

# MENDOCINO

## Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482  
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*Approved August 7, 2023*

### 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

## FINAL MINUTES

### Mendocino Local Agency Formation Commission

#### Regular Meeting (Hybrid) of Monday, June 5, 2023

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

#### 1. CALL TO ORDER and ROLL CALL (Video Time 17:40)

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

**Regular Commissioners Present:** Maureen Mulheren, Gerardo Gonzalez, Glenn McGourty, Mari Rodin, Candace Horsley, Katharine Cole, and Richard Weinkle (immediately seated)

**Regular Commissioners Absent:** Gerald Ward

**Alternate Commissioners Present:** Douglas Crane (remotely)

**Alternate Commissioners Absent:** Francois Christen and John Haschak

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

#### 2. PUBLIC EXPRESSION

None

#### 3. OTHER BUSINESS

None

#### 4. CONSENT CALENDAR (Video Time 19:41)

##### 4a) May 1, 2023 Regular Meeting Summary

##### 4b) May 2023 Claims & Financial Report

Commissioner Horsley asked about the \$29,082.31 revenue balance and whether funds are received at different times and EO Hinman clarified that it reflects the amount remaining in the County treasury that is available to LAFCo for withdrawal, as of December 2022.

<b>April 2023 Claims totaling:</b>	<b>\$ 28,198.11</b>
Hinman & Associates Consulting	23,003.15
P. Scott Browne	900.00
Commissioner Stipends	149.13
Streamline	50.00
Newspapers	349.03
Mendocino County	3,152.00
Ukiah Valley Conference Center	594.80

**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**

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

**5. PUBLIC HEARING ITEMS** (Video Time 22:06)

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

Chair Mulheren opened the Public Hearing at 9:05 a.m. for the Commission to consider and take action on the Final Budget and Work Program for Fiscal Year (FY) 2023-2024.

EO Hinman provided a staff presentation on the item. (Video Time 22:51 - 35:08)

The Commission discussed the item.

Commissioner McGourty asked about what precisely will be evaluated and studied for the water companies and EO Hinman responded that as part of the regularly scheduled MSR/SOI Updates for these agencies, areas of focus will include the effects of recent drought, such as supplies concerns and increased water hauling needs.

Commissioner McGourty asked about whether the ability to expand service for new hook-ups will be evaluated and EO Hinman confirmed that the MSR will evaluate agency capacity and ability to serve new customers. EO Hinman also explained that LAFCo staff has received inquiries regarding potential consolidation of coastal water providers.

Commissioner McGourty asked, from a governance standpoint, who coordinates the consolidation effort between public and private water providers and EO Hinman responded that it is a combined effort. EO Hinman explained that private water companies are not under LAFCo purview but are required to respond to LAFCo requests for information. EO Hinman also noted the intent to provide a good regional overview of water supply and demand on the coast and to prepare for any required consolidation of small water districts, which is within the State Water Board purview.

Commissioner Rodin added that mandatory areas of study per LAFCo law will be addressed in the MSR/SOI updates.

Commissioner McGourty noted that sourcing new water supplies on the coast presents challenges and the City Fort Bragg's wind and solar powered desalination project could be a useful example to other water providers to generate water supply with relatively minimal environmental impacts.

Chair Mulheren opened the Public Comment Period at 9:18 a.m. No public comments were provided.

Chair Mulheren closed the Public Hearing and Public Comment Period at 9:18 a.m.

<b>Motion:</b> 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.		
<b>Motion Maker:</b> Rodin	<b>Motion Second:</b> Gonzalez	<b>Outcome:</b> Passed unanimously
<b>Roll Call Vote:</b> Ayes: (6) Rodin, McGourty, Gonzalez, Weinkle, Horsley, Cole, Mulheren		

**6. WORKSHOP ITEMS**

None

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

**7a) Proposed Amendment No. 3 to the Executive Officer Services Agreement** (Video Time 36:09)

EO Hinman briefly presented the item, starting on page 60 of the packet, regarding Amendment No. 3 to the Executive Officer Services Agreement adjusting Hinman & Associates Consulting, Inc.'s staff hourly rates.

