

# 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](mailto:eo@mendolaafco.org) | Web: [www.mendolaafco.org](http://www.mendolaafco.org)

### COMMISSIONERS

#### **Tony Orth, Chair**

Special District Member

#### **Scott Ignacio, Vice-Chair**

City Member

#### **Gerald Ward, Treasurer**

Public Member

#### **Matthew Froneberger**

Special District Member

#### **Glenn McGourty**

County Member

#### **Maureen Mulheren**

County Member

#### **Mari Rodin**

City Member

#### **Gerardo Gonzales, Alternate**

City Alternate Member

#### **John Haschak, Alternate**

County Alternate Member

#### **Richard Weinkle, Alternate**

Public Alternate Member

#### **Vacant, Alternate**

Special District 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

## A G E N D A

Regular Meeting of **Monday, September 12, 2022 at 9:00 AM**  
County Board of Supervisors Chambers 501 Low Gap Road, Ukiah, California

### Special Notice – Hybrid Meeting

On September 16, 2021, Governor Newsom signed AB 361, which modified the Brown Act to allow for teleconferencing participation at local legislative body public meetings during the proclaimed state of emergency. As urgency legislation, this law took effect immediately. Pursuant to Government Code §54953(e)(1)(B), the Commission will conduct its September 12, 2022 meeting in a **hybrid** format to accommodate both in-person and remote participation by the Commission and its staff members. The public is similarly welcome to participate in person or remotely (video or telephone). The Commission's **hybrid** meeting can be accessed by the public in person, or remotely as described in the Instructions for Remote Participation Option, below.

The in-person meeting will be held in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah. Social distancing practices are recommended whenever possible and seating is arranged to accommodate the six feet recommended by the Health Officer.

### 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/88291514796>

2. Telephone option (audio only):

Dial: **(669) 900-9128** (*Please note that this is not a toll-free number*)

Meeting ID: **882 9151 4796**

### 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](mailto: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. AB 361 REMOTE TELECONFERENCING ACTION**

Pursuant to AB 361, the Commission will consider the status of the ongoing emergency and facts related to health and safety of meeting attendees due to COVID-19 and consider Resolution No. 2022-23-03 making further findings related to holding this Commission meeting via a hybrid model, including by teleconference, pursuant to the provisions of Government Code Section 54953(e). No written report.

## **3. 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.

## **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) July 11, 2022 Regular Meeting Summary**

**4b) Ratify the July 2022 Claims & Financial Report**

**4c) August 2022 Claims & Financial Report**

**4d) Ratify the FY 2022-23 Contract with Mendocino County Information Technology for GIS and Meeting Support Services**

**4e) WestAmerica Bank Signatures**

## **5. PUBLIC HEARING ITEMS**

None

## **6. WORKSHOP ITEMS**

**6a) Joint Public Workshop for the City of Ukiah and Ukiah Valley Sanitation District Municipal Service Reviews**

The Commission will hold a joint public workshop on the Draft Municipal Service Review (MSR) for the City of Ukiah and the Ukiah Valley Sanitation District. The Commission will review and discuss the Draft MSRs and welcomes public comment on the documents. No formal action will be taken on the Draft MSRs at this meeting; a second workshop will be scheduled at a later date to review the proposed Sphere of Influence (SOI) for these agencies. A public hearing will then be scheduled for formal consideration by the Commission of the Final MSR/SOI Updates for these agencies.

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

**7a) Commissioner Terms, Recruitments and Elections**

The Commission will receive an informational report regarding status of Commissioner terms, recruitment for the Public Member term 2023-2026, and an update on the Independent Special District election.

**7b) Selection of the Voting Delegate for the CALAFCO Board of Directors Election Proceedings**

The Commission will assign a voting delegate to attend and participate in the regional caucus and CALAFCO Annual Business Meeting on October 20, 2022 during the annual CALAFCO conference.

## **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**

**8d) Executive Officer's Report** (Verbal)

**8e) Committee Reports (Executive Committee, Policies & Procedures, Work Plan Ad Hoc)** (Verbal)

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

## ADJOURNMENT

The next Regular Commission Meeting is tentatively scheduled for Monday, **October 3, 2022** at 9:00 AM.  
*Meeting may be held via a hybrid model due to current State and local mandates related to the COVID-19 pandemic.*

Notice: This agenda has been posted at least 72 hours prior to the meeting and in accordance with the temporary Brown Act Guidelines instated by State Executive Order N-29-20 and AB 361.

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 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.

**Resolution No. 2022-23-03  
of the Mendocino Local Agency Formation Commission**

**Making Continued Findings Pursuant to Assembly Bill 361 to Conduct Remote Public Meetings for the Commission and its Standing Committees During a Proclaimed State of Emergency Due to the COVID-19 Pandemic**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, is committed to preserving and nurturing public access and participation in meetings of the Commission; and

WHEREAS, all the meetings of the Commission are open and public, as required by the Ralph M. Brown Act (“Brown Act”) (California Government Code 54950 -54963), so that any member of the public may attend, participate, and watch the Commission conduct business; and

WHEREAS, the Brown Act, Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the boundaries of Mendocino County, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, if the legislative body meeting in person would present imminent risks to the health and safety of attendees, Commissioners and staff; and

WHEREAS, the Commission previously adopted a Resolution, Number 2022-23-01 on July 11, 2022, finding that the requisite conditions continue to exist for the legislative bodies of Mendocino Local Agency Formation Commission to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the Commission must reconsider the circumstances of the state of emergency that exists in the County, and the Commission has done so; and

WHEREAS, such conditions now exist in the County of Mendocino, specifically, the State of Emergency proclaimed by Governor Newsom on March 4, 2020, due to the COVID 19 pandemic; and



WHEREAS, the California Department of Public Health and the Mendocino County Public Health Department continues to recommend requiring face coverings in all public indoor settings attributable to the rise in SARS-CoV-2 Delta Variant and the Commission cannot be certain that all persons in attendance at meetings will follow the guidelines or be fully vaccinated; and

WHEREAS, the Commission does hereby find that the rise in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of persons within the County that are likely to be beyond the control of the Commission or its staff, and desires to proclaim a local emergency exists and ratify the proclamation of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Commission does hereby find that the legislative bodies of the Mendocino Local Agency Formation Commission shall continue to conduct their meetings without compliance with Government Code Section 54953(b)(3), as authorized by Section 54953(e), and that such legislative bodies shall comply with the requirements to provide the public with access to meetings as prescribed in Section 54953(e)(2); and

WHEREAS, the Commission provides written agenda that fully describes the process for the public to fully participate in the Commission's hybrid meetings to include attending in person and viewing, listening and commenting in real time on all agenda items; and

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

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Commission hereby proclaims that a local emergency now exists throughout the Commission's jurisdictional boundaries, and the rise in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of all persons participating in the Commission's meetings that are likely to be beyond the control of the Commission or its staff, equipment, and facilities of the Commission.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Commission hereby ratifies the Governor of the State of California's Proclamation of State of Emergency for COVID 19, effective as of its issuance date of March 4, 2020.

Section 4. Hybrid Meetings. The Executive Officer and the Mendocino Local Agency Formation Commission are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the next regular meeting of the Commission when the Commission shall consider renewing its findings by subsequent resolution, in accordance with AB 361 and in accordance with Government Code section 54953(e)(3).

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 12th day of September, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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CHARLES A. ORTH, Commission  
Chair

ATTEST:

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UMA HINMAN, Executive Officer

DRAFT

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### 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

#### **Glenn McGourty**

County Board of Supervisors

#### **Maureen Mulheren**

County Board of Supervisors

#### **Mari Rodin**

City Member

#### **Vacant**

Ukiah Valley Fire District

#### **Gerardo Gonzalez, Alternate**

Willits City Council

#### **John Haschak, Alternate**

County Board of Supervisors

#### **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

## Agenda Item No. 4a

### DRAFT MINUTES

## Local Agency Formation Commission of Mendocino County Regular Meeting of Monday, July 11, 2022

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

### 1. CALL TO ORDER and ROLL CALL (Video Time 3:15)

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

**Regular Commissioners Present:** Tony Orth, Gerald Ward, Glenn McGourty (at 9:02), Matthew Froneberger, Mari Rodin, Maureen Mulheren, and Scott Ignacio (at 9:50)

**Regular Commissioners Absent:** None

**Alternate Commissioners Present:** Gerardo Gonzalez (seated for Commissioner Ignacio until 9:50 am)

**Alternate Commissioners Absent:** John Haschak, and Richard Weinkle

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

### 2. AB 361 REMOTE TELECONFERENCING ACTION (Video Time 4:36)

The Commission adopted Resolution No. 2022-23-01 making continued findings pursuant to Assembly Bill 361 to conduct public meetings remotely due to the COVID-19 pandemic.

**Motion** by Commissioner Froneberger to adopt Resolution No. 2022-23-01.

**Second** by Commissioner Mulheren.

**Approved** by roll call vote: unanimous.

Ayes: (7) Froneberger, Gonzalez, Rodin, McGourty, Mulheren, Ward, Orth

### 3. PUBLIC EXPRESSION None

### 4. CONSENT CALENDAR (Video Time 7:33)

#### 4a) June 6, 2022 Regular Meeting Summary

#### 4b) June 2022 Claims & Financial Report

Treasurer Ward requested a meeting with EO Hinman to resolve issues surrounding signing checks and bank authorization. Chair Orth suggested that Treasurer Ward and EO Hinman visit the bank in-person.

Commissioner Froneberger asked for clarification regarding activity on Budget Account 6740 In-County Travel & Stipends. EO Hinman answered that Commissioners may submit claims for regular Commission meeting participation. Currently, Alternate Commissioner Weinkle is the only Commissioner who submits claims for meeting participation.

<b>June 2022 Claims totaling:</b>	<b>\$18,301.70</b>
Hinman & Associates Consulting	15,088.67
P. Scott Browne	900.00
County of Mendocino	1,116.84
Comcast	93.67
Newspapers	410.00
Streamline	50.00
Ukiah Valley Conference Center	592.52
Commissioner Stipends	50.00

**4c) Approval of Zach Pehling, CPA Contract for FY 2021-22 Audit Services**

**4d) Ratify Legislative Support Letter for SB 938**

**Motion** by Commissioner Rodin to approve the Consent Calendar.

**Second** by Commissioner Gonzalez.

**Approved** by roll call vote: unanimous.

Ayes: (7) Ward, Froneberger, Mulheren, McGourty, Rodin, Gonzalez, Orth

**5. PUBLIC HEARING ITEMS** (Video Time: 12:33)

**5a) CONTINUED: County Service Area No. 3 Municipal Service Review and Sphere of Influence Study**

Chair Orth opened the continued Public Hearing and Public Comment Period at 9:11 a.m. for the County Service Area No. 3 (CSA 3 or District) Municipal Service Review (MSR) and Sphere of Influence (SOI) establishment study. EO Hinman noted that Darcie Antle, Mendocino County Interim CEO, and Howard Dashiell, Mendocino County Director of the Department of Transportation, were present for the item. Analyst Feiler presented the item. (Video Time 14:04-17:49)

The following are summary Commission discussion points for this item.

1. There currently is no relationship between CSA 3 and water districts throughout the County.
2. Figures 4.2 and 4.3 show the gaps between existing fire and water service providers which are proposed to be designated as Areas of Interest (AOI) for enhanced coordination in moving forward. An SOI and AOI are different.
3. There is interest in using CSA 3 to fund water services, such as building infrastructure or managing resources.
4. CSA Law allows for the creation of zones of benefit and Prop 218 funding to add benefits or service levels.
5. The feasibility of using CSA 3 to fund water services is important and complex and will require significant County staff effort, LAFCo staff guidance, and interagency coordination to determine once the study is adopted. For future applications to activate powers for CSA 3, two fundamental questions will need to be addressed related to any duplication of services with existing agencies and the financial ability of the agency to provide the new service in the proposed area. The purpose of the current study is to meet the statutory obligation to establish a sphere for CSA 3 since it does not currently have an SOI in place.
6. There are two areas in water that are very important to fund. One is the transfer of the Eel River diversions that PG&E owns and two is the Groundwater Sustainability Agency. In addition, Sonoma County Water Agency has received a grant to organize all Russian River water users to eventually monetize water diversions. Water has been inexpensive and only involved pumping costs because PG&E abandons water after the hydroelectric process.
7. The water intertie between the City of Willits and Brooktrails Township CSD is complex enough with the two agencies involved and adding another layer of bureaucracy with CSA 3 could interfere with implementation.
8. CSA 3 was completely inactive from November 1997 until November 2018, and likely fell off the radar due to staffing changes over those 11 years.

9. CSA 3 was determined to be active in 2019 and 2021 in response to notification from the State Controller's Office related to SB 448 (chaptered in 2017) and based on criteria that it had financial resources, which were contributed by Board of Supervisors' direction.
10. It seems that it would be better to secure grants funds for CSA 3 water projects, instead of relying on taxation from Zones of Benefit.
11. There were 22 comments made by the Commission in the minutes for the June 6<sup>th</sup> hearing that have not been addressed to date, the CSA 3 MSR/SOI does not follow the traditional process, and there is confusion about the entire County area for CSA 3 and the proposed reduction for the Sherwood Firewise Community (FWC) SOI for emergency access purposes.
12. CSA 3 service plans will be addressed in greater detail in future LAFCo applications to activate powers. There is also the option of forming a new CSA through a LAFCo application if sufficient community need and interest exists.
13. This MSR/SOI study is unique because CSA 3 does not provide any services and so there is very limited information to review or analyze. The purpose of the study is to establish a sphere for CSA 3 consistent with LAFCo Law. The countywide scale of CSA 3 was approved in 1985 and would require a boundary change application to change. The proposed SOI, which is the recommended future boundary for an agency, is focused on the Sherwood FWC emergency access project because there has been significant community effort over multiple years to address this need. The SOI for CSA 3 can change in the future based on additional community need and interest.
14. Water infrastructure is very expensive and currently our County is not very well organized to address major water project needs on a collective basis. The need to raise interim and long-term funding for planning and preparing studies is critical in order to have a seat at the table and be included in larger multi-county discussions related to water rights. The fear is that Mendocino County will again lose out on water rights to downstream users as in the 1950s in addition to missing out on the opportunity to monetize water to support a central agency. Grants and service costs are important funding sources, we need a thoughtful and cohesive plan for responding to prolonged drought conditions, and all options should be on the table.
15. There are many unanswered questions, particularly related to opening up the vast majority of the County to a single agency for activating fire and water powers without a plan.
16. County representatives on LAFCo are not required to recuse themselves on LAFCo actions associated with County-dependent districts. LAFCo law clarifies that such public service is not a conflict of interest for representatives of any LAFCo member-agency.
17. There is no difference between a Study Area and an Area of Interest (AOI) in the CSA 3 SOI portion of the study; however, sometimes there are specific study areas identified for a particular agency that do not need enhanced coordination in moving forward and so do not result in a recommendation for an AOI designation on the SOI map.
18. Funding for water needs in Inland County is a concern and the CSA 3 MSR/SOI leaves open the possibility of creating a future funding mechanism for water infrastructure and water rights needs in unserved areas.
19. It does not appear that the intent of CSA 3 is to block efforts of existing water providers and each time something is proposed for CSA 3 it will come back before the Commission for review and approval.
20. Former Supervisor Eddy was contacted for a historical perspective on why CSA 3 expanded from the South Coast area to the entire County but was unreachable.
21. The SOI map on page 77 of 142 (Figure 4.1) shows the Ukiah Eastern Hills AOI for purposes of emergency access routes similar to the Sherwood FWC pilot project. This project is still in early stages of development and therefore was not recommended for an SOI boundary at this time.
22. The County received a grant for CAL FIRE to study emergency access routes for the Ukiah Eastern Hills area since it is a one-way-in and one-way-out community and there have been recent fires that showed the vulnerability of this area for emergency evacuations.

Chair Orth welcomed participation in the continued Public Comment Period at 10:00 a.m. and no public comments were received.

Commissioner Ignacio joined the meeting at 9:54 a.m. and was not immediately seated as a City voting-member because Alternate Commissioner Gonzales participated in the hearing, and Counsel Burch confirmed such approach.

Chair Orth closed the Public Comment Period and the Public Hearing at 10:04 a.m. (Video Time 1:06:34).

Commissioner Ward noted that questions remain that need answers or explanations in the future.

Commissioner Rodin motioned, with a second by Commissioner Mulheren, to approve the study as outlined in the staff recommendations. Commissioner Froneberger inquired about whether the CEQA component should be voted on separately and Counsel Burch so confirmed.

The maker of the motion, and seconder, confirmed that the motion will be broken into two parts; the question of CEQA exemption for the study and the question of adoption of the resolution approving the study.

**Motion** by Commissioner Rodin to find the County Service Area No. 3 Municipal Service Review and Sphere of Influence Study is exempt from CEQA pursuant to 14 CCR §15061(b)(1) & (2), §15306, §15301(c), and §15269(b) & (c) and approve the Notice of Exemption for filing.

**Second** by Commissioner Mulheren.

**Approved** by roll call vote: one dissenting vote.

Ayes: (7) Ward, Mulheren, Gonzalez, Froneberger, Rodin, McGourty, Orth

**Motion** by Commissioner Rodin to adopt LAFCo Resolution 2022-23-02, approving the County Service Area No. 3 Municipal Service Review and Sphere of Influence Study and establishing a Service Specific Sphere of Influence for CSA 3 that is limited to the future Sherwood Firewise Community Zone of Benefit for road maintenance of emergency access routes, and designating an Area of Interest for the Ukiah Eastern Hills, Fire Service Gaps, and Water Service Gaps Study Areas.

**Second** by Commissioner Mulheren.

**Approved** by roll call vote: unanimously.

Ayes: (6) Mulheren, McGourty, Gonzalez, Ward, Rodin, Orth

Noes: (1) Froneberger

Commissioner Ignacio was seated as a City voting-member for the remainder of the meeting.

## 6. **WORKSHOP ITEMS** None

## 7. **MATTERS FOR DISCUSSION AND POSSIBLE ACTION** (Video Time: 1:12:47)

### 7a) **Future Format of Commission Meetings**

EO Hinman presented three options for meeting format: virtual, in-person or a hybrid model. The Mendocino Board of Supervisors Chambers will be available in August or soon thereafter. As requested by the Commission, alternative meeting locations were presented for discussion; a list with associated costs was included in the agenda packet.

Chair Orth suggested waiting until the Board of Supervisors Chambers are made available in August. Following the discussion, the Commissioners agreed to conduct hybrid meetings from the Chambers, when available.

## **INFORMATION AND REPORT ITEMS**

### 8a) **Work Plan, Current and Future Proposals** (Video Time: 1:23:27)

EO Hinman reported on the following projects:

#### Current Proposals:

New Application: City of Ukiah Annexation of the Western Hills Properties

Applications in Tax Share Negotiation process with the County: Elk CSD Activation of Latent Powers for Wastewater Services, City of Ukiah Annexation of City-Owned Properties

Future Proposal:

Anderson Valley Annexation of Existing SOI

Work Plan:

CSA 3 MSR/SOI: Complete with today's action

Ukiah Valley Sanitation District (UVSD) & the City of Ukiah (City): A joint workshop is tentatively planned for late August/early September. Staff is working with both agencies on their respective administrative drafts. An updated project schedule was included in the agenda packet.

Commissioner Ward inquired about the Agreement between the City of Ukiah and the UVSD that was approved in June 2022. EO Hinman provided a general summary of the agreement that states that the City will not pursue detachment of UVSD-served areas until certain thresholds are met. Once met, the agreement states the UVSD will either support the City's application for annexation and merger or establishment as a subsidiary district. Commissioner Ward asked if the remaining balance in the account for the City's detachment of UVSD served areas should be refunded. EO Hinman responded that a formal letter of withdrawal from the City should be submitted to LAFCo to close the account and issue a refund.

**8b) Correspondence** (Video Time: 1:29:52)

LAFCo Staff submitted a comment letter in response to the City of Ukiah's Notice of Preparation of the Ukiah General Plan Draft EIR. The comments were included in the agenda packet (pg. 104).

**8c) CALAFCO Business and Legislation Report** (Video Time: 1:31)

EO Hinman highlighted the following CALAFCO Events and Notices. Further details were included in the agenda packet.

- CALAFCO U Webinar July 21, 2022: Sharing the Wealth, Tax Exchange Under R&T Code Section 99
- CALAFCO Conference October 19-21, 2022 in Newport Beach. The budget allows for 5-6 Commissioners and the EO to attend. Early registration deadline is July 31. Chair Orth asked if the conference breakout sessions will be recorded and made available following the conference. EO Hinman responded that it is her understanding that the meetings will not be recorded, however, the presentation materials will be made available. Commissioners Mulheren, Gonzalez, Rodin, and Ignacio expressed interest in attending the conference.
- CALAFCO 2022 Board Recruitment and Nomination Notice. The public and city member seats are available for the Northern region.
- CALAFCO Achievement Award Nomination Notice
- SB 938 and AB 2957 were both signed by the Governor

**8d) Executive Officer's Report** (Video Time: 1:39:18)

EO Hinman reported on Staff's activities:

- Finalizing fiscal year-end financials and reporting
- Application processing and Work Plan tasks
- Responding to numerous inquiries regarding reorganization proposals for the provision of park and recreation services on the South Coast

EO Hinman noted that the August agenda is light. Chair Orth suggested canceling the meeting. No Commissioners expressed opposition; therefore, the decision was made to cancel the August Regular Meeting.

**8e) Committee Reports (Executive Committee/Policies & Procedures)** None

**8f) Commissioners Reports, Comments or Questions** None

**ADJOURNMENT** (Video Time: 1:42:25)

There being no further business, the meeting adjourned at 10:40 a.m. The next regular meeting of the Commission will be held on Monday, September 12, 2022 at 9:00 a.m. The location will be determined based on the availability of a public meeting place and 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. [July 11, 2022, YouTube meeting recording](#). Links to recordings and approved minutes are also available on the [LAFCo website](#).*

# MENDOCINO Local Agency Formation Commission Staff Report

DATE: September 12, 2022  
 TO: Mendocino Local Agency Formation Commission  
 FROM: Uma Hinman, Executive Officer  
 SUBJECT: **Claims and Financial Report for July 2022**

**RECOMMENDED ACTION**

Approve the July 2022 claims and financial report.

