uma Hinman, Executive Officer	\$110.00 per hour
Analyst	\$75.00 \$86.00 per hour
Clerk/Administrative Assistant	\$40.00 \$53.00 per hour
3. CONTRACTOR will submit monthly invoices to COMMISSION on the first day of each subsequent month. Said invoices shall identify the task completed and payment due for such task, and provide an itemization of allowable costs incurred, accompanied by receipts for all expenditures and an explanation of same. Except as otherwise set forth in this Agreement, payment for services and reimbursement of allowable costs will be made by COMMISSION within 30 days of approval of the invoice by COMMISSION.
4. Payment for BASIC SERVICES, as outlined in Exhibit A, shall not exceed Fiscal Year budgeted amount, except as is consistent with budget and financial policies. In addition, CONTRACTOR may not bill for more than ~~\$10,000~~ \$15,000 for BASIC SERVICES in any one month without prior approval from COMMISSION.
5. COMMISSION shall pay CONTRACTOR for completion of Municipal Service Reviews, Sphere of Influence Updates, and/or special studies, in accordance with the annual work plan and budget. Work plan billing will be on a time and materials basis and consistent with adopted budget and financial policies. Progress payments for MSRs will be included in monthly invoices. Final payment to be made within 30 days of acceptance of the MSR and/or SOI by COMMISSION.
6. COMMISSION from time to time may authorize the CONTRACTOR, as Executive Officer, to undertake or manage special or complex projects including but not limited to complex issues such as environmental reviews, Municipal Service Reviews, Sphere of Influence Updates and studies, or other special studies or applicant-initiated changes of organization or Sphere Amendments pursuant to LAFCo’s purpose and authority as stated in LAFCo’s adopted bylaws. Compensation and expenses for said activities shall be on a project or hourly basis and shall be in addition to the Executive Officer’s regular budgeted compensation. All such special projects costs shall be paid after they have been approved by the COMMISSION or by the LAFCo Chair where there is no COMMISSION meeting during the month. If the COMMISSION has approved a project budget for the special project, CONTRACTOR billings consistent with the budget shall be deemed approved and budgeted, previously authorized, and payment authorized by the COMMISSION or by the LAFCo Chair where there is no COMMISSION meeting during the month. The CONTRACTOR may use COMMISSION Legal Counsel, and subcontractors or staff as CONTRACTOR deems appropriate to complete the work and shall base any such project or hourly charges on the hourly service rates set forth in Exhibit “C”.

7. In addition, CONTRACTOR shall be entitled to reimbursement for any costs which are directly reimbursable by the applicant, such as public notice costs, photocopy costs, property owner lists, GIS mapping, mileage, registered voter or property owner mailings, costs and time, for special meetings requested by the applicant, reconsideration requests, and conducting authority proceedings and costs and time involved in litigation. Any such expense reimbursement shall be itemized and approved by the COMMISSION as part of warrant approvals prior to payment.

[END OF PAYMENT TERMS]

DRAFT

**MENDOCINO
Local Agency Formation Commission**

Staff Report

MEETING June 5, 2023
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Applications and Work Load**

RECOMMENDATION

Staff recommends the Commission receive and file this report.

BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 delegates local agency formation commissions (LAFCos) with regulatory and planning duties to coordinate the logical formation and development of local government agencies. This includes approving or disapproving proposals for reorganizations (i.e., annexations, detachments, dissolutions, etc.), activation of latent powers, sphere of influence amendments, and outside service agreements.

LAFCo proceedings for jurisdictional changes are generally initiated by outside applicants through petitions (landowners or voters) and resolutions (local agencies). LAFCos may also initiate jurisdictional changes to form, consolidate, or dissolve special districts if consistent with the recommendations of approved municipal service reviews.

The item is for information and satisfies Mendocino LAFCo’s reporting requirement for current and future applications.

ACTIVE PROPOSALS

Attachment 1 is a regular update to the Commission on active proposals on file as well as identification of future proposals staff anticipates being filed with LAFCo in the near term based on discussions with local agencies and proponents.

WORK PLAN

Local policy directs the Commission to annually adopt a Work Plan for purposes of providing a comprehensive overview of municipal service reviews and sphere of influence updates over the course of the fiscal year. Attachment 2 is an update on the status of activities scheduled in the Work Plan. This report also serves to inform the Commission of any changes in circumstances or priorities.

Attachments

1. Summary Table – Application Activity and Potential Future Proposals
2. Summary Table – Work Plan Tracking and Status

Attachment 2. Summary Table – Work Plan Tracking and Status

FY 2022-23 ESTIMATED WORK PLAN IMPLEMENTATION SCHEDULE AND STATUS						
<i>Work Plan status as of June 5, 2023</i>						
Subject to Change: The estimated schedule and costs for the Fiscal Year 2022-23 Work Plan are subject to change based on agency responsiveness, timely provision of requested information, complexity of issues, level of public and affected agency controversy, and changing needs and priorities.						
CEQA: Based on LAFCo practice, the work plan assumes minimal costs for CEQA compliance related to preparing a Notice of Exemption, unless an agency proposes a non-coterminous SOI and pays for any necessary studies and preparation of a Negative Declaration or Environmental Impact Report.						
Rolling Work Plan: It is difficult to completely contain staff activities in a single fiscal year; therefore, completion of a study may roll over to the next fiscal year. This estimated work plan implementation schedule is intended to enhance communication and transparency.						
Agency	Request for Information	Admin Draft	Public Workshop	Public Hearing	Final Study	Status/Notes
County Service Area 3	Complete	Complete	4/4/22	6/7/22 7/11/22	7/31/22	Study Complete
Ukiah Valley Sanitation District	Complete	Complete	9/12/22 11/7/22	12/19/22	12/23/22	Study Complete
City of Ukiah	Complete	Complete	9/12/22 11/7/22	12/19/22	12/23/22	Study Complete
Coastal Water Districts	In process	Pending				Staff developing study plan and identifying information needs
Inland Water Districts						Rescheduled to follow coastal region studies

SAVE THE DATE!

Join us for the 2023 CALAFCO Annual Conference

On **October 18-20, 2023**, network with other members and participate in sessions exploring policy issues related to growth, sustainability, and preservation.

Our diverse speakers will explore current issues and solutions on topics such as climate change effects and response, housing, water availability, public education about LAFCo and much more. The Annual Conference is an unmatched opportunity to leverage your role in bringing community stakeholders together!

No other event like this brings together such a diverse group of elected officials.

Past topics have included:



Access to water and affordable housing – the ongoing issues and LAFCos' involvement



Preparing for the unexpected and how LAFCo can support escalating disaster preparedness



LAFCo as a partner in creative solutions to governance and service issues



Understanding and dealing with looming pension liabilities



Groundwater management

And more!

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