

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
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COMMISSIONERS

Carre Brown, Chair
County Board of Supervisors

Tony Orth, Vice Chair
Brooktrails Township CSD

Gerald Ward, Treasurer
Public Member

Vacant
City Council Representative

John Huff
Mendocino Coast Recreation
and Park District

Scott Ignacio
Point Arena City Council

John McCowen
County Board of Supervisors

Jenifer Bazzani, Alternate
Ukiah Valley Fire District

Vacant, Alternate
City Council Representative

Carol Rosenberg, Alternate
Public Member

Ted Williams, Alternate
County Board of Supervisors

STAFF

Executive Officer
Uma Hinman

Analyst
Larkyn Feiler

Commission Clerk
Elizabeth Salomone

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

Approved by Commission March 4, 2019

MINUTES

Local Agency Formation Commission of Mendocino County

Regular Meeting of Monday, February 4, 2019

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

1. **CALL TO ORDER and ROLL CALL** (Video Time 4:39)

Chair Ward called the meeting to order at 9:03am.

Regular Commissioners Present: Carre Brown, John Huff, Scott Ignacio, John McCowen, Tony Orth, Gerald Ward

Alternate Commissioners Present: Jen Bazzani, Carol Rosenberg, Ted Williams

Staff Present: Uma Hinman, Executive Officer; Elizabeth Salomone, Clerk

At 10:50am, Chair Brown left the meeting. Vice Chair Orth assumed duties of the Chair and Commissioner Williams assumed the seat of County Board of Supervisors representative.

2. **PUBLIC EXPRESSION** (Video Time 5:05)

No one from the public indicated interest in public expression.

3. **OTHER BUSINESS** (Video Time 5:20)

3a) **Announcement of Appointments and Oath of Office**

EO Hinman announced the 2019 City and County representatives, John Huff, Special District Representative and Ted Williams, County Board of Supervisors Representative. The Clerk conducted the Oath of Office for both Commissioners. Commissioners Brown and McCowen are continuing as the Regular County Board of Supervisors Representatives. EO Hinman noted a City Select Committee meeting to appoint the remaining vacant Regular and Alternate City was scheduled for the afternoon of February 4th.

3b) **Selection of Officers and Appointments to Committees**

Upon motion by Commissioner McCowen and second by Commissioner Orth, the nomination and election of Carre Brown to serve as Chair, Tony Orth to serve as Vice Chair, and Gerald Ward to serve as Treasurer was approved by roll call vote:

Ayes: (7) Brown, Huff, Ignacio, McCowen, Orth, and Ward

Commission Brown immediately assumed office as Chair. EO Hinman noted policy dictates the Executive Committee is to be made up of the Chair, the Vice Chair and the Treasurer or a Commissioner appointed by the Chair. Chair Brown appointed Commissioner Ignacio to the Executive Committee as the third member, and Commissioners McCowen and Rosenberg to the Policies & Procedures Committee, postponing the third member until the March Regular Meeting when two new City Representatives are expected to take seat.

4. CONSENT CALENDAR (Video Time 17:00)

4a) Approval of the December 3, 2018 Regular Meeting Summary Minutes

4b) Approval of the December 2018 Claims and Financial Report

4c) Approval of the January 2019 Claims and Financial Report

Chair Ward noted an edit was needed to the next meeting date from December 3rd, 2018 to January 7, 2019 to the minutes.

<u>December 2018 Claims Paid, Needing Ratification</u>	\$ 1415.84
Deluxe Checks	\$ 232.24
CALAFCO Conference, Travel/Lodging	\$ 1155.59
Ukiah Valley Conference Center	\$ 28.01

<u>December 2018 Claims totaling</u>	\$ 8,592.90
Hinman & Associates Consulting	\$ 7,135.00
P. Scott Browne	\$ 600.00
Ukiah Valley Conference Center	\$ 444.12
Commissioner Reimbursement	\$ 178.07
Mendocino County, GIS & Televising	\$ 235.11
Deluxe Checks	\$.06

<u>January 2019 Claims totaling</u>	\$ 9,753.80
Hinman & Associates Consulting	\$ 8,560.50
P. Scott Browne	\$ 600.00
Ukiah Valley Conference Center	\$ 455.00
Mendocino County, GIS & Televising	\$ 138.30

Upon motion by Commissioner Ignacio and second by Commissioner Ward, Consent Calendar items 4a) Approval of the December 3, 2018 Regular Meeting Summary Minutes with noted edit, 4b) Approval of the December 2018 Claims and Financial Report, and 4c) Approval of the January 2019 Claims and Financial report were approved by roll call vote:

