

# MENDOCINO

## Local Agency Formation Commission

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

*Approved April 1, 2024*

### 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

**Vacant, Alternate**  
Public Member

### STAFF

**Executive Officer**  
Uma Hinman

**Clerk/Analyst**  
Larkyn Feiler

**Counsel**  
Marsha Burch

### REGULAR MEETINGS

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

## FINAL MEETING MINUTES Regular Commission Meeting

### Regular Meeting (Hybrid) of Monday, March 4, 2024

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

#### 1. CALL TO ORDER and ROLL CALL (Video Time 5:15)

Chair Mulheren called the meeting to order at 9:00 a.m.

**Regular Commissioners Present:** Maureen Mulheren, Gerald Ward, Gerardo Gonzalez, Katharine Cole, Candace Horsley, Glenn McGourty, Mari Rodin

**Regular Commissioners Absent:** None

**Alternate Commissioners Present:** Francois Christen, Douglas Crane

**Alternate Commissioners Absent:** John Haschak

**Staff Present:** Uma Hinman, Executive Officer; Larkyn Feiler, Clerk/Analyst; Marsha Burch, Legal Counsel

#### 2. PUBLIC EXPRESSION (Video Time 4:01)

None

#### 3. OTHER BUSINESS (Video Time 4:01)

None

#### 4. CONSENT CALENDAR (Video Time 4:51)

##### 4a) February 5, 2024 Regular Meeting Summary

Commissioner Ward noted discrepancies in the Commissioner appointments to the committees.

##### 4b) February 2024 Claims & Financial Report

<b>February 2024 Claims totaling:</b>	<b>\$18,706.37</b>
Hinman & Associates Consulting	12,356.32
Commissioner Stipends	100.25
Marsha Burch Law Office	1,102.50
Streamline	63.00
Newspapers	619.54
Mendocino County CEO	375.00
Mendocino County Auditor-Controller	3,440.00
Ukiah Valley Conference Center	649.76

EO Hinman referred Commissioners to the revised staff report for Item 4b February 2024 Claims & Financial Report provided to the Commissioners at the start of the meeting, noting the addition of the Ukiah Daily Journal invoice that was received after the agenda packet was distributed.

Commissioner Ward inquired about the Auditor-Controller’s A-87 Costs and asked for further investigation into the increased cost. He also confirmed that LAFCo owns one laptop and various software licenses and subscriptions.

<b>Motion:</b> Approve the consent calendar.		
<b>Motion Maker:</b> Gonzalez	<b>Motion Second:</b> McGourty	<b>Outcome:</b> Passed unanimously
<b>Roll Call Vote:</b> Ayes: (7) Ward, Gonzalez, McGourty, Rodin, Horsley, Cole, and Mulheren		

**5. PUBLIC HEARING ITEMS**

None

**6. WORKSHOP ITEMS**

**6a) Mendocino County Waterworks District No. 2. Municipal Service Review and Sphere of Influence Study (Video Time 12:02)**

EO Hinman provided a brief presentation on the workshop draft of the Mendocino County Waterworks District No. 2 MSR/SOI (12:50-16:50). This is the first MSR/SOI study for the district. The following comments were provided by the Commissioners:

Commissioner Rodin

- Confirmed that the SOI for the District is coterminous with the District’s boundaries.
- Requested a summary of the facilities near the Agency Profile.
- Would prefer the language ‘outside of district boundaries’ as opposed to ‘out of agency.’

Commissioner McGourty

- Requested additional information about the facilities and physical assets be included near the Agency Profile.
- Expressed concern over the District’s aging infrastructure and deferred maintenance.
- Inquired about the status of the District’s infrastructure and facilities; Board President Koza responded that there is minimal record of the history of the facilities and infrastructure, and that repairs are made as-needed.
- Noted that the Division of Contracts and Grants through the County’s CEO Office assists small communities with sourcing grants and should be looked at for potential resources

Commissioner Horsley

- Inquired if regional transportation is something LAFCo needs to review; EO Hinman confirmed that the CKH requires LAFCo to look at regional transportation plans in the MSR.
- Confirmed that latent powers are identified by the Principal Act, and upon LAFCo approval may be activated for the District; however, the District only provides wastewater.
- Asked if each agency must have its own website to comply with State law. EO Hinman responded staff would research that question.
- Asked if it was necessary to have an established strategic plan, mission statement, and goals and confirmed that they are used as indicators for help determine the functioning of an agency or district.
- Confirmed that the payroll of the part-time employee contracted from GCSD was covered by the District;
- Asked why the District’s savings has increased over time while the checking account decreases.
- Commented that the violations noted in the report are relatively common for a wastewater agency and not necessarily of great concern.

Commissioner Ward

- Asked why this is the first MSR for the District despite operating for over 50 years.
- Inquired about the difference between recommendations and determinations in the document.

- Expressed interest in seeing a rough plan or a strong recommendation for consolidation of GCSD and MCWD2.
- Noted that the SRWCB grant funding may be an option for the Gualala region to support a future consolidation.

Commissioner Gonzalez

- Recommended that the District’s meeting information be posted on an easily locatable website for public accessibility; confirmed that LAFCo’s website has a page dedicated to [special districts](#) with links to district websites and/or contact pages.
- Noted that the MCWD2’s landing page on the GCSD website should be more visible.
- Expressed concern over the next potential Prop 218 rate increase and how it could affect District customers.

