

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

COMMISSIONERS

Tony Orth, Chair

Brooktrails Township CSD

Scott Ignacio, Vice Chair

Point Arena City Council

Gerald Ward, Treasurer

Public Member

Matthew Froneberger

Special District Member

Gerardo Gonzalez

Willits City Council

Glenn McGourty

County Board of Supervisors

Maureen Mulheren

County Board of Supervisors

Jenifer Bazzani, Alternate

Ukiah Valley Fire District

John Haschak, Alternate

County Board of Supervisors

Mari Rodin, Alternate

City Member

Richard Weinkle, Alternate

Public Member

STAFF

Executive Officer

Uma Hinman

Analyst

Larkyn Feiler

Commission Clerk

Kristen Meadows

Counsel

Scott Browne

REGULAR MEETINGS

First Monday of each month

at 9:00 AM in the

Mendocino County

Board of Supervisors

Chambers

501 Low Gap Road, Ukiah

Approved by Commission on February 7, 2022

MINUTES

Local Agency Formation Commission of Mendocino County

Regular Meeting of Monday, December 6, 2021

Meeting held via Zoom due to COVID-19 Pandemic Emergency Conditions

1. CALL TO ORDER and ROLL CALL (Video Time 1:14)

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

Regular Commissioners Present: Tony Orth, Scott Ignacio, Gerald Ward, Gerardo Gonzalez, and Maureen Mulheren

Regular Commissioners Absent: Matthew Froneberger and Glenn McGourty

Alternate Commissioners Present: Richard Weinkle, and Mari Rodin

Alternate Commissioners Absent: John Haschak and Jenifer Bazzani

Staff Present: Uma Hinman, Executive Officer; Larkyn Feiler, Analyst; Kristen Meadows, Clerk; and Scott Browne, Legal Counsel

2. PUBLIC EXPRESSION None

3. CONSENT CALENDAR (Video Time 4:13)

3a) November 1, 2021 Regular Meeting Summary

Treasurer Ward suggested three corrections to the summary.

3b) November 8, 2021 Special Meeting Summary

3c) November 2021 Claims & Financial Report

LAFCo incurred a late fee from the City of Ukiah/Ukiah Valley Conference Center because the invoice was not received in time to be presented for approval at the regular meeting. Treasurer Ward indicated that he and EO Hinman discussed possible solutions. EO Hinman added that LAFCo policy provides for the approval of claims between meetings by the Chair and ratification at the following meeting. She suggested staff work with the Treasurer and the Chair to approve relevant claims.

Chair Orth expressed his support of processing necessary claims by a report to the Chair, approval by the Treasurer, and ratification by the Commission at the next meeting.

November 2021 Claims totaling:	\$23,696.40
Hinman & Associates Consulting	18,887.00
P. Scott Browne	2,520.00
Express-It Mailing Service	606.40
Comcast	90.04
Streamline	50.00
Ukiah Valley Conf. Center	1,542.96

3d) Resolution Authorizing Continued Remote Meetings per AB 361

3e) Proposed 2022 Regular Meeting Calendar

3f) Proposed Fiscal Year 2021-22 Contract with the County of Mendocino for GIS and Technical Support Services

Treasurer Ward and EO Hinman discussed the contract and rate increase. EO Hinman confirmed this is the standard annual rate increase, which amounts to a few dollars each year. The contract is being presented at this time due to the County's process and all bills received after July were billed at the contract rate.

Motion by Commissioner Ignacio: Approve the Consent Calendar, as amended.

Second by Commissioner Gonzalez.

Approved by roll call vote: unanimous.

Ayes: (5) Gonzalez, Ignacio, Mulheren, Ward, Orth

4. PUBLIC HEARING ITEMS None

5. WORKSHOP ITEMS None

6. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

6a) Commissioner Terms (Video Time: 9:19)

EO Hinman reported that Commissioner Gonzalez and Alternate Commissioner Rodin have terms that expire at the end of 2021. As they both are City Council representatives, the City Select Committee is responsible for appointing their successors. The Committee does not meet until January; however, the Cortese-Knox-Hertzberg Act (CKH) allows commissioners to serve until the appointment and qualification of a successor.

6b) Process for Executive Officer Services Contractor Annual Evaluation (Video Time: 11:07)

EO Hinman provided a review of the contract Executive Officer evaluation process. Mendocino LAFCo has a contract agreement with Hinman and Associates Consulting, Inc. for the provision of Executive Officer Services, which includes the Analyst and Clerk. Each year, the Commission conducts an evaluation of those services. Staff will provide each Commissioner with a form to complete and return to both the Chair and EO by December 20, 2021. The responses will be consolidated into one evaluation and presented to EO Hinman in closed session during the January 3, 2022 meeting.

Counsel Browne reiterated that the evaluation is a single evaluation, requiring the Commissioners to reach a consensus on each item.

7. INFORMATION AND REPORT ITEMS

7a) Work Plan, Current, and Future Proposals (Video Time: 13:45)

Staff was reported the completion of the Ukiah Valley Fire District's (UVFD) Application for Annexation of the City of Ukiah, confirming that the Board of Equalization (BOE) packet was submitted, and confirmation of receipt has been received, before the BOE deadline.

There has been no change in status of other proposals on file.

Staff is preparing comments on Millview County Water District's (MCWD) Initial Study/Draft Mitigated Negative Declaration regarding the proposed annexation of the Masonite properties, which are due today..