Name	Account Description	Amount	Total
Hinman & Associates Consulting, Inc.	5300 Basics Services	\$ 6,647.50	\$ 12,547.50
	5601 Office Supplies (QB)	\$ 80.00	
	6200 Bookkeeping	\$ 390.00	
	7000 Work Plan (Ukiah City, UVSD, CSA 3)	\$ 2,767.50	
	8025 City of Ukiah Annex City Properties	\$ 82.50	
	8029 City of Ukiah Annex Western Hills	\$ 55.00	
	8601 SALC Project (Grant)	\$ 2,525.00	
P. Scott Browne	6300 Legal Counsel	\$ 900.00	\$ 900.00
Cash	5600 Petty Cash	\$ 200.53	\$ 200.53
Pehling CPA	6100 Audit Services	\$ 1,875.00	\$ 1,875.00
SDRMA	6500 General Liability Insurance	\$ 2,799.92	\$ 2,799.92
CALAFCO	6600 Membership Dues	\$ 2,329.00	\$ 2,954.00
	6800 Conference Reservation - Mulheren	\$ 625.00	
County of Mendocino	6000 June Televising	\$ 230.10	\$ 779.06
	6670 GIS Maps	\$ 548.96	
Comcast	5700 Internet	\$ 93.67	\$ 93.67
Streamline	5700 Website Hosting	\$ 50.00	\$ 50.00
Phone.com	5600 Phone Service	\$ 207.61	\$ 207.61
Ukiah Valley Conf. Center	5500 Office Space	\$ 530.00	\$ 534.24
	5600 Postage & Copies	\$ 4.24	
<b>Total:</b>			<b>\$ 22,941.53</b>

**Deposits:** MCRCD SALC Grant - \$2,525

**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 SUMMARY		BUDGET	ACTUAL	BALANCE	ACCOUNT BALANCES					
<b>REVENUE TOTALS</b>		\$ 265,100.00	\$ 2,533.27	\$ 262,566.73	<b>CASH AVAILABLE</b>					
Operating Income (Apportions)		\$ 265,000.00	\$ -	\$ 265,000.00	County of Mendocino (Treasury)					
Interest		\$ 100.00	\$ 8.27	\$ 91.73	Operations (Checking)					
Miscellaneous		\$ -	\$ -	\$ -						
Applications & SALC		\$ -	\$ 2,525.00	\$ (2,525.00)						
<b>EXPENSES TOTALS</b>		\$ 263,800.00	\$ (23,004.03)	\$ 240,795.97	<b>RESERVES</b>					
Basic Services (Staffing)		\$ 125,100.00	\$ (6,647.50)	\$ 118,452.50	Legal Reserve					
Services and Supplies		\$ 68,700.00	\$ (10,864.03)	\$ 57,835.97	Operations Reserve					
Work Plan (MSRs and SOIs)		\$ 70,000.00	\$ (2,767.50)	\$ 67,232.50	<b>CONTINGENCIES</b>					
Applications & SALC		\$ -	\$ (2,725.00)	\$ 12,138.00	Work Plan					
Budget Balance			\$ (20,470.76)	\$ 21,770.76	Accounts Total					
					\$ 205,703					
REVENUE	BUDGET	July	August	September	1st Qtr Subtotal	2nd Qtr Subtotal	3rd Qtr Subtotal	4th Qtr Subtotal	YTD Subtotal	Balance
4020 OPERATING INCOME (APPORTIONS)	\$ 265,000.00				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 265,000.00
4800 MISCELLANEOUS (SERVICE FEES OH)		\$ 62.50			\$ 62.50	\$ -	\$ -	\$ -	\$ 62.50	\$ (62.50)
4910 INTEREST	\$ 100.00	\$ 8.27			\$ 8.27	\$ -	\$ -	\$ -	\$ 8.27	\$ 91.73
Subtotals	\$ 265,100.00									
EXPENSES	BUDGET	July	August	September	1st Qtr Subtotal	2nd Qtr Subtotal	3rd Qtr Subtotal	4th Qtr Subtotal	Total Expenses YTD	Budget Balance
5300 Basic Services - EO/Analyst/Clerk	\$ 125,100.00	\$ 6,647.50			\$ 6,647.50	\$ -	\$ -	\$ -	\$ 6,647.50	\$ 118,452.50
Unfunded Mandates (Public Records Requests)					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5500 Rent	\$ 6,500.00	\$ 530.00			\$ 530.00	\$ -	\$ -	\$ -	\$ 530.00	\$ 5,970.00
5600 Office Expenses	\$ 3,300.00	\$ 492.38			\$ 492.38	\$ -	\$ -	\$ -	\$ 492.38	\$ 2,807.62
5700 Internet & Website Costs	\$ 2,500.00	\$ 143.67			\$ 143.67	\$ -	\$ -	\$ -	\$ 143.67	\$ 2,356.33
5900 Publication & Legal Notices	\$ 2,000.00				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000.00
6000 Televising Meetings	\$ 2,000.00	\$ 230.10			\$ 230.10	\$ -	\$ -	\$ -	\$ 230.10	\$ 1,769.90
6100 Audit Services	\$ 3,800.00	\$ 1,875.00			\$ 1,875.00	\$ -	\$ -	\$ -	\$ 1,875.00	\$ 1,925.00
6200 Bookkeeping	\$ 4,500.00	\$ 390.00			\$ 390.00	\$ -	\$ -	\$ -	\$ 390.00	\$ 4,110.00
6300 Legal Counsel (S Browne)	\$ 19,000.00	\$ 900.00			\$ 900.00	\$ -	\$ -	\$ -	\$ 900.00	\$ 18,100.00
6400 A-87 Costs County Services	\$ 2,100.00				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,100.00
6500 Insurance - General Liability	\$ 3,200.00	\$ 2,799.92			\$ 2,799.92	\$ -	\$ -	\$ -	\$ 2,799.92	\$ 400.08
6600 Memberships (CALAFCO/CSDA)	\$ 3,700.00	\$ 2,329.00			\$ 2,329.00	\$ -	\$ -	\$ -	\$ 2,329.00	\$ 1,371.00
6670 GIS Contract with County	\$ 2,000.00	\$ 548.96			\$ 548.96	\$ -	\$ -	\$ -	\$ 548.96	\$ 1,451.04
6740 In-County Travel & Stipends	\$ 4,000.00				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000.00
6750 Travel & Lodging Expenses	\$ 6,000.00				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,000.00
6800 Conferences (Registrations)	\$ 4,100.00	\$ 625.00			\$ 625.00	\$ -	\$ -	\$ -	\$ 625.00	\$ 3,475.00
7000 Work Plan (MSRs and SOIs)	\$ 70,000.00	\$ 2,767.50			\$ 2,767.50	\$ -	\$ -	\$ -	\$ 2,767.50	\$ 67,232.50
Subtotals	\$ 263,800.00	\$ 20,279.03	\$ -	\$ -	\$ 20,279.03	\$ -	\$ -	\$ -	\$ 20,279.03	
EXPENSES	BUDGET	July	August	September	1st Qtr Subtotal	2nd Qtr Subtotal	3rd Qtr Subtotal	4th Qtr Subtotal	Total Expenses YTD	Deposit Balance
8000 APPLICATIONS	TOTAL DEPOSITS TD								Total Expenses TD	Deposit Balance
8010 City of Ukiah Detachment of UVSD lands (D-2014-8010)	\$ 19,032.75				\$ -	\$ -	\$ -	\$ -	\$ 14,518.25	\$ 4,514.50
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			\$ 120.00	\$ -	\$ -	\$ -	\$ 3,722.50	\$ 1,277.50
8028 Elk CSD Activation of Latent Powers (L-2022-01)	\$ 3,000.00				\$ -	\$ -	\$ -	\$ -	\$ 1,672.50	\$ 1,327.50
8029 City of Ukiah Annexation of Western Hills Properties (A-2022-02)	\$ 5,000.00	\$ 80.00			\$ 80.00	\$ -	\$ -	\$ -	\$ 250.00	\$ 4,750.00
8601 Sustainable Ag Lands Committee Grant	\$ 5,750.00	\$ 2,525.00			\$ 2,525.00	\$ -	\$ -	\$ -	\$ 5,750.00	\$ -
Contract Staff Billing Subtotal		\$ 2,662.50			\$ 2,662.50	\$ -	\$ -	\$ -	\$ 2,662.50	
Service Fees Overhead (OH) Subtotal		\$ 62.50			\$ 62.50	\$ -	\$ -	\$ -	\$ 62.50	
Application Expenses Total		\$ 2,725.00	\$ -	\$ -	\$ 2,725.00	\$ -	\$ -	\$ -	\$ 2,725.00	
EXPENSES TOTAL		\$ 23,004.03	\$ -	\$ -	\$ 23,004.03	\$ -	\$ -	\$ -	\$ 23,004.03	
MONTHLY CLAIMS TOTAL (not including OH fees)			\$ 22,941.53	\$ -						

**Mendocino LAFCo**  
**FY 2022-23 Estimated Work Plan Implementation Schedule and Cost Tracking**  
 August 1, 2022

**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 <sup>1</sup>	Previous FY Expenses	FY 2022-23 Budget	FY 2022-23 Expenses	Total Cost to Date <sup>2</sup>
County Service Area 3	Complete	Complete	7/11/2022	TBD	TBD	\$10,000	\$16,199	\$0	\$1,031	\$17,230
Ukiah Valley Sanitation District	Ongoing	Complete	Tentative 8/22	TBD	TBD	\$40,000	\$22,703	\$10,000	\$461	\$23,164
City of Ukiah	Ongoing	Complete	Tentative 8/22	TBD	TBD	\$25,000	\$8,380	\$15,000	\$1,275	\$9,655
Inland Water Districts (8)	Pending					\$25,000	\$0	\$25,000		\$0
Coastal Water Districts (6)	Pending					\$20,000	\$0	\$20,000		\$0
					<b>Estimated Total</b>			<b>\$70,000</b>	<b>\$2,768</b>	

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

<sup>2</sup> 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** August 1, 2022  
**To** Mendocino LAFCo  
**Project** Executive Officer Services  
**Work Period** July 1 - July 30, 2022

**Invoice No.** 687  
**Invoice Total** **\$ 12,547.50**

Account Description	Staff/Hours			Other (At Cost)	Totals
	Executive Officer \$110	Analyst \$75	Clerk \$40		
5300 Basic Services Public Records Act Requests	37.50	11.50	41.50		\$ 6,647.50
5601 Office Supplies Quickbooks Online Fee				\$ 80.00	\$ 80.00
5700 Internet & Website Costs (Hostinger)					\$ -
6200 Bookkeeping	2.00		4.25		\$ 390.00
7000 Work Plan (MSR/SOI/Special Studies) City of Ukiah	11.25	0.50			\$ 1,275.00
Ukiah Valley Sanitation District	3.00	1.75			\$ 461.25
CSA 3		13.75			\$ 1,031.25
8025 City of Ukiah Annex City Properties	0.75				\$ 82.50
8027 ECSD Activation of Latent Powers					\$ -
8029 City of Ukiah Annex Western Hills	0.50				\$ 55.00
8601 SALC Project (grant reimbursed)	25.25*				\$ 2,525.00
<b>Totals</b>	<b>\$ 8,575.00</b>	<b>\$ 2,062.50</b>	<b>\$ 1,830.00</b>	<b>\$ 80.00</b>	<b>\$ 12,547.50</b>

\* Work occurred during 1/1/2022 - 3/31/2022; billed at the previous hourly rate of \$100/hr.

**5300 Basic Services**

Administrative tasks and Clerk duties. File research and maintenance. July claims. Communications with Commissioners, public inquiries, etc. Agenda packet development for July 11 Commission meeting and notices of cancellation for the August 1 meeting. Research files.

**6200 Bookkeeping**

Prepared and coordinated with Treasurer regarding claims. Entered claims into Quickbooks and prepared checks. Reconciled Quickbooks.

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

CSA 3: Finalized the MSR/SOI Study, filed NOE, distributed final document via email to County staff and posted on website. City of Ukiah and UVSD: Coordinated with UVSD and City staff through regularly scheduled meetings. Development of the Administrative Draft MSR/SOI Updates for both agencies.

**8025 City of Ukiah Annexation of City-owned Properties**

Coordination meetings with City staff regarding outstanding items for the application. Coordination with County Assessor and GIS staff regarding comments received on application referral and tax share negotiation process. Application is incomplete pending tax share agreement.

**8027 Elk Community Services District Activation of Latent Powers**

**8029 City of Ukiah Annexation of Western Hills Properties**

**From:** Intuit QuickBooks Team <No\_Reply@notifications.intuit.com>  
**Sent:** Tuesday, July 19, 2022 2:45 AM  
**To:** eo@mendolafco.org  
**Subject:** We received your QuickBooks subscription payment!



## Payment success

Executive Officer, thank you for your payment.

**Invoice number:**  
10001170407198  
**Invoice date:** 07/19/2022  
**Total:** \$80.00  
**Payment method:** VISA ending in

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.

**Law Office of P. Scott Browne**  
131 South Auburn Street  
Grass Valley, CA 95945  
5302724250  
**Tax ID: 68-0348904**

July 15, 2022

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

**Invoice Number: 1140**  
Invoice Period: 06-16-2022 - 07-15-2022

Payment due by the 15th of next month.

**RE: Mendocino LAFCo - General**  
Mendocino LAFCo - General

**Mendocino LAFCo - General**

**Time Details**

<b>Date</b>	<b>Staff Member</b>	<b>Description</b>	<b>Hours</b>
06-16-2022	PSB	Monthly flat rate, as agreed upon in Legal Representation Agreement	
06-28-2022	MB	Review Ukiah NOP; Review draft comment letter; Research; Message to Executive Officer;	1.20
07-11-2022	MB	Prepare for and attend LAFCo meeting	1.80
			<b>Total</b> 900.00
			<b>Total for this Invoice</b> 900.00
			<b>Total Amount to Pay</b> 900.00

We appreciate your business.

Page 1 of 2

# Project Statement of Account

As of 07-15-2022

<b>Project</b>	<b>Balance Due</b>
Mendocino LAFCo - General	900.00
<b>Total Amount to Pay</b>	<b>900.00</b>

## Mendocino LAFCo - General

### Transactions

<b>Date</b>	<b>Transaction</b>	<b>Applied</b>	<b>Invoice</b>	<b>Amount</b>
06-15-2022	Previous Balance			900.00
07-15-2022	Payment Received - Reference Check # 1776			(900.00)
07-15-2022	Payment Applied	900.00	1127	
07-15-2022	Invoice 1140			900.00
			<b>Balance</b>	<b>900.00</b>

# MENDOCINO Local Agency Formation Commission Staff Report

DATE: September 12, 2022  
 TO: Mendocino Local Agency Formation Commission  
 FROM: Uma Hinman, Executive Officer  
 SUBJECT: **Claims and Financial Report for August 2022**

**RECOMMENDED ACTION**

Approve the August 2022 claims and financial report.

Name	Account Description	Amount	Total
Hinman & Associates Consulting, Inc.	5300 Basics Services	\$ 6,495.00	\$ 14,006.25
	5601 Office Supplies (QB)	\$ 85.00	
	6200 Bookkeeping	\$ 325.00	
	7000 Work Plan (Ukiah City, UVSD)	\$ 6,310.00	
	8027 ECSD Activation of Latent Powers	\$ 791.25	
P. Scott Browne	6300 Legal Counsel	\$ 900.00	\$ 900.00
Comcast	5700 Internet	\$ 93.67	\$ 93.67
Streamline	5700 Website Hosting	\$ 50.00	\$ 50.00
Ukiah Valley Conf. Center	5500 Office Space	\$ 530.00	\$ 775.88
	5600 Postage	\$ 245.88	
<b>Total:</b>			<b>\$ 15,825.80</b>

**Deposits:** County of Mendocino Transfer to SBMC - \$60,000

**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 SUMMARY		BUDGET	ACTUAL	BALANCE	ACCOUNT BALANCES	
<b>REVENUE TOTALS</b>		\$ 265,100.00	\$ 62,534.80	\$ 202,565.20	<b>CASH AVAILABLE</b> \$ 73,432	
Operating Income (Apportions)	\$ 265,000.00	\$ 60,000.00	\$ 205,000.00	County of Mendocino (Treasury)		
Interest	\$ 100.00	\$ 9.80	\$ 90.20	Operations (Checking) \$ 73,432		
Miscellaneous	\$ -	\$ -	\$ -			
Applications & SALC	\$ -	\$ 2,525.00	\$ (2,525.00)			
<b>EXPENSES TOTALS</b>		\$ 263,800.00	\$ (39,304.83)	\$ 224,495.17	<b>RESERVES</b> \$ 115,967	
Basic Services (Staffing)	\$ 125,100.00	\$ (13,142.50)	\$ 111,957.50	Legal Reserve \$ 50,000		
Services and Supplies	\$ 68,700.00	\$ (13,093.58)	\$ 55,606.42	Operations Reserve \$ 65,967		
Work Plan (MSRs and SOIs)	\$ 70,000.00	\$ (9,077.50)	\$ 60,922.50	<b>CONTINGENCIES</b> \$ 30,815		
Applications & SALC	\$ -	\$ (3,991.25)	\$ 10,871.75	Work Plan \$ 30,815		
<b>Budget Balance</b>		\$ 23,229.97	\$ (21,929.97)	<b>Accounts Total</b> \$ 220,214		

REVENUE	BUDGET	July	August	September	1st Qtr Subtotal	2nd Qtr Subtotal	3rd Qtr Subtotal	4th Qtr Subtotal	YTD Subtotal	Balance
4020 OPERATING INCOME (APPORTIONS)	\$ 265,000.00		\$ 60,000.00		\$ 60,000.00	\$ -	\$ -	\$ -	\$ 60,000.00	\$ 205,000.00
4800 MISCELLANEOUS (SERVICE FEES OH)		\$ 62.50	\$ 475.00		\$ 537.50	\$ -	\$ -	\$ -	\$ 537.50	\$ (537.50)
4910 INTEREST	\$ 100.00	\$ 8.27	\$ 1.53		\$ 9.80	\$ -	\$ -	\$ -	\$ 9.80	\$ 90.20
Subtotals		\$ 265,100.00								
8000 APPLICATIONS	PRIOR FY DEPOSITS								YTD Subtotal	Total Deposit TD
8010 City of Ukiah Detachment of UVSD lands (D-2014-8010)	\$ 19,032.75				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,032.75
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				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000.00
8029 City of Ukiah Annexation of Western Hills Properties (A-2022-02)	\$ 5,000.00				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000.00
8601 Sustainable Ag Lands Committee Grant	\$ 3,225.00	\$ 2,525.00			\$ 2,525.00	\$ -	\$ -	\$ -	\$ 2,525.00	\$ 5,750.00
Subtotals		\$ 2,525.00	\$ -	\$ -	\$ 2,525.00	\$ -	\$ -	\$ -	\$ 2,525.00	\$ 42,782.75
<b>REVENUE TOTAL</b>		\$ 2,525.00	\$ -	\$ -	\$ 2,525.00	\$ -	\$ -	\$ -	\$ 2,525.00	

EXPENSES	BUDGET	July	August	September	1st Qtr Subtotal	2nd Qtr Subtotal	3rd Qtr Subtotal	4th Qtr Subtotal	Total Expenses YTD	Budget Balance
5300 Basic Services - EO/Analyst/Clerk	\$ 125,100.00	\$ 6,647.50	\$ 6,495.00		\$ 13,142.50	\$ -	\$ -	\$ -	\$ 13,142.50	\$ 111,957.50
Unfunded Mandates (Public Records Requests)					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5500 Rent	\$ 6,500.00	\$ 530.00	\$ 530.00		\$ 1,060.00	\$ -	\$ -	\$ -	\$ 1,060.00	\$ 5,440.00
5600 Office Expenses	\$ 3,300.00	\$ 492.38	\$ 330.88		\$ 823.26	\$ -	\$ -	\$ -	\$ 823.26	\$ 2,476.74
5700 Internet & Website Costs	\$ 2,500.00	\$ 143.67	\$ 143.67		\$ 287.34	\$ -	\$ -	\$ -	\$ 287.34	\$ 2,212.66
5900 Publication & Legal Notices	\$ 2,000.00				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000.00
6000 Televising Meetings	\$ 2,000.00	\$ 230.10			\$ 230.10	\$ -	\$ -	\$ -	\$ 230.10	\$ 1,769.90
6100 Audit Services	\$ 3,800.00	\$ 1,875.00			\$ 1,875.00	\$ -	\$ -	\$ -	\$ 1,875.00	\$ 1,925.00
6200 Bookkeeping	\$ 4,500.00	\$ 390.00	\$ 325.00		\$ 715.00	\$ -	\$ -	\$ -	\$ 715.00	\$ 3,785.00
6300 Legal Counsel (\$ Browne)	\$ 19,000.00	\$ 900.00	\$ 900.00		\$ 1,800.00	\$ -	\$ -	\$ -	\$ 1,800.00	\$ 17,200.00
6400 A-87 Costs County Services	\$ 2,100.00				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,100.00
6500 Insurance - General Liability	\$ 3,200.00	\$ 2,799.92			\$ 2,799.92	\$ -	\$ -	\$ -	\$ 2,799.92	\$ 400.08
6600 Memberships (CALAFCO/CSDA)	\$ 3,700.00	\$ 2,329.00			\$ 2,329.00	\$ -	\$ -	\$ -	\$ 2,329.00	\$ 1,371.00
6670 GIS Contract with County	\$ 2,000.00	\$ 548.96			\$ 548.96	\$ -	\$ -	\$ -	\$ 548.96	\$ 1,451.04
6740 In-County Travel & Stipends	\$ 4,000.00				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000.00
6750 Travel & Lodging Expenses	\$ 6,000.00				\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,000.00
6800 Conferences (Registrations)	\$ 4,100.00	\$ 625.00			\$ 625.00	\$ -	\$ -	\$ -	\$ 625.00	\$ 3,475.00
7000 Work Plan (MSRs and SOIs)	\$ 70,000.00	\$ 2,767.50	\$ 6,310.00		\$ 9,077.50	\$ -	\$ -	\$ -	\$ 9,077.50	\$ 60,922.50
Subtotals		\$ 263,800.00	\$ 20,279.03	\$ 15,034.55	\$ -	\$ 35,313.58	\$ -	\$ -	\$ -	\$ 35,313.58
8000 APPLICATIONS	TOTAL DEPOSITS TD								Total Expenses TD	Deposit Balance
8010 City of Ukiah Detachment of UVSD lands (D-2014-8010)	\$ 19,032.75				\$ -	\$ -	\$ -	\$ -	\$ 14,518.25	\$ 4,514.50
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			\$ 120.00	\$ -	\$ -	\$ -	\$ 3,722.50	\$ 1,277.50
8028 Elk CSD Activation of Latent Powers (L-2022-01)	\$ 3,000.00		\$ 1,266.25		\$ 1,266.25	\$ -	\$ -	\$ -	\$ 2,938.75	\$ 61.25
8029 City of Ukiah Annexation of Western Hills Properties (A-2022-02)	\$ 5,000.00	\$ 80.00			\$ 80.00	\$ -	\$ -	\$ -	\$ 250.00	\$ 4,750.00
8601 Sustainable Ag Lands Committee Grant	\$ 5,750.00	\$ 2,525.00			\$ 2,525.00	\$ -	\$ -	\$ -	\$ 5,750.00	\$ -
Contract Staff Billing Subtotal			\$ 2,662.50	\$ 791.25	\$ 3,453.75	\$ -	\$ -	\$ -	\$ 3,453.75	
Service Fees Overhead (OH) Subtotal			\$ 62.50	\$ 475.00	\$ 537.50	\$ -	\$ -	\$ -	\$ 537.50	
Application Expenses Total			\$ 2,725.00	\$ 1,266.25	\$ 3,991.25	\$ -	\$ -	\$ -	\$ 3,991.25	
<b>EXPENSES TOTAL</b>		\$ 23,004.03	\$ 16,300.80	\$ -	\$ 39,304.83	\$ -	\$ -	\$ -	\$ 39,304.83	
<b>MONTHLY CLAIMS TOTAL (not including OH fees)</b>			\$ 22,941.53	\$ 15,825.80						