Chair Mulheren

- Requested recommendations be pulled out separately to be presented in a summary.

Board President of MCWD2, Lisa-Marie Koza reported that the District utilizes the legal counsel recommended by the SDRMA, which has been very helpful in the past year in terms of complying with state and federal requirements. She also confirmed that the savings account has increased because the District has been collecting for capital improvements that have not yet been implemented.

There were no public comments on the item.

**7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION**

**7a) Draft Logo for Mendocino LAFCo** (Video Time 58:20)

EO Hinman then provided a brief presentation on the Commission’s proposed new logo. EO Hinman noted that the new logo will be used on the Commission’s website, letterhead, and other outreach materials.



EO Hinman presented eight draft taglines for the Commission’s consideration. The tagline selected will be incorporated into the letterhead and outreach materials.

The Commission unanimously selected (1) Logo Option 4 (see image, right) from the presentation with all text in blue; and (2) Tagline Option 3 from the staff report *“Encouraging Well-Planned Community Growth”*; and directed staff to move forward with implementing the new branding.

There were no public comments on the item.

**7b) CALAFCO Request for Support for Senate Bill 1209** (Video Time 1:07:28)

Legal Counsel Burch provided a brief presentation on Senate Bill (SB) 1209.

Commissioner Horsley asked if public agencies support the bill and/or LAFCo’s support of the bill. Counsel Burch responded that government agencies typically have the option for indemnification, and the ability of LAFCo to require indemnification is ultimately beneficial not just for LAFCo but for its member agencies.

There were no public comments on the item.

<b>Motion:</b> Authorize staff to convey support/opposition, consistent with CALAFCO’s position, for SB 1209 to both legislative houses and to the governor.		
<b>Motion Maker:</b> Gonzalez	<b>Motion Second:</b> McGourty	<b>Outcome:</b> Passed unanimously
<b>Roll Call Vote:</b> Ayes: (7) Ward, Gonzalez, McGourty, Ward, Rodin, Horsley, Cole, and Mulheren		

## 8. INFORMATION AND REPORT ITEMS

### 8a) Work Plan, Current and Future Proposals (Video Time 1:11:17)

EO Hinman provided an update that all applications on file are pending tax share agreements; staff is working on the Anderson Valley CSD and Elk CSD applications. The Work Plan is progressing and the GCSD will be coming to the Commission for workshop next.

The following discussion points were provided by the Commissioners:

#### Commissioner Horsley

- Asked about the financial status of the Mendocino Coast Health Care District and whether they will be able to pay into apportionments next year; EO Hinman responded that she believes they are still operating in the red but will check with the Auditor-Controller to confirm.
- Noted that the consolidation of water agencies will be a very a complex process, particularly due to the interconnectedness of numerous agencies, not just the ones currently in the Ukiah Valley Water Authority, and the financial impacts to the remaining districts will be great.

#### Commissioner Ward

- Asked how many other applications in the near future the Commission should expect; EO Hinman responded there are several in the planning stages, particularly from the City of Ukiah.
- Confirmed that LAFCo has no oversight over JPAs but does have oversight over the consolidation of local governments. EO Hinman reminded the Commission that JPAs are required to file formation documents with LAFCo.

#### Commissioner McGourty

- Asked for clarification on LAFCo's role in the Ukiah Valley Water Authority (UVWA) and at what point they can apply for funding or start projects that work towards consolidation of the water service providers in the Ukiah Valley, particularly as they are pursuing time-sensitive grant funding from the State Water Board.
- EO Hinman responded that further meetings with the UVWA representatives will bring more clarity to the plans and processes; however, a plan for services must be provided with an application to LAFCo. She also noted that the State WQCB's definition of 'consolidation' is different than LAFCo's definition, which creates some confusion when discussing the intent of the UVWA.

EO Hinman announced that representatives from the Ukiah Water Authority will be providing an informational report to the Commission at its April meeting.

### 8b) Correspondence (Video Time 1:21:08)

None

### 8c) CALAFCO Business and Legislation Report (Video Time 1:21:08)

None

### 8d) Executive Officer's Report (Video Time 1:21:30)

EO Hinman provided a brief report, summarized as follows:

- That no applications were received for the alternate public member position and thus the application process will be extended in 60-day increments until the position is filled.
- LAFCo staff is currently working with the CPA on the FY 2022-23 audit, a draft of which should be available in March for review.

- There is an Executive Committee meeting following today's Commission meeting, which will be focused primarily on the preliminary budget and work plan for the next FY.

**8e) Committee Reports (Executive Committee, Policies & Procedures)** (Video Time 1:23:08)

None

**8f) Commissioners Reports, Comments or Questions** (Video Time 1:23:08)

None

**ADJOURNMENT** (Video Time 1:23:08)

There being no further business, the meeting adjourned at 10:20 a.m.

The next regular meeting of the Commission is scheduled for Tuesday, **April 1, 2024** 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 [March 4, 2024 YouTube meeting recording](#). Links to recordings and approved minutes are also available on the [LAFCo website](#).*