Ayes: (7) Brown, Huff, Ignacio, McCowen, Orth, and Ward

5. PUBLIC HEARING ITEMS (Video 18:40)

None

6. WORKSHOP ITEMS

6a) Fort Bragg Rural Fire Protection District MSR/SOI Update (Video time 18:45)

EO Hinman introduced the Draft Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Fort Bragg Rural Fire Protection District, noting the District had reviewed both an administrative draft and the Workshop Draft and had no comments or questions to present for the Workshop. Comments and questions were offered by Commissioners Brown, Orth, Ward, Huff, Ignacio, Williams, McCowen, and Rosenberg. The following points were noted for staff to address:

- On Page 2-6, Table 2.4 shows staffing levels with one Fire Chief and two Battalion Chiefs, whereas on Page 2-7, Figure 2-1 also shows three Assistant Chiefs. Verify the accuracy of the organizational chart.
- On pages 2-2 and 2-4, reference the governing body in a general manner instead of specifically naming the elected/appointed officials for the specific local agency so this information does not need to be updated in each MSR document.
- On page 2-4, under Section 2.2.3 Volunteer Organization, confirm the accuracy of the formation date of October 1891 for the Fort Bragg Volunteer Fire Department.
- Provide current financial statements and balance sheet.
- On page 2-6, Table 2.4 shows the Fire Authority staffing includes a paramedic which suggests that they are an ALS first responder, but they are a BLS first responder. A paramedic in a non-ALS fire department can only function to the level of an EMT. Please clarify with the District.
- Request for future: review Fire Authority including Fort Bragg Rural Fire Protection District and the City of Fort Bragg to capture all finances of Fire Authority in one document. EO response: The Fire Authority is a Joint Powers of Authority (JPA) and LAFCo does not have direct oversight into JPAs.
- CAL FIRE is listed as the primary provider and the District is listed as the secondary provider for wildland fire service under Sections 2.1.3 Services, 3.1.1 Service Overview, 3.1.1.3 Adjacent Providers, and 4.1.5.2 Need for Facilities and Services. Given that CAL FIRE provides coverage seasonally, sometimes Fort Bragg Rural FPD is the only resource available for those fires, which should be captured in the document and some chronology of how many State Responsibility incidents the Fort Bragg Fire Authority was the first to respond.
- Provide an explanation of the prior period adjustment in Fiscal Year 2014-15 of \$1,349,908.
- Clarify the relationship between the Fire Authority, District, City, and Volunteer Fire Department. Clarify if the local agency boundaries overlap, and if so clarify dispatch protocol and Incident Command for overlap areas.
- Revise the map to show the city limits in solid red instead of white or gray with a yellow border.
- Provide details for financial contributions from the Fire Association to the Fire District.
- Capture the insurability of property within the Fire District. Staff was asked to explore the responsibility of LAFCo to review and provide determinations on the insurability of properties. It was also noted that LAFCo could explore providing legislature awareness on property insurability issues in the County.

The Commission directed staff to notice the Fort Bragg Rural Fire Protection District MSR/SOI Update for public hearing on March 4, 2019, or as soon as possible, for consideration of approval.

7. MATTERS FOR DISCUSSION & POSSIBLE ACTION

7a) Mid-Year Budget and Work Plan Review FY 2018-19

Chair Brown noted the Executive Committee reviewed the proposed mid-year budget and work plan status for Fiscal Year 2018-19. EO Hinman presented the report. Comments and questions were offered by Commissioners Ward, Rosenberg, McCowen, Orth, Ignacio, and Brown. The following points were noted:

- The impact of mandated and unfunded requirements from the State was acknowledged.
- Direction to staff to develop a policy and/or fee schedule line item to allow for cost recovery on inquiries that take significant amounts of staff time.
- Staff noted that the increase in the estimated budget for Willits from \$12,000 to \$16,000 was due to preparing a focused MSR update to support the SOI update.
- Timely completion of reports within budget was discussed. The impact of District/City delays in response to the Commission's inquiries was discussed.

The following direction to staff for discussion regarding the preliminary fiscal year 2019-20 budget review:

- Directed staff to provide CALAFCO's budget survey to the Commission as information, noting the overall budget of Mendocino LAFCo is comparatively lean; however it also noted that the contributing Special Districts, Cities, and County are also operating on lean budgets.
- Commissioner request to review the current fiscal policy amounts for legal and operational reserves.

NOTE: Item 7c) was heard out of order to accommodate public attendance.