**Mendocino LAFCo**  
**FY 2022-23 Estimated Work Plan Implementation Schedule and Cost Tracking**  
 September 1, 2022

**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 <sup>1</sup>	Previous FY Expenses	FY 2022-23 Budget	FY 2022-23 Expenses	Total Cost to Date <sup>2</sup>
County Service Area 3	Complete	Complete	7/11/2022	TBD	TBD	\$10,000	\$16,199	\$0	\$1,031	\$17,230
Ukiah Valley Sanitation District	Ongoing	Complete	9/12/2022	TBD	TBD	\$40,000	\$22,703	\$10,000	\$2,300	\$25,003
City of Ukiah	Ongoing	Complete	9/12/2022	TBD	TBD	\$25,000	\$8,380	\$15,000	\$5,746	\$14,127
Inland Water Districts (8)	Pending					\$25,000	\$0	\$25,000		\$0
Coastal Water Districts (6)	Pending					\$20,000	\$0	\$20,000		\$0
					<b>Estimated Total</b>			<b>\$70,000</b>	<b>\$9,078</b>	

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

<sup>2</sup> 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** September 1, 2022 **Invoice No.** 694  
**To** Mendocino LAFCo **Invoice Total** \$ 14,006.25  
**Project** Executive Officer Services  
**Work Period** August 1 - August 31, 2022

Account Description	Staff/Hours			Other (At Cost)	Totals
	Executive Officer \$110	Analyst \$75	Clerk \$40		
5300 Basic Services Public Records Act Requests	34.00	9.00	52.00		\$ 6,495.00
5601 Office Supplies Quickbooks Online Fee				\$ 85.00	\$ 85.00
5700 Internet & Website Costs (Hostinger)					\$ -
6200 Bookkeeping	1.50		4.00		\$ 325.00
7000 Work Plan (MSR/SOI/Special Studies) City of Ukiah	22.75	26.25			\$ 4,471.25
Ukiah Valley Sanitation District	14.50	3.25			\$ 1,838.75
8025 City of Ukiah Annex City Properties					\$ -
8027 ECSD Activation of Latent Powers	2.25	7.25			\$ 791.25
8029 City of Ukiah Annex Western Hills					\$ -
<b>Totals</b>	<b>\$ 8,250.00</b>	<b>\$ 3,431.25</b>	<b>\$ 2,240.00</b>	<b>\$ 85.00</b>	<b>\$ 14,006.25</b>

**5300 Basic Services**

Administrative tasks and Clerk duties. File research and maintenance. July and August claims. Communications with Commissioners, respond to public inquiries, etc. Agenda packet development for September 12 Commission meeting. Research files. Coordinate with UVCC staff regarding network cable drop in office. Implementing election process for special district seats.

**6200 Bookkeeping**

Prepared and coordinated with Treasurer regarding claims. Entered claims into Quickbooks and prepared checks. Reconciled Quickbooks.

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

City of Ukiah and UVSD: Coordinated with UVSD and City staff through regularly scheduled meetings. Development of the Workshop Draft MSR/SOI Updates for both agencies.

**8025 City of Ukiah Annexation of City-owned Properties**

**8027 Elk Community Services District Activation of Latent Powers**

Coordination meetings with ECSD representatives. Research and outreach to agencies regarding the application.

**8029 City of Ukiah Annexation of Western Hills Properties**

**From:** Intuit QuickBooks Team <No\_Reply@notifications.intuit.com>  
**Sent:** Friday, August 19, 2022 4:05 AM  
**To:** eo@mendolafco.org  
**Subject:** We received your QuickBooks subscription payment!



## Payment success

Executive Officer, thank you for your payment.

**Invoice number:**  
10001175733259  
**Invoice date:** 08/19/2022  
**Total:** \$85.00  
**Payment method:** VISA ending in

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.

**Law Office of P. Scott Browne**  
131 South Auburn Street  
Grass Valley, CA 95945  
5302724250  
**Tax ID: 68-0348904**

August 15, 2022

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

**Invoice Number: 1155**  
Invoice Period: 07-16-2022 - 08-15-2022

Payment due by the 15th of next month.

**RE: Mendocino LAFCo - General**  
Mendocino LAFCo - General

**Mendocino LAFCo - General**

**Time Details**

<b>Date</b>	<b>Staff Member</b>	<b>Description</b>	<b>Hours</b>
07-16-2022	PSB	Monthly flat rate, as agreed upon in Legal Representation Agreement	
07-26-2022	MB	Meeting with executive officer and analyst re CSA3 zone of benefit, etc.	1.00
08-09-2022	MB	Prepare for and meet with executive officer and analyst re election process and Elk project.	1.00
08-15-2022	MB	Meeting with executive officer and analyst re Gomes litigation; review County IS contract.	1.00
			<b>Total</b> 900.00
			<b>Total for this Invoice</b> 900.00
			<b>Total Amount to Pay</b> 900.00

We appreciate your business.

Page 1 of 2

# Project Statement of Account

As of 08-15-2022

<b>Project</b>	<b>Balance Due</b>
Mendocino LAFCo - General	900.00
<b>Total Amount to Pay</b>	<b>900.00</b>

## Mendocino LAFCo - General

### Transactions

<b>Date</b>	<b>Transaction</b>	<b>Applied</b>	<b>Invoice</b>	<b>Amount</b>
07-15-2022	Previous Balance			900.00
08-15-2022	Payment Received - Reference Check#1792			(900.00)
08-15-2022	Payment Applied	900.00	1140	
08-15-2022	Invoice 1155			900.00
			<b>Balance</b>	<b>900.00</b>

**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 LAFCO OF MENDOCINO, 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, 2022, and shall continue through June 30, 2023.

IN WITNESS WHEREOF

DEPARTMENT FISCAL REVIEW:

[Signature]  
DEPARTMENT HEAD                      DATE  
07/19/2022

CUSTOMER

By: Charles A Orth  
Charles A Orth (Aug 1, 2022 10:06 PDT)

Date: 08/01/2022

Budgeted:  Yes  No

Budget Unit: 1960

Line Item: 826392

Grant:  Yes  No

Grant No.: N/A

NAME AND ADDRESS OF CUSTOMER:

LAFCO of Mendocino

200 S. School Street

Ukiah, CA 95482

DARCIE ANTLE, Interim Chief Executive Officer

By: [Signature]  
PURCHASING AGENT

Date: 07/19/2022

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

INSURANCE REVIEW:

By: [Signature]  
Risk Management

Date: 07/19/2022

COUNTY COUNSEL REVIEW:

APPROVED AS TO FORM:

CHRISTIAN M. CURTIS,  
County Counsel

By: Matthew Kiedrowski  
Deputy

EXECUTIVE OFFICE/FISCAL REVIEW:

By: [Signature]  
Deputy CEO

Date: 07/19/2022

Date: 07/20/2022

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  
  INFORMATION TECHNOLOGY  
  501 Low Gap Road, Room 1440  
  Ukiah, CA 95482  
  Attn: Administration

To CUSTOMER:                   LAFCO OF MENDOCINO COUNTY  
  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

COUNTY IT shall provide the following services:

#### 1. General

##### 1.1 Inclusions – COUNTY IT will provide:

- 1.1.1 Primary IT Contact information for Support Phone: (707) 234-6000
- 1.1.2 Geographical Information Services (GIS) and Mapping as it pertains to geographical analysis & design and creation of mapping products
- 1.1.2 Audio visual administration and support including recording meetings, copying meetings, uploading, and encoding.
  - 1.1.2.1 A minimum of one (1) week notice shall be given for audio visual administration requests for scheduling purposes.
  - 1.1.2.2 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
- 1.1.3 Documentation will be maintained for all services provided.

##### 1.2 Exclusions – COUNTY IT will NOT provide:

- 1.2.1 Support for unlicensed or unregistered products outside this agreement, unless otherwise specified.
- 1.2.2 Support for products operating in environments that do not meet the recommended minimum configuration standards. Special exceptions and support arrangements may be negotiated regarding this requirement for system configurations that are not within the control of the customer.
- 1.2.3 Support for products that violate established policies and procedures.
- 1.2.4 Funding for providing physical equipment or software.

1.2.5 Support for personally owned equipment or services.

[END OF DEFINITION OF SERVICES]

## EXHIBIT B

### PAYMENT TERMS

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

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.

<b>MENDOCINO COUNTY INFORMATION TECHNOLOGY TECHNICAL SERVICES AND SUPPORT STANDARD RATES</b>		
<b>SUPPORT COSTS*</b>	<b>RATE</b>	<b>UNIT OF COST</b>
ADMINISTRATIVE ASSISTANT	\$48.78 – \$59.28	PER HOUR
APPLICATIONS DEVEL/ANALYST	\$78.76 – \$110.72	PER HOUR
BUSINESS SYSTEMS ANALYST	\$82.68 – \$115.58	PER HOUR
COMMUNICATIONS COORDINATOR	\$91.09 – \$110.72	PER HOUR
COMMUNICATIONS TECHNICIAN	\$71.40 – \$86.81	PER HOUR
GIS COORDINATOR	\$86.88 – \$105.59	PER HOUR
GIS TECHNICIAN	\$71.40 – \$86.81	PER HOUR
IS SPECIALIST	\$70.09 – \$85.20	PER HOUR
IS TECHNICIAN	\$57.67 – \$85.20	PER HOUR
NETWORK SYSTEMS ANALYST	\$81.93 – \$115.16	PER HOUR
<b>TRAVEL COSTS</b>	<b>RATE</b>	<b>UNIT OF COST</b>
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 when updates are provided by the Mendocino County Auditor's Office.
  - a. Weighted average salary rates include 5% management administration overhead.
  
1. 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. 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]

# 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](mailto:eo@mendolaafco.org) | Web: [www.mendolaafco.org](http://www.mendolaafco.org)

September 12, 2022

**COMMISSIONERS**

**Tony Orth, Chair**  
Brooktrails Township CSD

**Scott Ignacio, Vice-Chair**  
Point Arena City Council

**Gerald Ward, Treasurer**  
Public Member

**Matthew Froneberger**  
Regular Special District

**Mari Rodin**  
Ukiah City Council

**Glenn McGourty**  
County Board of Supervisors

**Maureen Mulheren**  
County Board of Supervisors

**Vacant**  
Alternate District Member

**John Haschak, Alternate**  
County Board of Supervisors

**Gerardo Gonzalez, 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

WestAmerica Bank  
325 E. Perkins Street  
Ukiah, CA 95482

RE: Mendocino Local Agency Formation Commission

To Whom It May Concern,

The Mendocino Local Agency Formation Commission (LAFCo) is a governmental agency holding a Money Market Savings account with WestAmerica Bank, Ukiah Branch, for the purposes of holding its reserves account.

LAFCo requires a two-signature condition for withdrawals from the account. The following Commissioners are signatories to the account:

Current Signatories/Commissioners

Gerald Ward  
Glenn McGourty  
Maureen Mulheren

It is requested that Executive Officer Uma Hinman be provided access to account information (balances, identification of current signatories, statements, etc.). She will not be a signer on the account.

Sincerely,

\_\_\_\_\_  
Charles A. Orth, Chair

\_\_\_\_\_  
Scott Ignacio, Vice-Chair

Attachment: Signatory Page

**Mendocino LAFCo Signatories – September 12, 2022**

Gerald Ward

\_\_\_\_\_

Glenn McGourty

\_\_\_\_\_

Maureen Mulheren

\_\_\_\_\_

# MENDOCINO

## Local Agency Formation Commission

### Staff Report

MEETING      September 12, 2022  
TO              Mendocino Local Agency Formation Commission  
FROM          Uma Hinman, Executive Officer  
SUBJECT      **Joint Workshop** for City of Ukiah and Ukiah Valley Sanitation District Municipal Service Reviews

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#### RECOMMENDATIONS

The Commission will hold a joint public workshop on the Draft Municipal Service Review (MSR) for the City of Ukiah and the Ukiah Valley Sanitation District. The Commission will review and discuss the Draft MSRs and welcomes public comment on the documents.

#### INTRODUCTION

This is a Joint Workshop to introduce the Draft Municipal Service Reviews (MSRs) for the City of Ukiah (Ukiah/City) and the Ukiah Valley Sanitation District (UVSD/District). Because of the interconnected provision of wastewater services within and surrounding the City of Ukiah, the two MSRs are being presented jointly.

As background, the City of Ukiah incorporated on March 8, 1876 as a General Law City. The City limits is 4.7-square miles in size and serves a resident population of approximately 16,000. Ukiah is a full-service City that provides the following municipal services: Administration, Airport, Animal Control, Electric Utility, Fire and Emergency Medical Services, Law Enforcement, Community Services (Parks and Recreation), Public Works, Solid Waste, Stormwater, Wastewater, and Water.

This is the second MSR prepared for the City; the first one was adopted by the Commission on September 4, 2012. LAFCo and City staff coordinated closely on the development of an Administrative Draft, which incorporates analyses prepared for the City's current 2040 General Plan Update effort.

The UVSD was initially formed as a depended district of the County on July 6, 1954. It reformed its board of directors on April 3, 2008, establishing itself as an independent special district. The Workshop Draft UVSD MSR includes the following information related to the District: history, government structure and accountability, operational efficiency, finances, projected growth, disadvantaged unincorporated communities, and service capacity and needs.

This is the second MSR prepared for the District; however, the first MSR prepared in 2014 was not finalized. The District reviewed and provided feedback on the Administrative Draft of this study and responded to information needs and requests throughout the development of the document.

No formal action will be taken on the Draft MSRs at this meeting; a second workshop will be scheduled at a later date to review the proposed Sphere of Influence (SOI) for these agencies. A public hearing will then be scheduled for formal consideration by the Commission of the Final MSR/SOI Updates for these agencies.

**Attachments:** Workshop Draft City of Ukiah MSR  
Workshop Draft Ukiah Valley Sanitation District MSR



# City of Ukiah

2022 – Draft Municipal Service Review

Prepared For:

**Mendocino LAFCo**

200 South School Street

Ukiah, California 95482

<http://www.mendoLAFCo.org>

Workshop: September 12, 2022

Public Hearing:

Adopted: [Publish Date]

LAFCo Resolution No: XXXX-XX-XX

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# 1 INTRODUCTION

## 1.1 Local Agency Formation Commission

Local Agency Formation Commissions (LAFCo) are quasi-legislative, independent local agencies that were established by State legislation in 1963 to oversee the logical and orderly formation and development of local government agencies including cities and special districts. There is one LAFCo for each county in California.

LAFCo is responsible for implementing the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000 (California Government Code Section 56000 et. seq.) in order to promote orderly growth, prevent urban sprawl, preserve agricultural and open space lands, and oversee efficient provision of municipal services.

LAFCo has the authority to establish and reorganize cities and special districts, change their boundaries and authorized services, allow the extension of public services, perform municipal service reviews, and establish spheres of influence. Some of LAFCo's duties include regulating boundary changes through annexations or detachments and forming, consolidating, or dissolving local agencies.

## 1.2 Mendocino LAFCo

The CKH Act provides for flexibility in addressing State regulations to allow for adaptation to local needs. Mendocino LAFCo has adopted policies, procedures and principles that guide its operations. These policies and procedures can be found on Mendocino LAFCo's website at the following location: <http://www.mendoLAFCo.org/policies.html>.

Mendocino LAFCo has a public Commission with seven regular Commissioners and four alternate Commissioners. The Commission is composed of two members of the Mendocino County Board of Supervisors, two City Council members, two Special District representatives, and one Public Member-At-Large. The Commission also includes one alternate member for each represented category.

## 1.3 Municipal Service Review

The CKH Act (GC §56430) requires LAFCo to prepare a Municipal Service Review (MSR) for all local agencies within its jurisdiction. MSRs are required prior to and in conjunction with the update of a Sphere of Influence (SOI).

An MSR is a comprehensive analysis of the services provided by a local government agency to evaluate the capabilities of that agency to meet the public service needs of their current and future service area.

An MSR must address the following seven factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.

6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

MSRs include written statements or determinations with respect to each of the seven mandated areas of evaluation outlined above. These determinations provide the basis for LAFCo to consider the appropriateness of a service provider's existing and future service area boundary.

#### 1.4 Sphere Of Influence

The CKH Act requires LAFCo to adopt an SOI for all local agencies within its jurisdiction. A SOI is "a plan for the probable physical boundary and service area of a local agency or municipality as determined by the Commission" (GC §56076).

When reviewing an SOI for a municipal service provider, LAFCo will consider the following five factors:

1. The present and planned land uses in the area, including agricultural and open space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

Sphere of Influence Plan Updates include written statements or determinations with respect to each of the five mandated areas of evaluation outlined above. These determinations provide the basis for LAFCo to consider the appropriateness of establishing or modifying a service provider's SOI or probable future boundary.

#### 1.5 Mendocino LAFCo Policies

In addition to making the necessary determinations for establishing or modifying a SOI Plan consistent with the CKH Act, the appropriateness of an agency's SOI is also based on an evaluation of consistency with local LAFCo policies.

The following Sphere of Influence policies are from the Mendocino LAFCo Policies and Procedures Manual, adopted November 5, 2018.

##### **10.1.1 Legislative Authority and Intent**

A sphere of influence is the probable 20-year growth boundary for a jurisdiction's physical development. The Commission shall use spheres of influence to:

- a) promote orderly growth and development within and adjacent to communities;

- b) promote cooperative planning efforts among cities, the County, and special districts to address concerns regarding land use and development standards, premature conversion of agriculture and open space lands, and efficient provision of public services;
- c) guide future local government reorganization that encourages efficiency, economy, and orderly changes in local government; and
- d) assist property owners in anticipating the availability of public services in planning for the use of their property.

### **10.1.2 Definitions**

The Commission incorporates the following definitions:

- a) an “establishment” refers to the initial development and determination of a sphere of influence by the Commission;
- b) an “amendment” refers to a limited change to an established sphere of influence typically initiated by a landowner, resident, or agency; and
- c) an “update” refers to a comprehensive change to an established sphere of influence typically initiated by the Commission.

### **10.1.3 Sphere Updates**

In updating spheres of influence, the Commission’s general policies are as follows:

- a) The Commission will review all spheres of influences every five years for each governmental agency providing municipal services. Municipal services include water, wastewater, police, and fire protection services.
- b) Sphere of influence changes initiated by any agency providing a municipal service shall generally require either an updated or new service review unless LAFCo determines that a prior service review is adequate.
- c) Spheres of influence of districts not providing municipal services including, but not limited to, ambulance, recreation, hospital, resource conservation, cemetery, and pest control shall be updated as necessary.

### **10.1.4 Reduced Spheres**

The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission shall, however, consider removal of land from an agency’s sphere of influence if either of the following two conditions apply:

- a) the land is outside the affected agency’s jurisdictional boundary but has been within the sphere of influence for 10 or more years; or
- b) the land is inside the affected agency’s jurisdictional boundary but is not expected to be developed for urban uses or require urban-type services within the next 10 years.

### **10.1.5 Zero Spheres**

LAFCo may adopt a “zero” sphere of influence encompassing no territory for an agency. This occurs if LAFCo determines that the public service functions of the agency are either nonexistent, no longer needed, or should be reallocated to some other agency (e.g., mergers, consolidations). The local agency which has been assigned a zero sphere should ultimately be dissolved.

### **10.1.6 Service Specific Spheres**

If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a “service specific” sphere of influence may be designated.

### **10.1.7 Agriculture and Open Space Lands**

Territory not in need of urban services, including open space, agriculture, recreational, rural lands, or residential rural areas shall not be assigned to an agency’s sphere of influence unless the area’s exclusion would impede the planned, orderly and efficient development of the area. In addition, LAFCo may adopt a sphere of influence that excludes territory currently within that agency’s boundaries. This may occur when LAFCo determines that the territory consists of agricultural lands, open space lands, or agricultural preserves whose preservation would be jeopardized by inclusion within an agency’s sphere. Exclusion of these areas from an agency’s sphere of influence indicates that detachment is appropriate.

### **10.1.8 Annexations Are Not Mandatory**

Before territory can be annexed to a city or district, it must be within the agency’s sphere of influence (G.G. §56375.5). However, territory within an agency’s sphere will not necessarily be annexed. A sphere is only one of several factors that are considered by LAFCo when evaluating changes of organization or reorganization.

### **10.1.9 Islands or Corridors**

Sphere of influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.

### **10.1.10 Overlapping Spheres**

LAFCo encourages the reduction of overlapping spheres of influence to avoid unnecessary and inefficient duplication of services or facilities. In deciding which of two or more equally capable agencies shall include an area within its sphere of influence, LAFCo shall consider the agencies’ service and financial capabilities, social and economic interdependencies, topographic factors, and the effect that eventual service extension will have on adjacent agencies. Where an area could be assigned to the sphere of influence of more than one agency, the following hierarchy typically applies:

- a) Inclusion within a city’s sphere
- b) Inclusion within a multi-purpose district’s sphere
- c) Inclusion within a single-purpose district’s sphere

Territory placed within a city’s sphere indicates that the city is the most logical provider of urban services. LAFCo encourages annexation of developing territory (i.e., area not currently receiving services) that is currently within a city’s sphere to that city rather than to one or more single-purpose special districts. LAFCo discourages the formation of special districts within a city’s sphere. To promote efficient and

coordinated planning among the county's various agencies, districts that provide the same type of service shall not have overlapping spheres.

#### **10.1.11 Memorandum of Agreements (For City Sphere Amendments and Updates)**

Prior to submitting an application to LAFCo for a new city sphere of influence or a city sphere of influence update, the city shall meet with the County to discuss the proposed new boundaries of the sphere and explore methods to reach agreement on development standards and planning and zoning requirements as contained in G.C. §56425. If an agreement is reached between the city and County the agreement shall be forwarded to LAFCo. The Commission shall consider and adopt a sphere of influence for the city consistent with the policies adopted by LAFCo and the County, and LAFCo shall give great weight to the agreement to the extent that it is consistent with LAFCo policies in its final determination of the city sphere.