Staff has completed two of the five Work Plan tasks assigned for this fiscal year. An initial meeting was held with Deputy County Counsel regarding CSA 3's MSR and activation of potential latent powers.

Commissioner Ward asked how Staff is tracking time spent on the MCWD Annexation, the City of Ukiah's (City) applications for Annexation of Areas North of the City and Annexation of the Western Hills. EO Hinman responded that Staff is working under pre-application agreements with MCWD and the City for its Annexation of Areas North of the City. Once the CEQA documents for the MCWD and the Western Hills Annexation are finalized both agencies will be able to submit applications.

Commissioner Ward asked for an update on the MSR for the City of Ukiah. EO Hinman responded that a little over a year ago, discussions began with Planwest Partners and the City to establish an agreement for funding, however the project has been delayed. Staff is working with the Work Plan Ad Hoc Committee and City Staff to determine the best course of action.

Commissioner Ward asked about the Ukiah Valley Sanitation District's (UVSD) Sphere of Influence (SOI), if there is one, and how to establish one. EO Hinman responded that the historical record is unclear. In 1984 when SOIs

were adopted for most of the cities and districts in the County, it appears that UVSD was not addressed. Staff's plan is to proceed with the scheduled update and clearly establish the SOI during the process utilizing recommendations that come from the MSR. As sewer services provided by the City and UVSD are codependent, the City and the District are collaborating on planning for their respective areas.

7b) Correspondence (Video Time: 21:09)

A notification of inactive districts identifying CSA 3 was received from the State Controller's Office (SCO). The Commission has 90 days to initiate dissolution or notify the SCO of the Commission's determination that the district does not meet the dissolution criteria stipulated in §56042. Staff will prepare a response for Commission consideration informing the SCO of the intent to activate the district's latent powers.

Counsel Browne suggested clearly defining the services the County proposes to activate as latent powers.

Chair Orth requested an update on the MSR for CSA 3. EO Hinman responded that the administrative draft is in progress and staff has been coordinating with the Deputy County Counsel on next steps.

Commissioner Rodin asked for a summary on CSA 3. EO Hinman summarized that initially, CSA 3 was established to provide ambulance services in Point Arena, briefly used as a funding source for the Sanel Valley Fire District, then expanded to include the entire County of Mendocino except for the cities of Fort Bragg, Willits, and Ukiah. Two years ago, the SCO identified the CSA as inactive, which requires LAFCo to review and make a determination on status and initiating dissolution if inactive. In order to keep the CSA active, the County deposited funds into the district's account and the Commission determined that the CSA was active. There has been discussion of using it for the Sherwood Road Pilot project, a secondary emergency access north of the Brooktrails area. Chair Orth added comment that fire agencies are considering using it for obtain funding and for support of a fire warden's office within the County. He added that CSAs are utilized in other counties as vehicles for infrastructure funding and hopes the County will adopt a plan to use CSA 3 to achieve better benefit levels in the unincorporated areas. He asked Counsel Browne if the County can continue to add services in the future as needed. He responded that any changes require LAFCo review and approval to ensure public benefit. In closing, EO Hinman added that the MSR/SOI will be CSA 3's first review.

7c) CALAFCO Business and Legislation Report (Video Time: 29:18)

EO Hinman reminded the Commission of a webinar scheduled for this afternoon at 1:30: *Throw Out the Historic Water Framework: What do LAFCOs Do Now?* She will be one of the panelists.

The CALAFCO Northern Region Roundtable is scheduled for Wednesday, Dec. 8, 2021 at 8:30 a.m. is a great networking opportunity to discuss common issues facing LAFCOs in Northern California.

Chair Orth asked if the webinar on water will address the latest declaration from the State regarding the drought emergency. EO Hinman responded that the other panelists include the State Water Board Deputy Director who will give an update on the issues, and a Commissioner from Merced who will discuss LAFCOs role in the emergency.

7d) Executive Officer's Report (Video Time: 31:16)

EO Hinman reported the following:

- Rent for the LAFCo Office will increase 5% which is consistent with the contract. EO Hinman will discuss the matter further with Treasurer Ward as the contract ends this fiscal year.
- The year-end financials have been reviewed by the Treasurer and will be sent to the auditor this week.
- Commissioners Rodin and Gonzalez are invited to join the January meeting as their successors will be announced later in the month.

7e) Committee Reports (Executive Committee/Policies & Procedures) (Video Time: 32:53)

The Work Plan Ad Hoc Committee met and discussed scope of work, work plan and ways to move forward with the City of Ukiah's Application for Detachment of the Ukiah Valley Sanitation District (UVSD) served areas.

7f) Commissioners Reports, Comments or Questions (Video Time: 34:36)

Commissioner Gonzalez commented that it has been a pleasure to serve on the Commission and he is willing to continue to serve in any capacity following the end of his term.

Chair Orth commented that he has been following the County redistricting process and was impressed with the County GIS Staff's work, professionalism, and ability to quickly provide large amounts data.

ADJOURNMENT (Video Time: 36:44)

There being no further business, the meeting adjourned at 9:35 a.m. The next regular meeting is scheduled for Monday, January 3, 2022, at 9:00 a.m. and will be held remotely due to the continued state of emergency, guidelines adopted by the Mendocino County Public Health Officer and Executive Orders regarding the COVID-19 pandemic.

Live web streaming and recordings of Commission meetings are available via the County of Mendocino's YouTube Channel. [December 6, 2021, YouTube meeting recording](#). Links to recordings and approved minutes are also available on the [LAFCo website](#).