Commissioner Horsley asked about the basis for the 30% rate increase amount for the Clerk/Administrative Assistant position and EO Hinman clarified that the proposed route to fill the Administrative Assistant vacancy will be through a Temp Agency and the rate increase accommodates their \$50 hourly charge and a standard 5% Administrative Fee from Hinman and Associates Consulting, Inc. Commissioner Horsley asked about whether the Temp Agency will pay all the employment costs, such as Workers' Compensation, and EO Hinman confirmed.

No public comments were provided on the item.

<b>Motion:</b> Approve Amendment No. 3 to the Executive Officer Services Agreement adjusting Hinman & Associates Consulting, Inc.'s staff hourly rates.		
<b>Motion Maker:</b> Rodin	<b>Motion Second:</b> Cole	<b>Outcome:</b> Passed unanimously
<b>Roll Call Vote:</b> Ayes: (6) Gonzalez, McGourty, Rodin, Horsley, Cole, Weinkle, Mulheren		

## 8. INFORMATION AND REPORT ITEMS

### 8a) Work Plan, Current and Future Proposals (Video Time 39:31)

EO Hinman briefly presented the item, starting on page 63 of the packet, regarding the work plan and current and future proposals.

EO Hinman noted that all applications on file are pending tax share agreements, which is a process conducted by the County Assessor, Auditor, Executive Office, and Board of Supervisors. EO Hinman also noted that the Ukiah City Council will consider a proposed tax share agreement at the June 7<sup>th</sup> meeting for the City-owned properties annexation application (A-2021-01).

EO Hinman noted that LAFCo staff is also working on conducting research and developing information requests and a template for the coastal water/wastewater agencies MSR/SOI studies.

<b>Motion:</b> To receive and file the Work Plan, Current and Future Proposals report.		
<b>Motion Maker:</b> McGourty	<b>Motion Second:</b> Horsley	<b>Outcome:</b> Passed unanimously
<b>Roll Call Vote:</b> Ayes: (6) McGourty, Rodin, Gonzalez, Horsley, Cole, Weinkle, Mulheren		

### 8b) Correspondence

None

### 8c) CALAFCO Business and Legislation Report (Video Time 41:49)

EO Hinman provided an update that the CALAFCO Conference will be held in Monterey on October 18 – 20<sup>th</sup>, it is a great opportunity to learn about issues facing LAFCo throughout the State and networking with Commissioners and staff from other LAFCos, the budget accommodates 4-5 Commissioners to attend, and the Announcement is included in the packet for more information.

EO Hinman provided a reminder about the CALAFCO Nomination Period for the Annual Achievement Awards due on August 18, 2023 and an update on the CALAFCO Sponsored Omnibus Bill currently moving through the Legislature.

### 8d) Executive Officer's Report (Video Time 43:13)

EO Hinman provided a brief update regarding current efforts on training the new analyst to assist with application processing and work plan development.

EO Hinman announced planned time out of the office on June 7 – 13<sup>th</sup> and Analyst Feiler will provide back-up coverage.

Commissioner Horsley asked whether the scheduled update to application forms will impact current applications on file and EO Hinman confirmed that no new forms will be required for applications already in process.

### 8e) Committee Reports (Executive Committee, Policies & Procedures) (Video Time 44:18)

None

**8f) Commissioners Reports, Comments or Questions (Video Time 44:28)**

None

**9. CLOSED SESSION – Conducted in Conference Room C**

**9a) Conduct Interviews with Candidates for Legal Counsel Services Contract (Video Time 44:42)**

No public comments were provided.

Closed Session held pursuant to Government Code Section 54957(b)(1) – consider appointment of Legal Counsel.

**Report out from Closed Session (Video Time 3:07:42)**

Direction was given to staff.

**ADJOURNMENT (Video Time 3:07:52)**

There being no further business, the meeting adjourned from Conference Room C at 11:53 a.m.

The next regular meeting of the Commission is scheduled on Monday, **July 3, 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. [June 5, 2023 YouTube meeting recording](#). Links to recordings and approved minutes are also available on the [LAFCo website](#).*