#### **10.1.12 Areas of Interest**

LAFCo may, at its discretion, designate a geographic area beyond the sphere of influence as an Area of Interest to any local agency. (Resolution No. 2018-19-01)

- a) An Area of Interest is a geographic area beyond the sphere of influence in which land use decisions or other governmental actions of one local agency (the "Acting Agency") impact directly or indirectly upon another local agency (the "Interested Agency"). For example, approval of a housing project developed to urban densities on septic tanks outside the city limits of a city and its sphere of influence may result in the city being forced subsequently to extend sewer services to the area to deal with septic failures and improve city roads that provide access to the development. The city in such a situation would be the Interested Agency with appropriate reason to request special consideration from the Acting Agency in considering projects adjacent to the city.
- b) When LAFCo receives notice of a proposal from another agency relating to the Area of Concern, LAFCo will notify the Interested Agency and will consider its comments.
- c) LAFCo will encourage Acting and Interested Agencies to establish Joint Powers Agreements or other commitments as appropriate.

(LAFCo, 2018)

### **1.6 [Senate Bill 215](#)**

Senate Bill (SB) 215 (Wiggins) requires LAFCo to consider regional transportation plans and sustainable community strategies developed pursuant to SB 375 before making boundary decisions. Senate Bill 375 (Sustainable Communities and Climate Protection Act) requires each metropolitan planning organization (MPO) to address regional greenhouse gas (GHG) emission reduction targets for passenger vehicles in their Regional Transportation Plan (RTP) by integrating planning for transportation, land-use, and housing in a sustainable communities strategy.

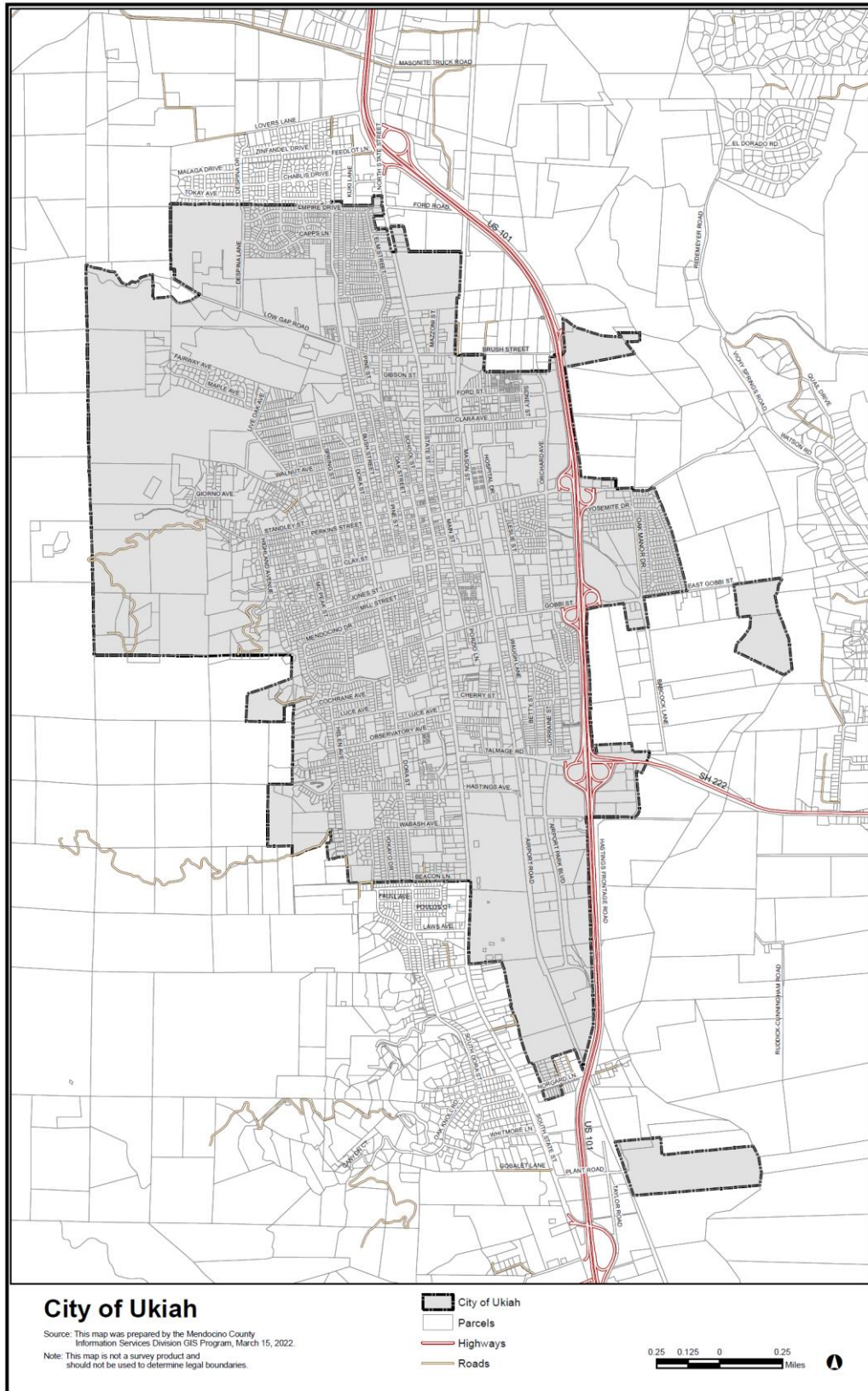
Mendocino County is not located within an MPO boundary and therefore is not subject to the provisions of SB 375. However, the Mendocino Council of Governments (MCOG) supports and coordinates the local planning efforts of Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits to address regional housing and transportation needs and helps provide a framework for sustainable regional growth patterns through the 2018 Mendocino County Regional Housing Needs Allocation (RNHA) Plan and Vision Mendocino 2030 Blueprint Plan. MCOG is also responsible for allocating regional

transportation funding to transportation improvement projects consistent with the 2017 RTP for Mendocino County.

Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits are the local agencies primarily responsible for planning regional growth patterns through adoption and implementation of general plan and zoning regulations. While Mendocino County is not subject to the provisions of SB 375, LAFCo will review applicable regional transportation and growth plans when considering a change of organization or reorganization application.



Figure 1-1 City of Ukiah Boundary Map



## 2 AGENCY OVERVIEW

Table 2.1 City of Ukiah Profile	
<b>Agency Name:</b>	City of Ukiah
<b>Civic Center:</b>	300 Seminary Avenue, Ukiah, CA 95482
<b>Mailing Address:</b>	Same as above
<b>Phone Number:</b>	(707) 463-6200
<b>Fax Number:</b>	(707) 463-6204
<b>Website:</b>	<a href="http://cityofukiah.com/">http://cityofukiah.com/</a>
<b>Date of Formation:</b>	March 8, 1876
<b>Agency Type:</b>	General Law City, Multiple-Service Provider
<b>Enabling Legislation</b>	Government Code Section 34000 et seq.
<b>Council Meeting Schedule:</b>	First and third Wednesday of the month at 6:00 p.m. at Civic Center.

Source: Ukiah, 2022a.

### 2.1 History

#### 2.1.1 Formation

The City of Ukiah (City or Ukiah) incorporated on March 8, 1876 as a General Law City under the California Constitution and operates within the parameters and guidelines of California Municipal Law. (LAFCo, 2012)

#### 2.1.2 Community Background

While Ukiah became a city more than 140 years ago, this area has existed as a distinct community for more than 160 years. The history of Ukiah, the Ukiah Valley, and its people, goes back even further. Before western settlement, the Ukiah Valley and much of what is now Mendocino County, was inhabited by the Pomo people. With the arrival of western settlers, the Pomo were driven off their land, their population dropped dramatically, and they were eventually forced onto reservations. Today, there are three small reservations, called rancherias, in the Ukiah Valley that are home to groups of Pomo. The name “Ukiah” draws from the history of the Pomo people. Ukiah is an anglicized version of the Pomo word *yokaya*, meaning “deep valley.” (Ukiah, 2020)

Western settlers first settled in Ukiah in the mid-19<sup>th</sup> century, which followed the initial settlement and development of Mendocino County along the coast. The major industry of inland Mendocino County was logging and development of the timber industry led to the establishment of towns such as Ukiah, Hopland, Willits, Boonville, Comptche, Branscomb, Philo, and Yorkville during the 1860s. The rugged interior of the county is relatively isolated and many areas remain sparsely occupied to this day. (Mendocino County, 2008)

Ukiah was designated as the seat of Mendocino County in 1859. During Ukiah’s early history, the slow-growing city remained relatively isolated (Ukiah, 2020). In addition to logging, hot springs resorts attracted settlement of interior towns such as Ukiah, which is located near Vichy Springs. Vichy Springs, originally named Doolan Ukiah Vichy, began operation in the late 1880s and is one of the oldest continuously operated hot springs resorts in the country (Mendocino County, 2008). In 1889, the railroad was extended to Ukiah and the city became more accessible to the region and country. Ukiah’s prime soils and climate

supported farming and agricultural opportunities, which became a dominant economic driver for the city. The dominant crop during the early settlement period of the city was hops (Ukiah, 2020).

Ukiah remained relatively small and slow growing until the 1920s. In the following decades, especially after the end of World War II, the city grew rapidly. This growth coincided with the continued development of the logging industry in California’s northern coasts. The redwood forests to the north of Ukiah became extremely valuable for lumber, and the logging industry in the area grew rapidly supporting an increase in employment and growth in the region. (Ukiah, 2020)

Mendocino Forest Products still operates a sawmill in Ukiah. This mill is one of only a handful left in Mendocino County since the decline of the West Coast timber industry. As a result of the timber boom, Ukiah’s population grew to around 6,000 by 1950. In the 1960s, Mendocino County, including Ukiah, experienced an influx of former urbanites following the “back to the land movement.” (Ukiah, 2020; LAFCo, 2012)

Since the mid-20th century, the logging industry has been on a steady decline along the northern coast and other industries have emerged. In 2001, Masonite, which at the time employed 280 employees, closed its Ukiah location (Tsai, 2004). While vast tracts of the former industrial site remain vacant, portions have been returned to manufacturing activities, including 10 acres purchased in 2013 by Mendocino Industrial Park LLC, and used by companies such as Factory Pipe. (Ukiah, 2020)

As of 2022, Ukiah remains the county seat and largest city in Mendocino County. With both City of Ukiah and County administrative offices within the city, Ukiah boasts a large number of public sector employment opportunities, particularly in education and social services.

Additionally, the city is surrounded by mineral rich agricultural lands capable of supporting viticulture operations. In recent years, the region has seen an increase in local vineyards opening adjacent to the city. The increase in local wine production and processing reflects the increasing popularity of the Ukiah Valley as a wine region and destination.

### 2.1.3 Boundary

The City of Ukiah is located approximately 155 miles south of Eureka, 110 miles north of San Francisco, and is situated along US 101 in southeastern Mendocino County. The US 101 freeway traverses the City in a north/south direction. State Route (SR) 222, also known as Talmage Road, is a short east/west state highway that intersects US 101 in the southern portion of the City. US 101 connects Ukiah to Santa Rosa and San Francisco, providing major regional access to the City. SR 253, located at the south end of Ukiah, begins at US 101 and travels in an east/west direction connecting Ukiah with SR 1 along the coast. (Ukiah, 2013) The City of Ukiah spans more than 3,000 acres (4.7 square miles), refer to Figure 1-1 (Ukiah, 2020).

The Ukiah Valley is approximately nine miles long, running north to south, comprising more than 40,000 acres along U.S. Route 101. The Russian River follows the valley, winding through agricultural lands just outside of Ukiah to the east. The valley is approximately 630 feet in elevation, with the hills of the Mendocino and Mayacamas ranges that flank the valley reaching up to 3,000 feet in elevation. (Ukiah, 2020)

The nearest major city to Ukiah is Santa Rosa, a city of 175,000, which is located approximately 60 miles to the south. Larger urban centers including San Francisco and Sacramento are approximately 100 miles to the south and southeast. Ukiah’s relative isolation from major population centers increases its importance as a regional center for employment and commerce. Close to Ukiah there are several small unincorporated communities, including Talmage, The Forks and Calpella, as well as neighboring Redwood Valley to the north and Hopland to the south. (Ukiah, 2020)

#### 2.1.3.1 BOUNDARY CHANGE HISTORY

City records show that the last jurisdictional boundary change involving the City of Ukiah was approved in 2004, but was not affirmed by the City Council until 2006, and involved the old North Fire Station property. The City has not expanded its jurisdictional area since the “Bush Street – North Reorganization” in 1988. That request added 0.41-acres for the Roy Lee Tindle Jr. College Court Apartments, currently owned and operated by the Community Development Commission of Mendocino County, as well as a portion of Bush Street to the City of Ukiah’s jurisdiction. Table 2.2 below shows the boundary change history for Ukiah.

<b>Annexation Name</b>	<b>Action</b>	<b>Date</b>	<b>FILE #</b>
“Denny & Gianoli-McCarty”	Reorganization	April 12, 1978	#76-12(LAFCO File #)
“Orchard Avenue – South”	Reorganization	December 7, 1979	#78-1(LAFCO File #)
“Orr Creek”	Annexation	October 12, 1979	#79-3(LAFCO File #)
“Lewis Lane”	Reorganization	May 16, 1980	#80-2 (LAFCO File #)
“Cagle-Kennedy”	Reorganization	September 4, 1980	#76-2(LAFCO File #)
“Las Casas”	Reorganization	December 16, 1980	#80-3 (LAFCO File #)
“Airport Industrial Park”	Reorganization	May 28, 1981	#80-5 (LAFCO File #)
“Munson-Hastings”	Reorganization	February 10, 1982	#81-6 (LAFCO File #)
“Old-Treatment Plant & North Fire Station”	Reorganization	April 30, 1985	#85-1 (LAFCO File #)
“Ukiah Airport South”	Reorganization	October 9, 1986	#86-3 (LAFCO File #)
“Caldwell Frontage”	Reorganization	November 25, 1986	#86-1 (LAFCO File #)
“Bush Street - North”	Reorganization	January 4, 1988	#87-1 (LAFCO File #)
“North Fire Station”	Detachment	April 7, 2004 (Sold); August 28, 2006 (Detached)	#80-45 (City Resolution)

#### 2.1.4 Services

The City provides an array of municipal services to its citizens, including Administration, Airport, Animal Control, Electric Utility, Fire and Emergency Medical Services, Law Enforcement, Community Services (Parks and Recreation), Public Works, Solid Waste, Stormwater, Wastewater, and Water. For more information regarding City services refer to Chapter 3 and for other services provided by contract or Joint Powers Authority (JPA) refer to Section 2.3.3.

## 2.2 Government Structure

### 2.2.1 Governing Body

The City Council is the legislative body for the City and is responsible for enacting ordinances, establishing policy, adopting and amending the annual budget, adopting resolutions, and appointing committees. The City Council appoints the City Manager, the City Attorney, and all members of advisory boards and commissions.

The City is governed by a five-member City Council elected at-large to serve staggered four-year terms (Table 2.3). Council members must be residents of the City. City Council elections are held in November of even numbered years. The City Council elects officers, including Mayor and Vice Mayor, annually at the first meeting in December for one-year appointments. The Mayor conducts the Council meetings and represents the City in ceremonial functions.

City Councilmembers receive \$490 per month compensation for their service. Elected officials may choose to have Social Security deducted or to participate in the Public Employees Retirement System (PERS). City Councilmembers are eligible for participation in City of Ukiah group health, dental, and vision insurance plans. Elected Officials are provided a monthly health insurance contribution by the City, which is equivalent to the “employee only” REMIF EPO 250 health plan premium (Fiscal Year 2022-23 is \$837 per month). (Ukiah, 2022a)

In addition, out-of-County travel and other eligible expenses incurred by Councilmembers in the performance of City-related duties are subject to reimbursement.

The City Council acts as the governing authority for the Successor Agency to the former Ukiah Redevelopment Agency (RDA) and is responsible for the following tasks:

- Administering debt service for the former agency's obligations
- Overseeing maintenance of former agency capital assets
- Administering the county-wide Oversight Board
- Support services to other departments and divisions involved in redevelopment dissolution

The City Council also acts as the governing body of the Ukiah Public Finance Authority and the Ukiah Industrial Development Authority.

(Ukiah, 2022a)(V&F, 2021)(LAFCo, 2012)

Table 2.3 City of Ukiah City Council				
Name	Office/Position	First Year of Service	Term Expiration	Serving Consecutive Terms
Jim Brown	Mayor	2014	Nov. 2022	Yes
Josefina Dueñas	Vice Mayor	2020	Nov. 2024	No
Mari Rodin	Councilmember	2014	Nov. 2022	Yes
Douglas Crane	Councilmember	2004	Nov. 2024	Yes
Juan Orozco	Councilmember	2018	Nov. 2022	No

Source: Ukiah, 2022a.



Staff support for the City Council includes the City Manager, City Clerk, and City Attorney. The City Council is advised by a number of commissions and committees consisting of appointed members of the public. Some commissions/committees also have designated review functions. (Ukiah, 2022a)

Several of the Councilmembers have served the City for multiple consecutive terms which can be a significant benefit in establishing long-standing positive working relationships in the community, understanding the history and unique aspects of the organization, and maintaining institutional knowledge. The City Council does not currently have any vacancies and two seats are set to expire this year and are scheduled to be filled by election in November 2022.

The City Treasurer is an elected position and performs an oversight role for the investing of all public funds for the City of Ukiah, in concert with the City’s Financial Department and Director of Finance. The City Treasurer is also responsible for the Investment Oversight Committee. (Ukiah, 2022a)

Table 2.4 City of Ukiah City Treasurer				
Name	Office/Position	First Year of Service	Term Expiration	Serving Consecutive Terms
Allen Carter	City Treasurer	2004	Nov. 2024	Yes

Source: Ukiah, 2022a.

### 2.2.2 Public Meetings

Regularly scheduled City Council meetings are held on the first and third Wednesday of the month at 6 p.m. in the Council Chambers at the Civic Center located at 300 Seminary Avenue in Ukiah. In response to the COVID-19 pandemic, public meetings have been held remotely via Zoom, and are currently being held as a hybrid model with both physical and virtual locations available in accordance with current health order protocols. City Council meetings are televised and broadcast live on Cable Channel 3. Meetings are also recorded and then made available on the City website.

In accordance with the Brown Act, all public meetings are open to the public and are publicly posted a minimum of 72 hours prior to regular meetings, or a minimum of 24 hours prior to special meetings. Meeting notices are posted on the bulletin board at the main entrance of Ukiah City Hall and on the City’s website. The City Council chambers are compliant with accessibility requirements of the Americans with Disabilities Act to ensure accessibility for all people to public meetings.

Public notice and meeting information including agendas, meeting minutes, reports, resolutions, and ordinances are published on the City’s website and are available at the Civic Center upon request. Minutes are kept for all public meetings and are adopted at a subsequent meeting.

(Ukiah, 2022a)(LAFCo, 2012)

### 2.2.3 Standing Committees

Boards, commissions, and committees assist in carrying out various functions of local government.

The City of Ukiah has a number of citizen volunteers serving on boards, commissions, and committees. These bodies complete business of their own and/or make recommendations to the City Council. All members are appointed by the City Council with terms commencing throughout the year.

The City's "planning agency" required by Government Code Section 65100 is the Planning Commission, which consists of five citizen members appointed by the City Council. (Ukiah, 2022a). The Planning Commission meets on the second and fourth Wednesdays of each month at the Civic Center Council Chambers (300 Seminary Avenue) beginning at 6 p.m. The Commission is responsible for approving certain environmental documents, design reviews, conditional use permits, and variances. The Planning Commission also makes recommendations to the City Council on General Plan amendments, zoning changes, and subdivision maps.

The Ukiah City Council has established other local advisory bodies to assist the City in its decision-making processes. Specific responsibilities for each advisory body are established by their respective ordinance or resolution. These advisory bodies include the following:

- **Airport Commission:** This Commission meets the first Tuesday of each month for regular meetings. It is a five-member Commission appointed by the City Council. The Commission acts in an advisory capacity to the City Council in all matters pertaining to the operations of the municipal airport; aids and advises the City Manager in the selection of personnel for the operation of the municipal airport in keeping with the provisions of the civil service ordinance; and recommends and advises regarding the purchase of supplies, materials and service required for the operation and maintenance of the municipal airport.
- **Building Appeals Board:** This Board meets on an as needed basis. It is a five (5) member Board with three (3) alternates appointed by the City Council that serves to hear and decide appeals of orders, decisions or determinations by the building official. The City's building official is the ex officio member.
- **Civil Service Board:** This three (3) member Board meets on an as needed basis and is tasked with consideration of personnel matters.
- **Demolition Review Committee:** This Committee meets on an as needed basis. It is a five (5) member Committee appointed by the City Council as follows: Director of Community Development, Director of Public Works/City Engineer, Building Inspector, a representative of the Mendocino County Historical Society, as well as a City of Ukiah resident with expertise in architecture, building, or closely related field. Responsibilities include: recommendation to the City Council regarding whether any of the criteria listed in Ukiah City Code apply to the subject structure requesting a Demolition Permit, and whether the Demolition Permit should be issued, issued with conditions, or denied.
- **Design Review Board:** This Board meets on the fourth Thursday of the month as needed to evaluate development proposals. It is a five (5) member Board that serves as an advisory body to the Planning Commission on Major Use and Site Development Permits, the Zoning Administrator on Minor Use and Site Development Permits, and the City Council, as needed. It also reviews construction, renovations, and alterations to building exteriors located within the boundaries of the Downtown Design District for consistency with the Downtown Design Guidelines, as needed.
- **Public Spaces Commission:** The Commission consists of seven (7) members and is the result of the merging of the Paths, Open Space and Creeks Commission with the Parks, Recreation and Golf Commission. The Commission provides advice and recommendations to Council regarding 1) City-

owned properties that are open to the public, free of charge, such as parks, paths, and public right-of-ways; 2) creeks within the City limits; 3) open spaces within and outside of the City limits that are undeveloped and conserved or in consideration of future conservation; 4) and the recreational uses of these spaces.

- **Diversity and Equity Committee:** This eleven (11) member standing committee meets on the fourth Wednesday of each month at 6 p.m. The Committee is tasked with adopting written objectives to improve diversity and equity in the City’s workforce and in the provision of municipal services; developing a written Action Plan to achieve those objectives; implementing and overseeing the Action Plan; providing an annual review and update to the City Council on the Committee’s progress; and proposing revisions to the plan as necessary.
- **Traffic Engineering Committee:** This Committee meets on the second Tuesday of the month as needed to serve as the City’s Traffic Engineer. It is a nine (9) member Committee, that assists the City Engineer to determine the installation and proper timing and maintenance of traffic-control devices and signals, to conduct engineering analyses of traffic accidents and to devise remedial measures, to conduct engineering and traffic investigations of traffic conditions and to cooperate with other city officials in the development of ways and means to improve traffic conditions.