7b) Preliminary Fiscal Year 2019-20 Budget Review (Video 1:29:40)

EO Hinman presented the preliminary budget estimates and work plan priorities for Commission feedback to staff for development of the Draft Budget and Work Plan. Comments and questions were offered by Commissioners McCowen, Brown, Williams, Orth, Rosenberg, Ward, and Ignacio.

The following points were made:

- Staff noted that CEQA costs were not included in any Work Plan cost estimates, which would likely be triggered by any non-coterminous sphere updates. Further, in order to be considered for annexation, properties must be within an agency's sphere.
- Staff noted that the \$50,000 Legal reserve amount was recommended by Legal Counsel.
- Staff confirmed that indemnity clauses are required to be signed for all applications, deposits, etc.
- Alternatives were discussed for obtaining requested information from special districts and cities during the preparation of municipal services reviews and sphere updates.

Chair Brown called a short break from 10:17 to 10:25 am. (Video 1:21:27-1:29:40)

7c) County Service Area 3 Status Determination (Video 59:00)

EO Hinman presented the State Controller's Office (SCO) notification to Mendocino LAFCo that County Service Area (CSA) 3 was identified as an inactive district in accordance with SB 448, noting the requirement for Commission action within 90 days of receiving the SCO's notice. Staff recommendation is to delay Commission determination on the status of CSA 3 to allow the Board of Supervisors' to discuss the matter during its February 5, 2019 meeting, and to direct staff to schedule the CSA determination and possible resolution initiating dissolution proceedings to the March 4, 2019 Commission meeting. Comments and questions were offered by Commissioners Brown, Ward, Williams, Orth, McCowen, Huff, Ignacio, and Rosenberg. EO Hinman reviewed the determinations that led to the State's identification of CSA 3 as an inactive district. The Commission discussed and then directed staff to consult with Legal Counsel regarding options for this LAFCo to make a determination supporting the CSA 3 continue with an active status.

Carmel Angelo, Mendocino County CEO, provided an update the Commission and noted written legal opinion from County Counsel is expected soon. CEO Angelo asked the Commission to support Staff recommendation to delay determination on the District's status.

Upon motion by Commissioner McCowen and second by Commissioner Orth, a delay in Commission determination on the status of CSA 3 to allow the Board of Supervisors' to discuss the matter during its February 5, 2019 meeting and direction to staff to consult with Legal Counsel and to schedule the district determination and possible resolution initiating dissolution proceedings to the March 4, 2019 Commission meeting was approved by unanimous vote:

Ayes: (7) Brown, Huff, Ignacio, McCowen, Orth, and Ward

8. INFORMATION/ REPORT ITEMS

8a) Work Plan, Current, and Future Proposals (Video Time: 1:52:48)

EO Hinman presented the staff report, noting updates. She also provided details on the upcoming schedule for MSR/SOI updates.

8b) Correspondence (Video Time: 1:56:00)

EO Hinman noted the inclusion in the packet of correspondence from Lisa Weger regarding the Mendocino Coast Healthcare District proposed detachment. Comments and questions from Commissioners Orth, Williams, and Rosenberg

8c) Executive Officer's Report (Video Time: 1:59:01)

EO Hinman reported on the following:

- The California Fair Political Practices Commission Statement of Economic Interests Form 700 are due in April.
- As per Commission direction in January, a letter to the County, and copied to the four Cities, regarding Master Tax Share Agreements was distributed.
- Staff continued to work with pre-application work process with Lisa Weger regarding possible detachment from Mendocino Coast Healthcare District.
- Staff met with landowners regarding possible annexations to the Ukiah Valley Sanitation District and the Millview County Water District.
- Staff met with Albion Little River Fire District to discuss their concerns of administrative efficiencies of the District.
- LAFCo is now eligible for Sustainable Agricultural Lands Planning Grants.
- EO thanked Jerry Ward for his mentoring and support during his time as Chair.

8d) Committee Reports (Video Time: 2:02:35)

Commissioners Ward and Ignacio noted all items from the last Executive Meeting had been addressed during the meeting.

8e) Commissioners Reports, Comments or Questions (Video Time: 2:01:00)

Commissioner Ward asked for complete billings from Legal Counsel to track hours.

8f) CALAFCO Business and Legislation Report - None

ADJOURNMENT

There being no further business, at 11:04 the meeting was adjourned. The next regular meeting is scheduled for Monday, March 4, 2018 at 9:00am in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah, California.

Live web streaming and recordings of Commission meetings are now available via the County of Mendocino's YouTube Channel. Links to recordings and approved minutes are also available on the LAFCo website.

<https://www.youtube.com/watch?v=OofY2kTUvoY>