(Ukiah, 2022a)

#### 2.2.4 Public Outreach

The City has a website at <http://cityofukiah.com/>, which is a helpful communication tool to enhance government transparency and accountability. The City’s website is user-friendly, well organized, regularly maintained, and provides extensive information on City departments, services, programs, policies, finances, and public meetings including agendas and minutes dating back to 2015. (Ukiah, 2022a)

The City also communicates with its residents through a number of publications, including mailings and bill inserts. Residents may receive electronic subscriptions to news and press releases, water conservation updates, City Council agendas, and notification of recreational events upon request or electronic subscription. The City also publishes a recreation and activity guide describing recreational events and classes the City offers through its Community Services Department. The activity guide is published three times a year in January, June, and September. The activity guide is directly mailed to residences and businesses in Ukiah, Redwood Valley, Calpella, Talmage, and Potter Valley. The guide is also published on the City’s website. (LAFCo, 2012)

Social media has become an integral part of local government communications as more Americans have developed a habit of consuming news and information from social media feeds. Since the pandemic, residents are increasingly seeking local community news and information from social media related accounts. The City maintains multiple social media platforms. The audiences on Facebook of interest to the City of Ukiah, and that are likely to be active on this platform are: Ukiah residents, local government officials and staff, older residents, and local businesses. As of May 2022, the social media accounts, primarily Facebook, associated with the City are listed, below:

Table 2.5 Summary of Social Media Accounts and Followers			
Department	Account	Followers (as of 05/2022)	Objective
City of Ukiah	@cityofukiah	5,400	Provide an online forum for the Ukiah community to engage with



<b>Department</b>	<b>Account</b>	<b>Followers (as of 05/2022)</b>	<b>Objective</b>
			City staff; Share important City news and updates
Ukiah Recreation	@ukiahrec	6,500	Inform residents of upcoming events, sports leagues, and classes from the recreation department; Promote event participation and increase engagement with the community
Ukiah Police	@ukiahpolice	9,900	Inform residents of events that may impact community health and safety, criminal activity, etc.
Ukiah Valley Fire Authority	@ukiahvalleyfireauthorit y	9,457	Inform residents of fire emergencies, evacuations, fire prevention tips, fire hazards, etc.
Anton Stadium	@antonstadium	112	Promote event participation and increase engagement with the community
Ukiah Regional Airport	@ukiahairport	1,037	Inform residents of City efforts to improve the airport; Promote travel to and from the area when appropriate
Ukiah Latitude Observatory	@ukiahlatitudeobservat ory	1,024	Educate residents about a historical landmark within Ukiah; Increase community participation at events
Ukiah Valley Conference Center	@ukiahvalleyconference center	619	Promote City facilities for community use and attract business
Grace Hudson Museum	@GraceHudsonMuseum	465	Promote City preserve, document, research, and interpret the lifework of artist Grace Carpenter Hudson, and related exhibits

Additionally, a number of current elected officials maintain social media accounts (primarily Facebook). The City also utilizes official Twitter (@cityofukiah) and LinkedIn accounts. The City of Ukiah Police Department utilizes both Twitter and Instagram accounts (@UkiahPolice). Additionally, the Community Services Department maintains an Instagram account (@UkiahRec). (Ukiah, 2022)

### 2.2.5 Complaints

Complaints with an imminent threat to public safety are of the highest priority and are immediately referred to and handled by the appropriate department. All other complaints are prioritized by the severity of the violation. (Ukiah, 2022a)

The City of Ukiah has established a code enforcement program to ensure compliance with the City's laws and regulations for building, housing, land use, zoning, and environmental health. A high priority is placed

on code compliance as a means of accomplishing adopted community goals, such as maintaining the quality of neighborhoods, avoiding nuisances, and protecting the environment. (Ukiah, 2022a)

The code enforcement process is conducted on a city-wide basis, and all complaints are treated equally and processed according to the same administrative process. The code compliance process is not intended to be selective or discriminatory against any one individual, group, area, or business. The City is legally required to resolve code violations that are confirmed through investigations and cannot simply dismiss them at the request of the property owner. (Ukiah, 2022a)

The City of Ukiah had partnered with iWorQ to provide a simple and intuitive platform empowering residents to identify civic issues (public safety, quality of life, environmental issues, etc.) and report them to city hall for quick evaluation. Types of issues/complaints submitted through the application, included: Storm Drain, Fire Hydrant, and Other Water Problems, Potholes/Street Surfaces, Street Lights, Signs, or Signal Issues, Building Permit Violations, Business License Check, Code Enforcement, Parks, Graffiti, Shopping Carts, and Street Tree Problems. (Ukiah, 2022a) Unfortunately, iWorQ was discontinued, and the City is looking for an alternative platform. The City is committed to new and digital platforms for engagement and reporting.

Additionally, the public may file complaints with the City Clerk and may provide verbal comments or complaints in person at City Hall during business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m., or at the City Council meetings during the general public comment period. A member of the public may address the Council on any matter not appearing on the agenda and is within the jurisdiction of the Council. No action can be taken by the Council on any item not on the agenda. Council may request the item to be brought back at a subsequent meeting. (Ukiah, 2022a)

### 2.2.6 Transparency and Accountability

The Political Reform Act requires all state and local government agencies to adopt and promulgate a Conflict of Interest Code pursuant to GC §81000 et seq.

The Political Reform Act also requires persons who hold office to disclose their investments, interests in real property, and incomes by filing a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to GC §87203.

According to Assembly Bill (AB) 1234, if a local agency provides compensation or reimbursement of expenses to local government officials, then all local officials are required to receive two hours of training on public service ethics laws and principles at least once every two years and establish a written policy on reimbursements pursuant to GC §53235.

The City complies with these above requirements. Refer to Appendix A for a brief list of educational resources regarding open government laws and Appendix B for a website compliance handout.

The City Clerk is the local official who administers democratic processes such as elections, access to city records, and all legislative actions ensuring transparency to the public. (Ukiah, 2022a; City Clerk)

In 2020, the City of Ukiah became the first city in California to publish a fully digital budget, and was presented with an Innovation Award at this year's California State Municipal Finance Officers conference for its work using OpenGov's interactive budget book to publish the fully digital budget. (Opengov, 2020)

Current Ukiah Police Department Policy regarding Automatic License Plate Readers and other camera usage can be found in Section 470 of Ukiah Police Policy Manual. (Ukiah Police, 2022)

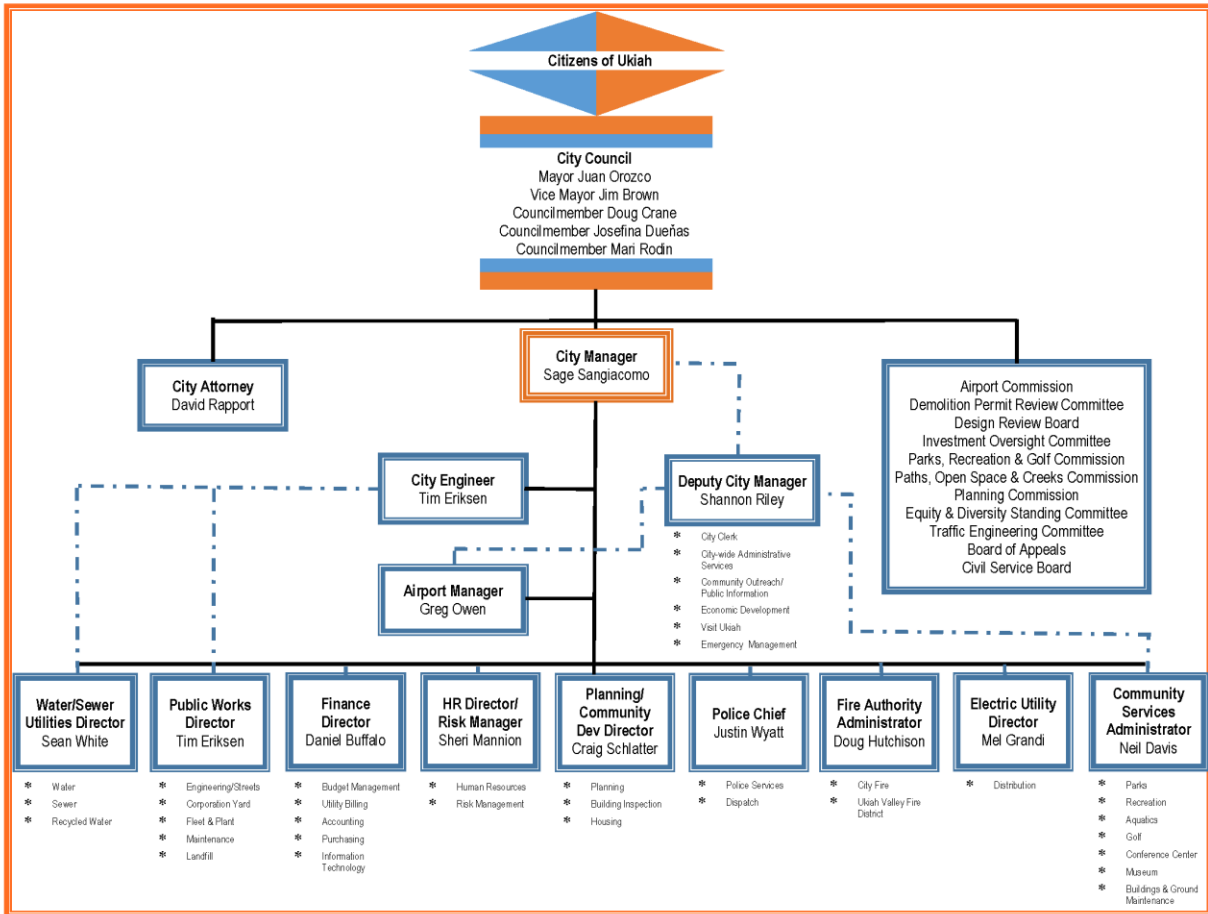
## 2.3 Operational Efficiency

### 2.3.1 Management and Staffing

The City operates under the Council-Manager form of government, whereby the City Council serves as the legislative body and the City Manager serves as the executive. The City Council appoints a City Manager to support their efforts, make recommendations, and oversee the daily operations of the City to ensure that the Council's policies, programs, and priorities are implemented. The City Manager is also responsible for the administration of City services and each department reports to the City Manager. (Ukiah, 2022a)

The City is comprised of nine municipal departments including Water/Sewer Utilities, Public Works, Finance, Human Resources/Risk Management, Community Development, Police, Fire, Electric Utility and Community Services. Per the 2021-2022 Budget, the City employs both full-time and part-time positions, for a total staffing level of 231 Full Time Equivalent (FTE) positions. The City contracts for the position of City Attorney. Management of city services is clearly defined. Figure 2-1 shows the organization chart for city departments.

Figure 2-1 City of Ukiah Department Organization Chart



Source: Ukiah, 2022a.

### 2.3.2 Agency Performance

A component of monitoring agency performance is routinely assessing staff productivity. The City tracks employee workload and progress through a timekeeping system, regular staff meetings, and annual written performance evaluations for all employees.

Evaluations for line employees are conducted by their Department heads, Department heads are evaluated by the City Manager, and the City Manager is evaluated by the City Council. Review and evaluation of the last City Manager is conducted annually. An evaluation form is utilized for all evaluations and follows a standard process prescribed by Human Resources. All employees submit detailed time sheets by job task. This is important because employees can work in more than one department and/or perform duties tied to a specific funding source during a pay period. All time sheets are reviewed by the Department heads and entered into the bookkeeping system by the Finance Department.

During the annual budget development process, the City Council reviews the goals and objectives from the prior fiscal year and establishes goals and objectives for the upcoming fiscal year.

In the regular performance of duty, City staff identifies areas of improvement and takes corrective action when feasible and appropriate or informs the City Manager when further direction is needed.

City staff also learns about new opportunities to achieve operational efficiencies by attending regional and service-specific meetings and communicating with colleagues regarding industry standards, best management practices, changing regulations, and service delivery models implemented by other local agencies.

The City monitors and evaluates agency operations through regulatory reporting and review of City databases and records reports.

(Ukiah, 2022)

#### 2.3.2.1 STRATEGIC PLAN

In addition to the City's current efforts to update its General Plan, the City Council has worked to draft a Strategic Plan to provide a comprehensive framework that prioritizes focus on core functions and ensures City Departments are working together to meet the needs of residents and businesses. The priorities identified in the Plan guide decision-making to desired outcomes through strategies and specific actions.

During the annual budget process, the City Council reviews and modifies the Plan as necessary and sets annual objectives for all departments that are in line with the City's priorities. In addition, successful development and implementation of the Strategic Plan requires continued engagement, collaboration, and review with the commissions and citizens.

The primary outcomes for the Strategic Planning Process are threefold:

1. Create alignment among Council members, City Staff, and the Community about the top strategic priorities for the City of Ukiah.
2. Develop a set of operational principles that will guide the practices and decisions of the Council in focusing the strategic priorities.
3. Identify specific mechanisms for tracking these strategic priorities over time that will allow the Council and City Staff to make the necessary adjustments to achieve the strategic priorities.

(Ukiah, 2022a)

### 2.3.3 Shared Service Delivery and Collaboration

#### 2.3.3.1 REGIONAL AND SERVICE-SPECIFIC PARTICIPATION

The City participates in the following regional and service-specific associations and organizations:

- League of California Cities-Redwood Empire
- Mendocino Council of Governments (MCOG)
- Mendocino Solid Waste Management Authority (MSWMA)

- Mendocino Transit Authority (MTA)
- Greater Ukiah Business and Tourism Alliance/Visit Ukiah
- Mendocino County Inland Water and Power Commission (MCIWPC)
- Upper Russian River Water Agency (URRWA)
- Russian River Watershed Association (RRWA)
- Ukiah Valley Basin Groundwater Sustainability Agency (GSA)
- Northern California Power Agency (NCPA)  
(Ukiah, 2022)

Some of these associations and organizations are further described in sections below.

#### 2.3.3.2 INTERAGENCY COLLABORATION

Interagency collaboration involves local agency officials and/or staff proactively or willingly working together to address issues of common interest; such activities are not the result of a legally binding obligation, although these types of collaborative efforts can lead to such arrangements. It is to the benefit of each individual local agency and the constituents they serve when interagency relationship building is strong and productive.

The City's Emergency Management Office partnered with the Ukiah Valley Fire Authority, Mendocino College, Adventist Health Ukiah Valley, Coastal Valleys EMS Agency, North Coast Opportunities, and Mendocino County Public Health, to organize COVID-19 testing and vaccination sites where thousands of community members were successfully tested and/or vaccinated. (V&F, 2021)

The City is currently participating in an effort with the County and four Cities to develop a Master Tax Share Agreement for the purpose of future LAFCo applications. The City and the Sanitation District are currently participating in an ad hoc committee regarding a long-term plan for wastewater services in the Ukiah Valley.

During the 2021 drought, the City participated with several other local agencies in the County to find solutions to address emergency water shortages for specific communities.

#### 2.3.3.3 CONTRACT OR JPA SERVICES

In 2017, the Ukiah Valley Fire District (UVFD) and the City of Ukiah entered into an agreement for combined fire services, known as the Ukiah Valley Fire Authority (UVFA or Fire Authority). The JPA outlined terms for jointly managing, equipping, maintaining, and operating all-risk fire, medical, and emergency services in the District and City boundaries. Although the District and City were not legally consolidated, for operational purposes they functioned as one entity.

On October 4, 2021, LAFCo approved the UVFD annexation of the City of Ukiah to support a more equitable and stable funding of fire services under the UVFA JPA (LAFCo Resolution No. 2021-22-03). The annexation was the final step of many taken between the agencies since 2012 to establish a long-range, functional consolidation of fire/emergency services to improve staffing and performance levels for the District and City service areas. The annexation was intended to equalize the tax structure and government representation model for all District and City residents.

The annexation is anticipated to result in additional revenue to address multiple needs and more effectively provide fire/emergency services. In the short-term, the same level of service is being provided

by shared personnel using shared facilities and equipment under the same JPA service delivery model. The District and City anticipate accomplishing important service enhancement goals, such as increased staffing on apparatus and providing an overall improved level of service in the District and City service areas in the coming years. (LAFCo, 2021)

The Ukiah Electric Department receives power from generation facilities, jointly owned with other utilities and operated by Northern California Power Agency (NCPA), and power purchase contracts. (LAFCo, 2022)

Transportation services are provided by the Mendocino Transit Authority (MTA), a joint powers authority (JPA) providing bus service for Mendocino County. The City is a signatory and has a seat on the board of directors. (LAFCo 2012)

The City participates in regional water agencies such as the Mendocino County Inland Water and Power Commission (MCIWPC). The MCIWPC is a joint powers agency that includes Mendocino County, the City of Ukiah, Russian River Flood Control District (RRFC), Potter Valley Irrigation District, and Redwood Valley County Water District. The agency was formed to protect and procure adequate water supplies for its member agencies and to facilitate coordination between the Potter Valley Irrigation District and PG&E on the Potter Valley Project. (LAFCo 2012)

The City participates in the Mendocino Solid Waste Management Authority (MSWMA), a Joint Powers Authority, with the County of Mendocino, the City of Fort Bragg, and the City of Willits. Over the years, MSWMA has evolved into a special waste agency with the following main responsibilities: hazardous waste management, electronic waste management, appliance hazardous waste management, recycling promotion and public information, monitoring and reporting, and illegal dump abatement. It was organized in 1990 to deal with the increasing complexity of solid waste management. (LAFCo 2012). The agreement was amended and restated in 2019 by all parties.

The Ukiah Police Department contracts for a number of services including trainings, transcription, as well as repair and maintenance of equipment. (LAFCo 2012)

#### 2.3.3.4 ADJACENT PROVIDERS

Unincorporated lands adjacent to Ukiah are governed by the County of Mendocino and feature a variety of special districts and service providers, as shown in Table 2.6 below.

<b>District or Service Provider</b>	<b>Services</b>
Ukiah Valley Fire District (UVFD)	Fire, Emergency Services
Millview County Water District (MCWD)	Treated Water
Russian River Flood Control and Water Conservation Improvement District (RRFC)	Untreated Water – Wholesale
Willow County Water District (WCWD)	Treated Water
Ukiah Valley Sanitation District (UVSD)	Sewer
Rogina Water Company	Treated Water
Russian River Cemetery District	Cemetery Services
County of Mendocino (MCSO, MCDOT, EH)	Law Enforcement, Transportation, Public Health

Multiple special districts provide services within the City's boundary and adjacent areas. The Ukiah Valley Sanitation District (UVSD) boundaries include portions of Ukiah. The Willow County Water District

(WCWD) serves customers in the City by agreement with the City. On the northern side of the City, the Millview County Water District serves a number of customers, including the Ukiah Valley High School, the Russian River Cemetery, and a number of residences. (LAFCo, 2012)

A public library is available to City residents as part of the County library system. The main library branch is located within the City at the intersection of Main Street and Perkins Street. (LAFCo, 2012)

#### 2.3.3.5 SHARED SERVICES AND FACILITIES

The City works cooperatively with federal entities, state agencies, Mendocino County, and special districts to reduce the cost of services and infrastructure.

**School Facilities:** The City works cooperatively with the Ukiah Unified School District (UUSD). The City has an informal facility agreement that allows the City and the schools to use each other's facilities at no cost by simply filing out an application. (LAFCo, 2012)

**Electric Utility:** The Department works cooperatively with the U.S. Army Corps of Engineers (USACE) and the Sonoma Water Agency to operate the Lake Mendocino Hydroelectric Plant. The City of Ukiah is responsible for maintaining and operating the hydroelectric plant, while the Coyote Dam and structures are operated and maintained by the USACE. (LAFCo, 2012). The Sonoma Water Agency controls water release through the dam's outlet conduit needed for the generation of electricity. The hydroelectric plant, located at the outlet for Coyote Dam, became operational in 1986. It contains two turbine/generator units: a 1,000-kW unit and a 2,500-kW unit. (Ukiah, 2022a)

**Animal Control:** Animal control services for the City of Ukiah are shared between the County of Mendocino and the Ukiah Police Department. The County of Mendocino Department of Animal Care Services undertakes rabies prevention, licensing, impounding stray or lost animals, responding to injured or sick animals, investigating suspected cruelty to animals and promoting responsible pet ownership. However, the Ukiah Police Department's Community Service Officers (CSOs) are responsible for most animal control related inquiries within City limits. In 2021, CSOs responded to 396 Animal Complaint calls.

The City shares costs for the Ukiah Animal Shelter with Mendocino County through staffing and by funding a portion of the debt service. Based on County data provided, the Ukiah animal shelter has been operating near its capacity for a number of years. In June 2022 the facility was at 100% capacity; however, space constraints are addressed through the support of a variety of non-profit organizations. The Mendocino County Animal Control Unit is currently in the process of transitioning from the Sheriff Department to Animal Care Services by July 1, 2022 (Mendocino County, 2022). The City's FY 2021-22 budget appropriated \$95,000 to animal control related costs. Additionally, per agreement with the County, the City waives jurisdictional license fees for dogs within City limits, which further contributes to the operation of shared facilities and services (Sangiaco, 2022). The County Animal Shelter is located within City limits at 298 Plant Road, adjacent to the City's Wastewater Treatment Facility (WWTF).

**Parks:** The Community Services Department works cooperatively with the UUSD to share school facilities for recreational programming and facility use. The City's informal facility agreement allows the City and the schools to use each other's facilities by no-fee application. The Department and UUSD also share the Alex Rorabaugh Ukiah Valley Cultural & Recreational Center. The Community Services Department



collaborates with all Ukiah based organizations to maximize the use of the athletic fields and turf areas in parks. The City leases park space to non-profit organizations such as Youth Baseball and Youth BMX to maximize the use of park space and provide greater services to residents. (LAFCo, 2012)

Additionally, Low Gap Dog Park is the result of a cooperative effort of the Low Gap Dog Park Citizen Committee, the County of Mendocino, the City of Ukiah, and the generosity of the citizens and businesses in the community. (Mendocino County, 2022)

**Wastewater:** Wastewater services within and adjacent to the City are provided under a participation agreement between the City and UVSD that allows for conveyance to and treatment of wastewater at the City's WWTP. The agreement allows the District to share Equivalent Sewer Service Units (ESSUs) to accommodate growth in both jurisdictions. As part of the agreement, the City also maintains the sewer system for the District and provides the UVSD with staffing services associated with operation and maintenance of the sewer collection system and the WWTP.

**Public Works:** The City maintains agreements with local and state agencies to share maintenance costs for portions of the transportation infrastructure. The City has an agreement with the County and Caltrans for maintaining traffic signals, with Caltrans for maintaining the overcrossings on US 101, and with the County for maintaining the Orchard Avenue Orr Creek Bridge.

**Solid Waste:** Through an agreement with the City of Ukiah, overseen by the Public Works Department, solid waste removal is provided by Ukiah Waste Solutions (UWS), which pays the City a franchise fee (refuse disposal fee) to provide services. The City charges fees to cover the cost of solid waste removal provided by UWS. Fees are based on the Consumer Price Index (CPI), Fuel Index, and other pass-through costs.

**Airport:** The Ukiah Municipal Airport affords accessibility to a number of public agencies as a shared facility. CALFIRE houses multiple air tankers and spotter planes at its Air Attack Base, located on the west side of the airport, for aerial suppression efforts with. The aircraft provide immediate response to wildland or structure fires. Additionally, the Mendocino County Sheriff uses the airport for search and rescue services. MCSO uses its aircraft to conduct training missions and search and rescue operations. Further, the California Highway Patrol (CHP) uses the airport for traffic surveillance. The Airport also houses planes for Fed Ex and UPS, as well as Reach air ambulance (Ukiah, 2022). (LAFCo, 2012)

**Law Enforcement:** The City's Police Department is the Public Safety Answering Point (PSAP) for emergency (9-1-1) calls within the City of Ukiah and its surrounding area, as well as the City of Fort Bragg. The Police Department coordinates with the Mendocino County Sheriff's Office, the California Highway Patrol, the Ukiah Valley Fire District (UVFD), and CALFIRE. UPD also provides after-hours dispatching services for Electric, Water, Wastewater and other City of Ukiah services, and makes emergency notifications to the community. Additionally, UPD serves on the Redwood Community Services Homeless Services Community Center, Ford Street Project, Mendocino County Youth Project, and the Boys and Girls Club. There is also regular collaboration between UPD and County HHSA Staff. (Ukiah Police, 2022; Ukiah, 2022)

The Major Crimes Task Force (MCTF) operates under the supervision of the State Department of Justice, Bureau of Narcotics Enforcement. The MCTF deals with crimes involving violence, such as homicide and

assault as well as burglary and drug crimes. However, drug suppression is its major mission and the unit directs its primary activities toward elimination of production, trafficking, and use of methamphetamine in the County. Personnel consist of Sheriff's deputies and officers from each from the Fort Bragg, Ukiah, and Willits Police departments; the California Highway Patrol; a County Probation Officer; a representative from the State Parks Department; and a representative of the District Attorney. The City of Ukiah provides salary and related support funding for one UPD officer to participate on the task force. The MCTF was formed to operate under a Memorandum of Understanding. (LAFCo, 2012)

The City works cooperatively with other service providers to deliver services more effectively or efficiently by sharing public facilities, resources, and/or service delivery responsibility when feasible.

## 2.3.4 Governmental Structure and Community Needs

### 2.3.4.1 ENHANCED SERVICE DELIVERY OPTIONS

As the largest urbanized area in the region, the City serves as a regional hub for municipal services. The City's airport, golf course, museum, and wastewater treatment plant (WWTP) serve populations beyond the City limits in the Ukiah Valley. Residents of neighboring communities often participate in the City's recreation programs and enjoy City parks and open space. The City limits contain regional facilities including a hospital, high school, and cemetery. (LAFCo, 2012)

As a full-service City, there are limited instances of other public agencies directly serving City residents, such as internet and phone service. However, there is a large overlap area between the City and Sanitation District and a small amount of overlap areas between the City and Water Districts.

The existing City limits is substantially built-out, and future proposals for City annexation or expansion have the potential to extend into areas already served by special districts and the County, or within the jurisdictional boundary of these agencies for undeveloped properties.

Significant wastewater service efficiencies have already been realized through the partnership agreement between the City and the Sanitation District and associated functional consolidation for this service. It is likely that further efficiencies or cost savings for wastewater service in the Ukiah Valley could only be accomplished upon a future reorganization effort between these agencies.

The current provision of water service in the Ukiah Valley involves many public agencies, complex interagency service arrangements and relationships, and represents a significant opportunity to achieve both greater organizational and operational efficiencies.

The purpose of the Upper Russian River Water Agency (URRWA) JPA is to provide economies of scale, provide a method of jointly addressing sewer and water issues, and fostering coordination on these issues. The intent of the JPA is to work towards the consolidation of Ukiah Valley's water, which was expanded to a regional consolidation of water and wastewater service providers with the inclusion of the UVSD. The board now consists of a single board member from Willow County Water District (CWD), Calpella CWD, Redwood Valley CWD, Millview CWD, and the UVSD. The JPA is a collaboration of member agencies formed with the purpose of working together for the voluntary consolidation of Ukiah Valley's water and wastewater service providers. While the City of Ukiah is not a member of the JPA, the water districts within URRWA, similar to UVSD, have recently been communicating with the City to discuss the regional provision of water services in Ukiah Valley.

Due to prolonged and extreme drought conditions, in recent years multiple local water agencies have struggled with very limited to critically low local water supply to serve coastal and inland communities resulting in interagency collaboration and mutual aid agreements for emergency short-term shared facilities and water resources.

Although the Mendocino Council of Governments (MCOG) does not typically deal with housing issues, the State of California Department of Housing and Community Development (HCD) has designated them as the appropriate regional agency to coordinate the housing need allocation process. The political jurisdictions that comprise the region consist of the Mendocino County unincorporated area and the Cities of Ukiah, Fort Bragg, Willits and Point Arena.

#### 2.3.4.2 GOVERNMENT RESTRUCTURE OPTIONS

Government restructure options should be pursued if there are potential benefits in terms of reduced costs, greater efficiency, greater accountability, or other advantages to the public.

##### Fire District Annexation

In 2012, the UVFD and the City hired a consultant to investigate the possibility of legally consolidating their fire agencies. The study concluded that consolidation would improve service but would not provide any cost savings for multiple reasons, such as the salary differential between fire personnel and the substantial equipment replacement needs of both agencies.

In 2021, the UVFD annexed the City of Ukiah to provide fire services, equalize the tax structure, and improve level of service for all residents within the previous service areas. The two agencies continue to coordinate service provision under the Ukiah Valley Fire Authority.

##### Wastewater Service Reorganization

The City and the Sanitation District have been working through an ad hoc committee assigned for the purpose to develop an interim agreement for service provision in the areas adjacent to the City, and ultimately, the long-term plan for the provision of wastewater services in the region. The mutual agreement identifies the applicant and future annexation thresholds for reorganization of the UVSD into either a subsidiary district or merger with the City, among other things.

The mutually developed points of the agreement are roughly as follows (paraphrased):

- The City will be the applicant for any Out of Area Service Agreement and the District will bear the costs for the application process to LAFCo.
  - The City will not pursue detachment of District territory from the City now or in the future.
  - The District will support City annexations and will work cooperatively with the City on General Plan and SOI Updates.
  - Consistent with statutes, the District will support merger or reorganizing as a subsidiary district of the City upon reaching the threshold of 70% or more of District registered voters and 70% of District area is annexed into the City.
  - The District will support the City's pursuit of legislation to eliminate the statutory threshold for 70% of area of land.
- (City/UVSD, 2022)

As the City of Ukiah expands in accordance with the annexation plan developed for and in conjunction with its 2040 General Plan Update, the area served by the Sanitation District will concurrently decrease. The interrelated nature of the sewer collection, treatment and disposal systems support a merger or reorganization of the District. This concept has gathered momentum as a result of the substantial groundwork of the City/UVSD ad hoc committee established for the purpose of the collaborative development of a long-term plan for the interim and long-term provision of sewer services in the Ukiah Valley.

### Water Service Consolidation

There are five major providers of community water services in the Ukiah Valley. The City of Ukiah serves customers within the City, while Rogina Water Company and Millview, Calpella, and Willow County Water Districts (predominantly) serve the unincorporated areas. There are, however, small areas of overlap between the City and Willow and Millview County Water Districts. All suppliers are regulated by the California Department of Health Services, and the privately-owned Rogina Water Company is additionally regulated by the California Public Utilities Commission. These water providers hold varying claims to water rights for current and future use. The primary water source for water providers in the Valley is the Russian River and water stored in Lake Mendocino, which also includes diverted Eel River water through the Potter Valley Project.

Property owners without access to the City or community systems obtain water from individual wells, springs or direct diversions of Russian River water. Some water needs are also supplied by wells that tap groundwater aquifers that are not connected to the underflow of the Russian River. (Mendocino County, 2011). Since the Mendocino County Ukiah Valley Special Districts Municipal Service Review (2013), a variety of consolidation approaches have been considered by the City, LAFCo, State Water Resources Control Board (SWRCB) and individual special districts. In recent years, climate change, uncertainty around Pacific Gas & Electric's (PG&E) [Potter Valley Project](#), and fiscal/operational considerations have presented new motivation to pursue water service consolidation efforts.

While no active application or pre-applications have been submitted, on May 18, 2022, the Ukiah City Council approved a Letter of Intent to the SWRCB regarding *Consolidation of Municipal Water Providers*. Under new programs, the SWRCB is offering significant financial incentives to help fund the necessary infrastructure that would allow the interconnection and overall improvement of small systems into a single resilient provider. The City of Ukiah has a large and diverse water supply, but there is no mechanism to share it at a regional scale. Currently, the City of Ukiah and the URRWA are only connected with emergency interties.

## 2.4 Finances

The City of Ukiah's financial resources are accounted for in different funds based on organizational units, such as departments, divisions, programs, functions, and services. The General Fund is the City's primary operating fund and accounts for the financial resources of the City's general government services.

The City Council establishes annual budgets for the General Fund, proprietary (enterprise and internal service) funds, and all special revenue funds, with a possible exception for certain special revenue funds for which expenditures are controlled by grant funding or by special assessments. The City also has annually audited financial statements prepared by a Certified Public Accountant (CPA) which serves as financial assurance for the use of public funds.

The City's investments are professionally managed by Public Financial Management, Inc. (The PFM Group) in accordance with investment policies adopted by the City Council. These investment policies conform to both Federal and State laws governing investments of public funds. City Council appoints an investment oversight committee consisting of the Treasurer, a council member, and City staff, as well as a public member, who advises the City Council regarding investment policies and management. (Ukiah, 2022a)

All the City's major functions are grouped into either governmental activities or business-type activities. The City's basic services (categorized below) are governmental activities, and these services are supported by general City revenues, such as taxes, and by specific program revenues, such as user fees and charges.

#### Governmental Activities

- General and administrative (City Council, City manager, City Clerk)
- General government (administration, finance and accounting, human resources, legal, treasurer, etc.)
- Community development (planning and building)
- Roads and infrastructure (road maintenance, city engineer and public works,)
- Housing and support programs (CDBG and HOME grants, etc.)
- Redevelopment/Economic development
- Public safety (Police and Fire)
- Parks, buildings, and grounds (parks, building and grounds maintenance, etc.)
- Culture and recreation (museum, pool, sports, etc.)

The City's business-type or enterprise activities (categorized below) are unlike governmental activities. These services are supported by charges paid by users based on the amount of the service they use.

#### Business-type activities

- Airport
- Ambulance
- Conference Center
- Electric
- Golf Course
- Landfill
- Parking District
- Street lighting
- Wastewater
- Water

#### **Revenue Sources**

The City's largest two sources of General Fund revenue are sales tax and property taxes. As shown in Figure 2-2 below, the City's top ten revenue sources account for roughly 85-percent of total General Fund income, and include revenues generated from the City's various enterprise activities. Focusing on these sources can provide a useful understanding of the City's revenue position.

**Figure 2-2 City of Ukiah Top 10 Revenue Sources****TOP 10 - REVENUES**Current from Prior  
Year Ended June 30, 2021

REVENUE	2020-21	2019-20	Percent Change	Percent of Total 2020-21 General Revenues
Top 10:				
Bradley-Burns Sales Tax	\$ 7,813,891	\$ 6,572,573	18.89%	29.11%
1/2% District Sales Tax (Measure Y)	3,862,145	3,368,450	14.66%	14.39%
1/2% District Sales Tax (Measure P)	3,858,985	3,372,183	14.44%	14.38%
Prop Tax In Lieu Of Vif	1,559,290	1,530,602	1.87%	5.81%
Transient Occupancy Tax (TOT)	1,362,133	1,365,477	-0.24%	5.08%
Redevelopment Tax Increment Pass-Through	1,007,559	763,483	31.97%	3.75%
City Utility Franchise Fee	979,180	951,857	2.87%	3.65%
Secured Property Tax	710,556	743,317	-4.41%	2.65%
Refuse Disposal Franchise Fee	686,967	657,307	4.51%	2.56%
Business License Tax	484,533	389,829	24.29%	1.81%
<b>Total top 10</b>	<b>22,325,239</b>	<b>19,715,078</b>	<b>13.24%</b>	<b>83.18%</b>
Other Revenue	4,513,875	1,620,423	178.56%	16.82%
<b>Total current revenue</b>	<b>\$ 26,839,114</b>	<b>\$ 21,335,501</b>	<b>25.80%</b>	<b>100.00%</b>

Source: V&amp;F, 2021.

Overall, these key revenue sources, discussed further below, performed better in FY 2020-21 than in FY 2019-20. The strongest performer was the Redevelopment Tax Increment Pass-Through, due principally to changes in funding and obligation requirements for the Ukiah Redevelopment Successor Agency. Business License Tax revenue was the next best performer in this period, but increased revenues from this source reflect more on the timing of payments from businesses that were past due or late in payment from the prior year. The most informative change in terms of the underlying revenue picture for the City's General Fund is that of sales and transaction and use taxes (Bradley Burns and Measures P and Y). As the City is strongly reliant on the economic vitality of its retailers, strong returns in this revenue source signaled strong overall economic health for both the City and broader retail trade area. (V&F, 2021)

Sales Tax

The City collects sales tax from three sources: normal Bradley-Burns sales taxes (1 percent of taxable transactions), a ½ cent transaction and use tax, commonly referred to as Measure P, and a ½ cent transaction and use tax, commonly referred to as Measure Y. All are devoted entirely to the City and are distinct and considered separate sources of revenue. Each behave slightly differently given their tax base.

Bradley-Burns sales taxes are referred to as "sales and use" taxes, levied on transactions based geographically in the City.

Measures P and Y are referred to as a "transaction and use" taxes and are applied to any taxable sale in the City as well as any sale where the use of the item is in the City.

For instance, a car purchased outside the City but registered to an address within the City, and therefore presumed to be used in the City, would be levied the ½ cent on the purchase price for Measure P and the same amount for Measure Y. Both are general taxes and can be used for any regular, general governmental purpose; however, the City Council, through resolution, has assigned their use to public safety and streets, respectively.

Due to the pandemic restrictions on socialization and commerce resulting in more remote and online shopping, sales tax collected from Measures P and Y was more pronounced. Overall, sales tax receipts

(Bradley-Burns and Measure P) increased in FY 2020-21 due in part to growth across most of the City's major industry groups. Driving the change was general consumer goods (up 13.9% from the prior year), which also affected the City's share in the state and county pool allocation (up 28.9%). All sales tax due to the City is administered by the California Department of Tax and Fee Administration (CDTFA).

#### Property Tax in Lieu of Vehicle License Fee

These are property tax shares allocated to cities and counties beginning in FY 2004-05 as compensation for the state's take of Vehicle License Fees (VLF). This revenue source typically follows regular property tax collections (Secured Property Tax), and modest growth is expected from this revenue source.

#### Transient Occupancy Tax

Transient Occupancy Tax (TOT) is commonly referred to as a "bed," "hotel," or "room" tax. The TOT rate in Ukiah is currently 10-percent, and 1 percentage point has been committed by the Ukiah City Council to fund the Visit Ukiah Program, and another 1 percent goes to help fund the museum.

TOT has historically performed strongly; however, travel restrictions due to the pandemic negatively impacted this revenue source, which is driven by tourism in the greater Mendocino County area and travelers heading to adjacent regions. This revenue source is expected to continue its growth trend.

#### City Utility Franchise Fees

Franchise fees are not taxes; rather, they are rents paid by utility providers to operate on or in City rights-of-way and City property, such as roads, sidewalks, parklands, etc. This revenue source is a charge to the City's electric utility. The rents are established by the City Council and typically are correlated to gross revenues generated by the utility provider.

Electric revenues, most notably commercial revenues, were impacted more than other utilities. As such, the franchise fee to the general fund was diminished. The state of the economy in FY 2020-23 will be a driving factor in how this revenue source performs. Revenues from this source anticipated to trend positively or increase.

#### Redevelopment Tax Increment Pass-Through

After the dissolution of Redevelopment in California by the Legislature, the Ukiah Redevelopment Agency was sent into receivership of a successor agency. Property tax increment revenue once received by the former redevelopment agency was instead held in trust by the County Auditor-Controller in a specific fund, known as the Redevelopment Property Tax Trust Fund (RPTTF).

Property tax increment collected in this fund would first pay the County Auditor-Controller's administrative costs, then pass to the successor agency of the former RDA (City of Ukiah) to satisfy the obligations of the former agency, then to the taxing entities in the project area of the former RDA, including the Ukiah Unified School District and the County of Mendocino General Fund. The City also receives a share of these residuals which are reported in the General Fund.

This revenue source tracks like regular (secured) property tax, although it is calculated from a slightly different derivative property tax base (tax increment). This revenue source is expected to continue to trend positively.



### Secured Property Tax

Property taxes are assessed against real and unsecured property in the City. Secured property is any property that cannot be moved, like homes or land. Proposition 13 limits the tax rate to 1-percent of a property's current assessed value, plus any voter-approved bonds and assessments.

The City is not the only entity that collects property tax on property assessed in the City of Ukiah. For every dollar of secured property taxes collected in the City, the City receives about nine cents. The majority is distributed to local schools (61 cents) and the County of Mendocino (24 cents). Local special districts also collectively receive 6 cents of the total dollar.

Traditionally, revenue from property tax was viewed as a very stable source. The housing collapse of 2008 tested that assumption. However, as the housing market continued to recover modestly in Ukiah, receipts came in lower than the year prior. This was due to adjustments made by the County Auditor-Controller.

Revenue from this source may continue to trend positively over the next few years, but not as robustly as desired. Even though housing prices are expected to reach all-time highs in FY 2023, low inventory and turnover will hinder the City's ability to realize a significant benefit from property taxes. Low real estate transfer volumes limit Proposition 13 property value adjustments that yield higher secured property taxes from increased housing prices.

### Refuse Disposal Franchise Fees

Franchise fees, as noted above, are not taxes. This revenue source is a charge to the City's franchise solid waste hauler, for the use of rights-of-way to provide and distribute its services. Vehicles used to haul refuse are utilized more frequently and wear roads more significantly than other commercial or non-commercial vehicles.

In FY 2020-21, revenues from this source were higher than in the preceding year due to increased sales and rate adjustments by the hauler, Ukiah Waste Solutions. Nominal increases to this revenue source are expected.

### Business License Tax

Businesses that operate within City limits are required to obtain a business license. The fees are based on the type of business and an estimate of their gross receipts. The proceeds from the Business License Tax collected are available for unrestricted use in the General Fund.

As noted above, receipts from Business License Tax were higher in FY 2020-21 than in the prior year due to late payments. Before the onset of the pandemic in March 2020, business license activity was trending positively. That trend slowed due to the pandemic, began to normalize in FY 2021-22, and is currently showing signs that this revenue source will continue to increase as businesses re-open and even expand.

(Ukiah, 2022a)(V&F, 2021)(Ukiah, 2022)

### **FY 2022-23 Budget**

The figure below shows the total amount of budgeted appropriations for the City as a whole broken down into major cost categories.



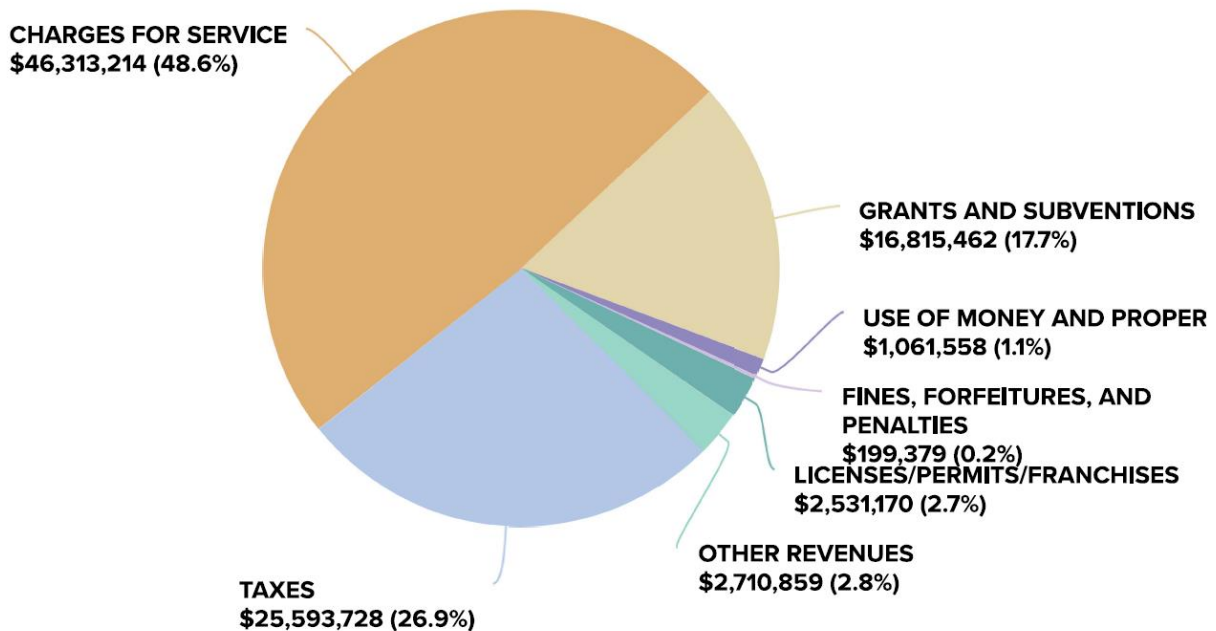
**Figure 2-3 Ukiah City-wide Expenditures for FY 2022-23**

Category	2023
CAPITAL	\$60,346,560.43
SERVICES & OTHER OPERATING	\$34,625,858.08
PERSONNEL	\$33,088,159.00
DEBT SERVICE	\$11,759,264.72
GRANTS AND LOANS	\$2,098,811.74

Source: Ukiah, 2022a.

The figure below shows the total amount of budgeted revenues for the City as a whole broken down into major revenue categories.

**Figure 2-4 Ukiah City-wide Revenues for FY 2022-23**



Source: Ukiah, 2022a.

**Economic Outlook**

As the economic hub of the greater Mendocino County and adjacent areas, Ukiah has a strong and diverse sales tax base. This served the City well in providing sufficient revenues to maintain service levels at pre-pandemic levels with minimal interruption or disruption. Ukiah businesses have endured, and continue to endure, through the most challenging financial impacts of the pandemic, and the City finances have remained reasonably stable.

The City's sales tax and property taxes grew modestly in FY 2020-21 and are expected to grow modestly in FY 2021-22. In FY 2022-23, the City expects strong growth in revenues derived from sales tax due to significant inflationary pressure on the price of taxable goods. In addition, the housing market has improved markedly and property-related revenues in general are expected to increase modestly in FY 2022-23 and beyond, likely to average 2-2.25 percent. Expenses related to personnel (primarily in health premium and pension costs) are increasing at a substantial, though manageable, pace.

To date, Measure Y has generated roughly \$3.5 million per year, helping to finance major projects like the reconstruction of Washington, Luce, Observatory, Orchard, and parts of State Street, as well as extensive slurry seals.

Grant funding was obtained for Phase Four of the Great Redwood Trail Ukiah, which will take the trail south, even beyond the city limits. All non-recurring capital outlay currently programmed for FY 2022-23 and in the underlying five-year CIP budget are not expected to affect current or future operating budgets and the services the City of Ukiah provides.

Maintaining and growing revenue streams and continuing to maximize cost saving measures remains a high priority for City staff balanced with providing the highest level and quality of service that the community needs, expects, and deserves. The City continues to maintain a cautiously optimistic view through recovery from the pandemic and plans and budgets for service delivery with conservative revenue assumptions.

(Ukiah, 2022a; Ukiah 2022)(V&F, 2021)

## 2.4.1 Current Fiscal Health

This section includes City financial information for Fiscal Year (FY) 2016-17, 2017-18, 2018-19, 2019-20, and 2020-21 and long-term financial considerations.

### 2.4.1.1 FINANCIAL SUMMARY

The City prepares and adopts an annual budget prior to the beginning of each fiscal year (July 1), which serves as a financial planning tool and an expense control system. The annual budget also serves as a financial management tool and an operational plan for the delivery of City services and the implementation of funded capital projects. Expenses cannot exceed the authorized budgeted amounts unless the budget is amended by the City Council by resolution during the fiscal year. The City completes a quarterly and mid-year budget review to ensure that the City is on target with departmental and fund budget amounts and to verify the necessity of any budget amendments.

Year-end revenue over expenses (net position) is an important measure of an agency's financial performance during a fiscal year. When an agency operates at a net income, annual revenue exceeds annual expenses producing a surplus. When an agency operates at a net loss, annual expenses exceed annual revenue producing a deficit. When an agency operates at a net neutral, annual revenue equals annual expenses producing a balance.

When year-end revenue over expenses for multiple years is compared, it shows the financial planning and policy of an agency, such as structural surplus/deficit budgeting practices or a balanced budget. Under normal operating circumstances, the financial approach of prior years can be useful in projecting the long-term financial standing of an agency. This comparison may serve as a valuable indicator for upcoming

decision-points, such as whether there is sufficient annual revenue generated to continue the current level of service or whether a rate increase is necessary to maintain or expand the level of service.

The following tables provides year-end audit (not budget) financial information for the City. This table summarizes the Statement of Activities prepared by Van Lant & Frankhanel, LLP, a firm of CPAs that the City contracts with for independently audited financial statements. The table below represents the short-term financial standing of the City based on reporting annual income, expenses, and profits/losses using the full accrual basis of accounting, which is an accounting method where revenue or expenses are recorded when a transaction occurs rather than when payment is received or made.

The financial information in the table below also involves depreciation expense, which is a method of spreading the cost of a capital asset over its estimated useful life, as opposed to recognizing the full cost of a capital asset as an expenditure at the date of acquisition. The City's annual financial report defines capital assets, including roads, bridges, curbs and gutters, streets, sidewalks, drainage systems, and lighting systems, as assets with a cost of more than \$10,000 and an estimated useful life of more than two years. (V&F, 2021)

Figure 2-11 shows the most recent Statement of Net Position, which represents the long-term financial standing, or net position, of the City based on reporting the difference between the City's assets and liabilities.

Table 2.7 City of Ukiah Financial Summary - Governmental Activities (in \$)

	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21
Beginning Net Position	18,728,066	28,029,808	29,490,947	36,055,617	38,088,337
Prior Period Adjustments	0	0	0	0	0
Ending Net Position	28,029,808	29,490,947	36,055,617	38,088,337	47,894,303
<b>Program Revenues Over Total Expenses</b>					
General and Administrative	827,729	0	0	0	0
General Government	47,919	(1,249,613)	(1,965,315)	147,606	(561,505)
Public Safety	(7,902,988)	(12,358,054)	(11,207,740)	(11,981,649)	(12,536,790)
Roads and Infrastructure	168,864	0	0	0	0
Housing and Community Development	(545,764)	(1,061,468)	(1,324,889)	(2,414,740)	4,616,454
Public Works	0	1,143,077	(1,179,899)	(3,417,072)	(1,150,683)
Parks, Buildings, and Grounds	(957,520)	(1,412,291)	(354,205)	2,649,700	(1,200,252)
Recreation and Culture	3,034,071	(817,556)	(2,357,051)	(2,796,301)	(854,843)
Economic Development & Redevelopment	(163,124)	0	(32,020)	(396,519)	(40,261)
Interest on Long-term Debt	0	(73,532)	(176,067)	(165,210)	(992,902)
<b>Total Net Income (Loss)</b>	<b>(5,490,812)</b>	<b>(15,829,437)</b>	<b>(18,597,186)</b>	<b>(18,374,185)</b>	<b>(12,720,782)</b>
<b>General Revenues/Transfers:</b>					
Property Tax	1,470,323	2,838,902	2,984,192	3,139,960	3,408,846
Sales Tax	9,805,225	10,853,469	11,974,379	13,313,206	15,535,021
Transient Occupancy	1,302,336	1,406,417	1,496,473	1,365,477	1,367,852
Other Taxes	249	0	462	888	1,136
Licenses, Permits, Franchises	1,792,595	1,653,146	1,781,141	1,742,671	1,815,271
Business License	391,224	434,464	303,604	411,997	560,527
Fines, Forfeitures, and Penalties	73,835	0	0	0	0
Use of Money and Property	404,235	328,535	850,711	696,930	266,006
Other Revenue	192,351	139,439	181,676	189,241	17,052
Gain on Sale of Assets	0	0	0	57,078	0
Transfers	(639,819)	(363,796)	(410,782)	(510,543)	(444,963)
<u>Total General Revenues/Transfers</u>	<u>14,792,554</u>	<u>17,290,576</u>	<u>19,161,856</u>	<u>20,406,905</u>	<u>22,526,748</u>
Redevelopment Agency Loan Reinstated	0	0	6,000,000	0	0
<b>Change In Net Position from Prior FY</b>	<b>9,301,742</b>	<b>1,461,139</b>	<b>6,564,670</b>	<b>2,032,720</b>	<b>9,805,966</b>

Source: V&F, 2021, 2020a, 2020b, 2019, & 2018.

Consistent net income or revenue gain is a key measure of fiscal health and indicates the following:

- An agency does not need to utilize reserve or unrestricted funds to balance the budget or meet current operating costs.
- An agency is generating sufficient annual revenue to continue the current level of operations.

- An agency maintains a sufficient fund balance to protect against unexpected costs and/or build reserves to fund capital improvements and equipment maintenance.

According to the audited financial information in the governmental activities table above, certain City programs operated at a net loss, or revenue shortfall, during the five years studied; however, the overall governmental activities operated at a net income, or revenue gain, each year. Over the five fiscal years studied, the City's financial performance for governmental activities shows an increase in net position of \$29,166,237 or 61-percent, which signals a strengthening in financial position.

<b>Table 2.8 City of Ukiah Financial Summary - Business-type Activities (in \$)</b>					
	<b>FY 16-17</b>	<b>FY 17-18</b>	<b>FY 18-19</b>	<b>FY 19-20</b>	<b>FY 20-21</b>
Beginning Net Position (*restated)	83,375,660	77,688,331	90,965,211	*102,691,776	121,379,142
Prior Period Adjustments/Restatement	0	10,230,998	0	0	0
Ending Net Position	77,688,331	90,965,211	102,691,776	121,379,142	119,006,192
<b>Program Revenues Over Total Expenses</b>					
Airport	(503,431)	(275,216)	239,783	3,469,145	88,967
Ambulance Services	0	0	0	28,352	23,997
Conference Center	(42,456)	(1,582)	(131,060)	(228,651)	549,111
Electric	(1,430,570)	571,548	(390,494)	(3,107,122)	(933,459)
Golf	(8,116)	(81,782)	(177,280)	(211,078)	30,586
Landfill	(203,801)	(44,759)	(1,467,965)	(3,462,162)	(253,577)
Parking District	(99,294)	(18,941)	(8,522)	(57,637)	(37,251)
Street Lighting	(144,633)	(204,334)	145,465	41,012	(3,487)
Wastewater	69,605	574,303	(453,560)	17,108,763	(1,723,577)
Water	629,873	1,774,741	12,363,863	3,628,671	(950,941)
Recycled Water	(78,018)	0	0	0	0
<b>Total Net Income (Loss)</b>	<b>(1,810,841)</b>	<b>2,293,978</b>	<b>10,120,230</b>	<b>17,209,293</b>	<b>(3,209,631)</b>
<b>General Revenues/Transfers:</b>					
Property Tax	13,146	73,004	17,121	16,815	16,714
Licenses, Permits, Franchises	72,038	0	0	0	0
Use of Money and Property	289,051	315,104	1,166,919	950,715	352,781
Other Revenue	47,770	0	11,513	0	22,223
Transfers	639,819	363,796	410,782	510,543	444,963
<u>Total General Revenues/Transfers</u>	<u>(3,876,488)</u>	<u>751,904</u>	<u>1,606,335</u>	<u>1,478,073</u>	<u>836,681</u>
<b>Change In Net Position from Prior FY</b>	<b>(5,687,329)</b>	<b>3,045,882</b>	<b>11,726,565</b>	<b>18,687,366</b>	<b>(2,372,950)</b>

Source: V&F, 2021, 2020a, 2020b, 2019, & 2018.

According to the audited financial information in the business-type or enterprise activities table above, several (six out of eleven) City enterprise programs and the overall business-type activities in FY 2016-17 and FY 2020-21 operated at a net loss, or revenue shortfall, during the five years studied. While a net loss

in any given year is not ideal, isolated revenue shortfalls due not necessarily indicate a problem, especially when infrequent and/or followed by years of net income. The following enterprise programs operated at a net loss consistently (three out of five years) over the study period: Conference Center, Electric Utility, Golf Course, Landfill Closure, Parking District, and Street Lighting.

Also, during the five years studied, several (seven out of eleven) City enterprise programs and the overall business-type activities in FY 2017-18, FY 2018-19, FY 2019-20 operated at a net income, or revenue gain. Over the five fiscal years studied, the City's financial performance for business-type activities shows an increase in net position of \$35,630,532 or 30-percent, which signals a strengthening in financial position.

#### FY 2020-21 Overall Activities

Expenses incurred by the City for FY 2020-21 totaled \$65.4 million, a decrease from FY 2019-20 of \$3.0 million. Much of this decrease was related to reductions to pension costs of the City unfunded accrued pension liabilities (UAL) with CalPERS. Governmental expenses totaled nearly \$24.9 million or 38-percent of total expenses. Public safety costs represented most of the governmental expenses, followed by public works and recreation. Business-type activities incurred \$40.6 million of expense during FY 2020-21, 62-percent of all City expenses.

#### FY 2020-21 Governmental Activities

Net expenses of \$10.5 million for the provision of these governmental activities was funded by general revenues, primarily in the general fund, including taxes, licenses, permits, franchise fees, and rents. Public safety (police, fire, and emergency medical services) comprised the largest activity segment of governmental expenses (\$13.6 million, 60.32-percent). A significant portion of this expense is related to retirement benefit costs. Maintenance of streets and rights-of-way were the next largest expense of the City's governmental activities. The City has deployed a significant portion of its discretionary and programmatic resources toward the improvement of City streets, walkways, and trails.

Significant revenues for the City came from taxes (59.4-percent), which included sales taxes (Bradley-Burns, Measure P and Measure Y transactions and use taxes), property taxes, and transient occupancy taxes. Despite the continuation of the pandemic, tax revenues overall were higher than in FY 2019-20 due to increases to the sales and property tax base from a strong and diversified local economy.

#### FY 2020-21 Business-type Activities

In FY 2020-21, business-type activities decreased the City's net position by \$2.3 million. That loss came from net revenues, which is defined as total expenses minus program revenues, which include charges for service, as well as operating and capital grants and contributions.

General revenues for business-type activities include rents and interest earnings as well as some property taxes collected by the City's parking district. The general revenues were down from FY 2019-20 approximately 50-percent resulting primarily from smaller returns on the City's investment portfolio from less cash invested. Charges for services, however, was higher than FY 2019-20 due certain reimbursable jobs in the electric utility as well as increased rate revenue from the scheduled adjustment to water and sewer rates in October 2020.

#### FY 2020-21 Capital Assets

The City's investment in capital assets for its governmental and business-type activities as of June 30, 2021 totaled \$236.5 million (net of accumulated depreciation). The investment in capital assets includes land, buildings and improvements, equipment, vehicles, infrastructure, and construction in progress. The total amount of depreciation expense for the year, government-wide, totaled \$7.5 million. Reasons for the change in capital assets were engagement in major work on several construction projects, including work on the airport runway and several streets and rights-of-way.

#### FY 2020-21 Long-Term Liabilities

The City's outstanding noncurrent liabilities, including bonds, loans payable, the net pension liability, and compensated absences totaled over \$135 million as of June 30, 2021. The most significant obligation added during FY 2020-21 was to the landfill closure, post closure, and corrective action plan, the engineering estimates for which were updated in 2019 and adjusted for inflation. However, a more accurate estimate of total landfill closure, post-closure, and corrective action costs will not be determined until contractor bids are received.

#### FY 2020-21 General Fund Financial Condition

The City's General Fund is its primary source of discretionary resources for the provision of service deemed necessary and desirable by the citizens of Ukiah and the City Council. General fund revenues were up nearly \$4.6 million from FY 2019-20, driven by stronger than anticipated sales tax growth (even with the continuation of the pandemic) and the receipt of grant revenues. A diverse local economic base supports this growth. Similarly, total expenditures were higher by \$2.2 million due mostly to lower capital outlays. After other financing sources and uses were accounted for, fund balance increased by \$1.9 million. As of June 30, 2021, the City's governmental fund balance was \$30.7 million.

Other governmental funds reported a net increase in fund balance of \$8.8 million, primarily influenced by an addition of \$3.5 million of cash from bond proceeds refunding the City's payment to CalPERS for its 2021 unfunded accrued liability payment. This amount was placed in a newly created fund as a reserve for future advanced prepayment of unfunded pension liabilities. These funds also include revenues from many federal, state and special district grants which vary greatly from year to year. Governmental funds reported \$5.04 million in non-spendable fund balance at the end of FY 2020-21. This is comprised of long-term interfund advances held by the General Fund as well as reinstatement of a loan receivable from the Ukiah Redevelopment Successor Agency.

The balance of \$15.3 million in restricted fund balance is found in special revenue funds for law enforcement, housing and streets, and infrastructure; these financial resources can only be spent on specific activities as defined by outside entities (e.g. a grantor, state agency, statute, etc.).

Committed fund balance of \$415 thousand consists primarily of several select capital projects earmarked by the City Council through resolution. \$4.9 million in assigned fund balance consists of reserve amounts designated by management for future capital acquisition and specific projects, including maintaining a reserve for the advanced payment of pension liabilities.

The remaining amount of \$4.9 million of unassigned fund balance result primarily from general fund reserves and deferred revenues in several special revenue funds that have not been converted to revenues but are expected to in the following year.



### FY 2020-21 Proprietary Funds

Landfill Enterprise Fund: The net position of the landfill closure and post-closure fund increased \$223 thousand from a negative 9.4 million to \$9.2 million. Surcharge amounts collected at the Ukiah Transfer Station and transferred to the Landfill fund helped to bolster it in preparation for final closure and remediation activities forthcoming.

Electric Enterprise Fund: The net position of the electric enterprise fund decreased \$817 thousand primarily due to decreased pandemic-related rate revenue in commercial accounts. Operating expenses exceeded operating revenues by \$757 thousand, driven by increased personnel costs related to market-based salary adjustments.

Water Enterprise Fund: The net position of the water enterprise fund decreased \$563 thousand primarily due to decreased pandemic-related rate revenue. Operating expenses nominally exceeded operating revenue while non-operating expenses, influenced by interest and fiscal costs, outpaced non-operating revenue.

Wastewater Enterprise Fund: The net position of the wastewater enterprise fund decreased \$1.9 million. Operating revenue was lower than operating expenses, resulting in an operating loss of \$977 thousand. The change was influenced in large part by operating costs (notably insurance premium increases) that exceeded pandemic-related decreasing rate revenue. The adoption of rate adjustments in October 2020 helped to reduce the effect. Further, nonoperating expenses outpaced revenues by \$1.6 million driven by interest and other fiscal charges.

(V&F, 2021)

#### 2.4.1.2 PROPERTY TAXES

The City receives a portion of Mendocino County property taxes. The total amount of property taxes associated with governmental activities received by the City between FY 2016-17 and FY 2020-21 ranged from a high of \$3,408,846 and a low of \$1,470,323, as shown in Table 2.7 above.

#### 2.4.1.3 GANN LIMIT

Local agencies that receive taxes are subject to certain spending limits (Gann Limit or Proposition 4). Annual appropriations that are subject to spending limits may not exceed an appropriations limit based on a calculated limit for fiscal year 1978-1979, adjusted annually for population and cost of living increases. On or before July 1st of each year the board is required to adopt its appropriation limit and make other necessary determinations for the following fiscal year pursuant to Article XIII B of the California Constitution and Government Code Section 7900 et seq. [61113(b)].

Not all appropriations are subject to this limit. The limit only applies to tax revenues. The limit does not apply to proceeds from user charges, user fees or other such assessments provided that these revenue sources do not exceed the costs reasonably borne in providing the product or service for which the fee or assessment is imposed. The limit does not apply to a district which existed on January 1, 1978 and which did not as of 1977-1978 fiscal year levy an ad valorem tax on property in excess of 12½ cents per hundred dollars of assessed value.

For FY 2022-23, the City's Gann or appropriations limits is \$51,268,540, and the appropriations subject to this limit are estimated to be \$20,897,877. (Ukiah, 2022a)



#### 2.4.1.4 SPECIAL TAXES AND REVENUES

The City does not levy or collect any special taxes but does collect other special revenues. (Ukiah, 2022)

##### Measure P

Measure P is a one-half of one-percent general (unrestricted) transaction and use tax used to fund essential public services, including police, fire prevention and protection, and emergency medical services (Ordinance No. 1149).

A general, unrestricted tax is one that can be used to fund any program, function, service, or project at the discretion of the City Council. It is not a special, restricted tax, which would require approval of two-thirds of the voting public.

This ballot measure passed by a simple majority (50-percent plus 1) of Ukiah voters in November of 2014 and is effective until repealed by majority vote in a municipal election.

Measure P replaced a sun-setting transaction and use tax, known as Measure S (2005), accompanied by an advisory Measure T (2005) indicating the voting public's preference for the use of Measure S proceeds. Measure P passed without an advisory measure. The purpose of Measure P is to augment public safety expenditures to provide a higher level of police and fire service to the community. Amounts collected from the tax are to be used in addition to, not in replacement of, the commitment of the General Fund.

The Ukiah City Council established an expenditure plan (Resolution No. 2014-28) for the use of Measure P revenues, consistent with the previously passed advisory Measure T. That resolution stated that those revenues should be used first to maintain a minimum level of public safety services defined to be the level of services available in FY 2014-15, including the following: (1) thirty-two full-time peace officers, and (2) a level of fire prevention and protective services commensurate with the City of Ukiah's portion of any City and District contractual agreement for joint fire, paramedic, and fire prevention operations.

(Ukiah, 2022a)(V&F, 2021)

##### Measure Y

Measure Y is a one-half of one-percent general (unrestricted) transaction and use tax used to fund essential City services, including street repair and maintenance (Ordinance No. 1165).

This ballot measure passed by a simple majority (50-percent plus 1) of Ukiah voters in November of 2016 and is effective until repealed by majority vote in a municipal election.

Advisory Measure Z passed in conjunction with, but distinctly separate from, Measure Y and indicated the voting public's preference for the exclusive use of Measure Y proceeds for street repair and maintenance and related public infrastructure improvements and additionally indicated that Measure Y revenues would add to, not replace, current spending for street maintenance and repair.

(Ukiah, 2022a)(V&F, 2021)

##### Former Ukiah Redevelopment Agency

The City's governmental activities include the housing activities of the (former) Ukiah Redevelopment Agency, a separate legal entity for which the City is financially responsible. As of February 1, 2012, the Ukiah Redevelopment Agency was dissolved, and a successor agency was established to handle the remaining affairs and obligations of the former agency. The City of Ukiah volunteered to be the successor

agency. Upon dissolution, the assets and liabilities of the former agency were transferred to a private-purpose trust fund, which is not reported on the government-wide statements but is presented in fund-based statements using the full accrual basis of accounting. (V&F, 2021)

#### 2.4.1.5 ENTERPRISE ACTIVITIES

The City's enterprise services are accounted for and reported as proprietary funds, or business-type activities, instead of governmental activities. Enterprise or proprietary services are financed and operated in a manner similar to private business enterprises where the costs (including depreciation) to provide the public service are recovered through service rates or supported by user charges paid by customers based on the amount of the service used. Wastewater, water, and electric City enterprise services are expected to realize increased revenue related to recent rate increases with annual adjustments for five-years.

##### Wastewater Enterprise

The City and the Ukiah Valley Sanitation District (UVSD) have a longstanding joint venture for shared operation of the City-owned Wastewater Treatment Plant (WWTP) that treats the combined sewage from the City and UVSD sewer collection systems, based on the number of Equivalent Sewer Service Units (ESSUs). There are several agreements between the agencies that constitute the arrangement regarding the allocation of cost for the combined sewer system operation, as briefly listed below.

- 1995 Participation Agreement
- 2018 Operating Agreement
- 2018 Settlement Agreement
- 2020 Refinance Agreement
- 2020 Joint Sewer Rate Study Professional Services Agreement
- Annual Budget Approval Agreement

The Ukiah City Council and UVSD Board of Directors adopt an annual Wastewater Enterprise Joint Budget for the combined City/District sewer system operation, including shared expenses and capital projects. For Fiscal Year 2021-22, a total budgeted estimate of \$5,166,465 for the Wastewater Enterprise was projected to be shared at a rate of 50.52% City and 49.48% District, and included \$4,524,050 in direct operating budgeted costs, defined as costs of Personnel and Operations, and an Operating Indirect Rate (OIR) on such costs of 14.20% (\$642,415). The joint budget also included total direct costs of \$2,730,000 for Capital Outlay funded at the same share of cost of 50.52% City and 49.48% District, and a Capital Indirect Rate (CIR) of 9% for costs less than \$200,000, and a negotiated rate for projects over \$200,000 based on an estimate of required indirect costs to complete the capital project.

The City and UVSD have retained Hildebrand Consulting, LLC to provide consulting services related to the share of cost between the agencies for the combined City/District sewer system operation. Since wastewater flow meters are problematic, the share of cost is allocated based on each agency's proportionate share of winter water usage (monthly average of January through March) from multiple water providers in the valley from the prior fiscal year, and the relative strength of sewage discharge to the wastewater treatment plant, based on the relative number of Equivalent Sewer Service Strength Units (ESSUs).

The relative number of ESSUs varies slightly every year due to the ever-changing volume of water usage and number of customers in the overall service area but remains close to a 50-50 share of cost. The water

usage data needed to determine the ESSSU percentages for the share of cost becomes available after the annual joint budget is adopted. Therefore, often an Annual ESSSU Reconciliation Memo is prepared by the consultant resulting in amendments to the annual joint budget and re-adoption by the agencies.

Additional components of the Wastewater Enterprise Joint Budget are as follows.

- The City and UVSD are each responsible for the administrative and other overhead costs allocated directly to the wastewater activities of their respective agencies.
- The District makes fixed monthly payments to the City of 1/12th of the District's share of the agreed upon operating budget (Personnel, Operations, and Indirect Rate) by the 1st of every month.
- The budgeted share of cost (operating, capital, and debt service) between the agencies can change based on updated ESSSU percentages and result in true-up payments after the fact.
- Every quarter, the City and District review the actual costs incurred and reconcile differences between actual costs incurred, budget costs, and over/under payments made by either agency within 90 days after the end of the fiscal year.
- The share of debt service between the City and District is based on two components. A constant calculation for the "Capacity" portion of 25.8414% of the existing debt is allocated 35% to the City and 65% to the District. Second is a variable calculation for the "Upgrade/Rehabilitation" portion of the remaining 74.1586% of the existing debt is allocated based on the ESSSU percentages or split.
- The agencies negotiate the rate of City indirect administrative and overhead costs for District-only activities or projects (e.g. a main line replacement of a District asset) performed by the City or City contractor on the District's behalf.
- Any portion of capital projects paid by the District are capitalized on its books as intangible assets and depreciated.

(City/UVSD, 2021) (Fox, 2022)

The financial arrangement between the agencies for the combined sewer system operation is based on terms and conditions contained in multiple legal agreements. This complex structure represents the historically complicated nature of the relationship between the agencies involved and emphasizes the need for a more simplified service delivery structure for public wastewater in the Ukiah Valley area. It is recommended that the City and UVSD prepare a summary of the key points of agreement between the agencies related to finances in a single document to improve broad-based understanding and overall public transparency.

As a requirement of a 2020 loan refinance process, the City and UVSD collaborated in contracting with Hildebrand Consulting, LLC and The Reed Group, Inc. to prepare the 2020 Joint Sewer Rate Study completed on April 24, 2020. The 2020 Sewer Rate Study proposed increases for commercial and residential rate payers in response to anticipated current and future expenditure increases in operating costs, capital outlays, and settlement payments to the Sanitation District. The City adopted the wastewater rate increase on June 17, 2020 per Resolution No. 2020-34. The rate increase went into effect on October 1, 2020. An annual adjustment to rates was scheduled to continue at the beginning of each fiscal year (July 1) for four years. (V&F, 2021)(Ukiah, 2022) The figure below shows the City's current Wastewater Rate Schedule.

Figure 2-5 City of Ukiah Wastewater Rate Schedule

Table 16: City 5-Year Sewer Rate Schedule

	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023	July 1, 2024
<b>Monthly Service Charge*:</b>	\$49.35	\$50.34	\$51.35	\$51.86	\$52.38
<b>Consumption Rate (per HCF):</b>					
Residential:	\$3.57	\$3.64	\$3.71	\$3.75	\$3.79
Commercial 1:	\$3.57	\$3.64	\$3.71	\$3.75	\$3.79
Commercial 2:	\$3.89	\$3.97	\$4.05	\$4.09	\$4.13
Commercial 3:	\$7.77	\$7.92	\$8.08	\$8.16	\$8.24
Commercial 4:	\$10.32	\$10.53	\$10.74	\$10.85	\$10.96

\* Service Charge is per dwelling unit for residential and per ESSFU for commercial accounts (with a minimum charge of 1 ESSFU).

Source: Ukiah, 2022a.

### Water Enterprise

The City contracted with Hildebrand Consulting, LLC and The Reed Group, Inc. to prepare the 2020 Water Rate Study completed on June 5, 2020. The 2020 Water Rate Study proposed to maintain the current cost allocation methodology and rate structure, involving a uniform water usage rate for all customer classes and monthly service charges based water meter size, and to change the total amounts allocated for the usage rate and service charges to meet revenue requirements and the cost of service analysis. The City adopted the water rate increase on August 19, 2020 per Resolution No. 2020-45. The rate increase went into effect on October 1, 2020. An annual adjustment to rates was scheduled to continue at the beginning of each fiscal year (July 1) for four years. (V&F, 2021)(Ukiah, 2022) The figure below shows the City's current Water Rate Schedule.

Figure 2-6 City of Ukiah Water Rate Schedule

Exhibit III-3 City of Ukiah Current and Proposed Water Rates						
	Current (1)	Oct. 2020	July 2021	July 2022	July 2023	July 2024
<b>Water Usage Rate (\$/CCF)</b>						
All Water Usage	\$ 3.22	\$ 3.26	\$ 3.48	\$ 3.72	\$ 3.98	\$ 4.18
<b>Monthly Service Charge</b>						
3/4" meter	\$ 37.85	\$ 39.88	\$ 42.67	\$ 45.66	\$ 48.86	\$ 51.30
1" meter	\$ 60.78	\$ 63.87	\$ 68.34	\$ 73.12	\$ 78.24	\$ 82.15
1 1/2" meter	\$ 117.57	\$ 123.31	\$ 131.94	\$ 141.18	\$ 151.06	\$ 158.61
2" meter	\$ 186.02	\$ 194.92	\$ 208.56	\$ 223.16	\$ 238.78	\$ 250.72
3" meter	\$ 345.80	\$ 362.14	\$ 387.49	\$ 414.61	\$ 443.63	\$ 465.81
4" meter	\$ 574.03	\$ 600.97	\$ 643.04	\$ 688.05	\$ 736.21	\$ 773.02
6" meter	\$ 1,144.08	\$ 1,197.51	\$ 1,281.34	\$ 1,371.03	\$ 1,467.00	\$ 1,540.35

**Notes:**

(1) Effective January 1, 2020.

Source: Ukiah, 2022a.

### Electric Enterprise

An electric rate increase was proposed in February 2022 to address increasing cost pressures related to accelerated system investment for fire mitigation and to improve resiliency, such as undergrounding of facilities, coupled with an inflationary market increasing energy and transmission costs. Since 2017, electric utility reserves had been reduced to \$3.6 million, despite a target reserve of \$6.5 to \$7.5 million.

To meet these challenges and increase cash reserves to acceptable levels, a phased five-year rate increase was proposed with a review and adjustment of rates implemented each year (April 1) through 2026 to adequately account for changes in the Utility's reasonable operating costs.

In addition, the Ukiah 100% Green Energy Rate of an additional 2.021 cents per kilowatt hour was proposed to be established for customers interested in reducing greenhouse gas emissions via the electric utility procuring renewable energy resources on their behalf to match their monthly energy consumption.

The City adopted the electric rate increase and the Ukiah 100% Green Energy Rate establishment on February 2, 2022 per Resolution No. 2022-08. The rate increase went into effect on April 1, 2022.

In August 2022, a Power Cost Surcharge Rider was proposed to be established to fully recoup the cost to deliver power to Ukiah customers because the projections for energy costs from January 2022 utilized for the February 2022 rate increase and FY 2022-23 budget fell short of actual energy purchase costs due to the California energy market's price volatility from drought, natural gas prices, inflation, and geopolitical issues.

The Power Cost Surcharge was proposed to true-up any differences in the actual cost to provide power with the cost projected in January 2022, either up or down, and to be adjusted bi-annually on the first of April and October of every year.

The City adopted the electric rate increase on August 17, 2022 per Resolution No. 2022-54. The rate increase went into effect on October 1, 2022. The figure below show the City's current Electric Rate Schedule.

(Ukiah, 2022)

Figure 2-7 City of Ukiah Electric Rate Schedule

Residential Service Electric Rate E1, E2*							
Rate Year	Rate effective date	Energy kWh Charge		Monthly Fixed Charge - per KWH level			Mimimun monthly charge
		Kwh less than Baseline (\$/kWh)	kWh equal to or Greater than Baseline (\$/kWh)	Less than 200 kWh per month	201-550 kWh per month	Greater than 550 kWh per month	
1	April 1, 2022	\$0.14797	\$0.19395	\$1.00	\$1.75	\$2.75	\$5.00
2	April 1, 2023	\$0.16009	\$0.20983	\$2.00	\$3.19	\$4.56	\$5.00
3	April 1, 2024	\$0.17344	\$0.22733	\$3.00	\$4.63	\$6.38	\$5.00
4	April 1, 2025	\$0.18837	\$0.24691	\$4.00	\$6.06	\$8.19	\$5.00
5	April 1, 2026	\$0.20493	\$0.26861	\$5.00	\$7.50	\$10.00	\$5.00

(The amended rates will apply to the first full month's consumption following the rate's effective date)

#### BASELINE QUANTITIES (kWh PER MONTH)

	WINTER (Nov 1-Apr 30)	SUMMER (May 1 -Oct 31)
Basic Service (E1)	360	360
All Electric E2*	660	360

**\*All Electric Rate E2 was closed to new customers effective 1/1/2017.** Current customers will be allowed to stay on the rate no matter how they qualified. Other rate discounts and or adjustments to baseline quantities for various programs such as but not exclusive of senior and life support will remain the same. The minimum charge will be billed if the sum of the basic and the energy charges are less than the minimum charge amount.

This rate schedule is applicable to general commercial and non-commercial residential lighting, heating and all single phase and three phase alternating current loads in which energy use is less than 144,000 kWh per meter for 12 consecutive months. This schedule will not be applicable to commercial uses permitted by the City under a Home Occupation Permit.

<b>Small Commercial Service Electric Rate E5, E6, C5, C6</b>					
Rate Year	Rate effective date	Energy Charge (\$/kWh)		Monthly fixed charge (\$)	
		Winter	Summer	E5/C5	E6/C6
1	April 1, 2022	\$0.16090	\$0.20010	\$15.50	\$16.50
2	April 1, 2023	\$0.17619	\$0.21911	\$17.21	\$18.32
3	April 1, 2024	\$0.19292	\$0.23992	\$19.10	\$20.33
4	April 1, 2025	\$0.21125	\$0.26272	\$20.91	\$22.26
5	April 1, 2026	\$0.23132	\$0.28768	\$22.90	\$24.38

**WINTER (Nov 1 – Apr 30)**  
**SUMMER (May 1 – Oct 31)**

**\*New electric accounts with intermittent loads (used infrequently) and disconnected within the last 12 months shall be charged \$50 in addition to all other new account fees**



This rate is applicable to commercial and non-residential lighting, heating, and all single phase and three phase loads in which energy use is 144,000 kWh or greater per meter for 12 consecutive months. The customer bill will consist of a basic month charge, energy and demand charges.

### Demand Charge

The customer will be billed for demand according to the customer's "maximum kilowatt demand" each month. The number of kilowatt (kW) used will be recorded over 15-minute intervals: the highest 15-minute average kW use in the month will be the customer's maximum demand.

<b>Medium/Large Commercial Service with Demand Electric Rate E7, C7</b>						
Rate Year	Rate effective date	Energy Charge (\$/kWh)		Demand Charge (\$/kW)		Monthly Fixed Charge (\$)
		Winter	Summer	Winter	Summer	
1	April 1, 2022	\$0.11139	\$0.13834	\$5.48	\$8.10	\$114.62
2	April 1, 2023	\$0.12108	\$0.15037	\$6.42	\$8.85	\$137.54
3	April 1, 2024	\$0.13260	\$0.16470	\$7.03	\$9.69	\$150.61
4	April 1, 2025	\$0.14520	\$0.18030	\$7.70	\$10.61	\$164.92
5	April 1, 2026	\$0.15900	\$0.19740	\$8.43	\$11.62	\$180.59

**WINTER (Nov 1 – Apr 30)**  
**SUMMER (May 1 – Oct 31)**



## Industrial Service with Demand Electric Rate I1

This schedule is applicable to large industrial production, lighting, heating and all single and three phase loads in which energy use is an average of 75,000 kWh monthly or greater with a demand of 200 kW monthly or greater for at least six consecutive months (multiple meters at a single location will be combined).

The Industrial rate is applicable to large manufacturing facilities, defined as businesses or corporations that produce products for either wholesale or retail sales or businesses that contract to fulfill obligations to produce specific components.

### **Demand Charge**

The customer will be billed for demand according to the customer's "maximum kilowatt demand" each month. The number of kilowatt (kW) used will be recorded over 15-minute intervals; the highest 15-minute average kW use in the month will be the customer's maximum demand.

<b>Industrial Service with Demand Electric Rate I1 (Replaces EI Rate)</b>						
Rate Year	Rate effective date	Energy Charge (\$/kWh)		Demand Charge (\$/kW)		Monthly Fixed Charge (\$)
		Winter	Summer	Winter	Summer	
1	April 1, 2022	\$0.08608	\$0.11300	\$5.29	\$8.10	\$143.27
2	April 1, 2023	\$0.09426	\$0.12374	\$5.92	\$8.83	\$179.09
3	April 1, 2024	\$0.10320	\$0.13550	\$6.48	\$9.67	\$196.10
4	April 1, 2025	\$0.11300	\$0.14840	\$7.10	\$10.59	\$214.73
5	April 1, 2026	\$0.12370	\$0.16250	\$7.77	\$11.60	\$235.13

**WINTER (Nov 1 – Apr 30)**  
**SUMMER (May 1 – Oct 31)**

For customers wishing to promote the development and use of renewable energy; the City of Ukiah offers a 100% Green Electric Rate. This rate is available to all City of Ukiah customers.

The City will procure, on the customer's behalf, Renewable Energy to match the customer's monthly energy consumption. Customers choosing the Green Rate will incur an additional 2.021 cents per kWh for every kWh consumed during the billing period. The 100% Green Rate will be updated yearly and will be based on renewable energy cost, delivery costs and imposed fees. Customers may opt into the program anytime and may opt out any time after the second complete billing cycle on the program.

<b>100% Green Energy Rate</b>		
<b>Program:</b>	<b>Ukiah Green Energy Rate:</b>	<b>Billing Period:</b>
Ukiah Green Energy	0.02021 per kWh	Monthly

### **Electric Vehicle Charging Station Rate**

This rate schedule is applicable to electric vehicle (EV) charging stations that are available to the public and owned by City of Ukiah Electric. This schedule is not applicable to EV chargers owned by the City of Ukiah or by private residences or businesses.

<b>Electric Vehicle Charging Station Rate EV1 (Public)</b>	
Charging Energy Rate, \$/kWh:	\$0.2100
Non-Charging (Parking) Rate \$/hr.	\$3.00

Source: Ukiah, 2022a.

### **Solid Waste Enterprise**

The City provides solid waste collection services to residents and businesses through a contract with Ukiah Waste Solutions, Inc (UWS). The current solid waste rate was adopted by the City on December 6, 2017 per Resolution No. 2017-59. The rate schedule went into effect on January 1, 2018 and provided for annual modification based on changes in the Consumer Price Index, the Fuel Index, Recycling Reduction, and Pass-through Costs primarily from the disposal of solid waste collected at the Ukiah Transfer Station.

The UWS contract specifies that every five-years after rate adoption, the City will conduct a review of the rates in accordance with Proposition 218 procedures and standards to determine whether the automatic annual adjustments adequately account for the actual changes in the reasonable operating costs for UWS.

A five-year rate review was completed utilizing UWS business and financial records through December 30, 2020 and resulted in a proposed rate increase public hearing on March 16, 2022. A rate increase was not adopted at that time; therefore, the 2018 solid waste rate remains in effect. (Ukiah, 2022) The figure below shows the City's current Solid Waste Schedule.

**Figure 2-8 City of Ukiah Solid Waste Rate Schedule**

Effective Date January 1, 2018

**SUMMARY OF RATES FOR STANDARD SERVICES**

Service Level	YEAR 2018	New 2018 Rate
<b><u>Curbside Service</u></b>		
No Service Minimum Charge		\$ 10.00
20 gallon can rate		17.12
32 gallon can rate		18.63
68 gallon can rate		44.03
95 gallon can rate		62.02
Other combinations - rate per gallon		0.73
1 yard bin rate		131.80
1.5 yard bin rate		155.74
2 yard bin rate		207.67
3 yard bin rate		311.48
4 yard bin rate		415.31
6 yard bin rate		622.97
<b><u>Packout Service</u></b>		
32 gallon can rate		24.40
68 gallon can rate		57.31
95 gallon can rate		82.79
Other combinations - rate per gallon		0.89
<b><u>Remote Area Service</u></b>		
Add to the Packout Service rate.		8.14
In areas with limited access, an additional fee is charged to fund the costs of special equipment and special handling necessary to provide garbage pickup services. This fee is in addition to the "Packout Service" fee listed in this schedule.		

\*10-gallon containers and rates will no longer be available to new customers, effective January 1, 2018.

<b><u>Commercial / Multi-Family Service</u></b>		
20 gallon can rate		20.68
32 gallon can rate		20.68
68 gallon can rate		48.87
95 gallon can rate		68.87
1 yard bin rate		131.80
1.5 yard bin rate		155.74
2 yard bin rate		207.67
3 yard bin rate		311.48
4 yard bin rate		415.31
6 yard bin rate		622.97

Source: Ukiah, 2022.

## 2.4.2 Long Term Financial Considerations

### 2.4.2.1 RESERVES

The Ukiah City Council approved Policy Resolution No. 39 in 2013, incorporated in the City's financial management policies, which established an unrestricted fund balance of at least 25-percent of annual operating expenditures in the General Fund to serve as a strategic reserve, ensuring liquidity of the General Fund and to make certain adequate resources are available to manage economic uncertainties (Fund Balance and Reserves Policy J.1).

The City maintains a general minimum reserve policy of 25-percent of annual expenditures in its major operating funds. Most funds have balances in excess of the minimum, including the General Fund, with a reported fund balance reserve of 52.3-percent of expenditures.

(V&F, 2021)(Ukiah, 2022)

### 2.4.2.2 OUTSTANDING DEBT

On March 2, 2006, the City and the Ukiah Valley Sanitation District (UVSD) entered into a financing agreement related to the City's 2006 Water and Wastewater Revenue Bonds, Series A (City's 2006 Bonds), issued in the original principal amount of \$75,060,000, for the dual purpose of performing an Upgrade/Rehabilitation Project and an increased Capacity Project for the City's WWTP. Under the financing agreement, the UVSD was required to pay for 65% of the portion of the bonds related to the Capacity Project, which was 25.8414% of the bonds in the amount of \$12,607,761. (V&F, 2020c)

On February 24, 2020, the City and UVSD entered into a refinancing agreement to facilitate refunding the City's 2006 Bonds. As a result of this agreement, the City and UVSD simultaneously and individually refinanced their respective portions of the City's 2006 Bonds. The proceeds of the District's \$25,005,000 Wastewater Revenue Refunding Bonds, Series 2020, combined with a \$2.5 million cash contribution from the District, were used to fully prepay the City the District's allocable share of the City's 2006 Bonds. (V&F, 2020c)(UVSD, 2019)

The following schedules outline the debt service obligations for City Governmental and Enterprise Activities, through the maturity of each obligation.

Figure 2-9 Long-term Debt Activity for FY 2022-23

**Debt Service Schedule  
Governmental**

		Governmental Activities									
Year Ending	I-Bank Financing Lease (2017)		Capital Lease, Fire Engines (2017)		Capital Lease-Purchase, Fire Brush Truck (2020)		Equipment Lease-Purchase, Fire Self-Contained Breathing Apparatus System (2020)		Series 2020A Community Facilities Improvement Project Lease Revenue Bonds		
June 30,	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest	
2023	91,173	130,383	112,338	15,622	21,389	4,355	31,921	6,961	90,000	89,750	
2024	94,182	127,050	115,159	12,800	21,907	3,837	32,694	6,188	95,000	87,050	
2025	97,290	123,609	118,051	9,908	22,437	3,307	33,485	5,397	95,000	84,200	
2026	100,501	120,053	121,016	6,943	22,980	2,764	34,295	4,587	100,000	80,400	
2027	554,495	542,690	187,246	4,693	23,536	2,208	35,125	3,757	105,000	76,400	
2028-2032	652,230	434,456	-	-	74,082	3,150	129,769	6,318	590,000	315,200	
2033-2037	767,188	307,151	-	-	-	-	-	-	715,000	188,400	
2038-2042	902,411	157,403	-	-	-	-	-	-	500,000	40,600	
2043-2047	404,047	15,271	-	-	-	-	-	-	-	-	
2048-2052	-	-	-	-	-	-	-	-	-	-	
<b>Total</b>	<b>\$ 3,663,517</b>	<b>\$ 1,958,066</b>	<b>\$ 653,810</b>	<b>\$ 49,966</b>	<b>\$ 186,331</b>	<b>\$ 19,621</b>	<b>\$ 297,290</b>	<b>\$ 33,209</b>	<b>\$ 2,290,000</b>	<b>\$ 962,000</b>	
Due within one year	\$ 91,173	\$ 130,383	\$ 112,338	\$ 15,622	\$ 21,389	\$ 4,355	\$ 31,921	\$ 6,961	\$ 90,000	\$ 89,750	
Due after one year	3,572,344	1,827,683	541,472	34,344	164,942	15,266	265,369	26,248	2,200,000	872,250	
<b>Total</b>	<b>\$ 3,663,517</b>	<b>\$ 1,958,066</b>	<b>\$ 653,810</b>	<b>\$ 49,966</b>	<b>\$ 186,331</b>	<b>\$ 19,621</b>	<b>\$ 297,290</b>	<b>\$ 33,209</b>	<b>\$ 2,290,000</b>	<b>\$ 962,000</b>	

Year Ending	Series 2020B CalPERS Prepayment Project Taxable Lease Revenue Bonds		Series 2022 Lease Revenue Bonds (Street Projects)		Series 2022 Lease Revenue Bonds (Corporate Yard Projects)		Total	
June 30,	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest
2023	1,220,000	1,803,540	1,245,000	651,522	235,000	604,263	3,046,821	3,306,396
2024	1,295,000	1,784,374	1,335,000	564,200	280,000	560,063	3,268,942	3,145,562
2025	1,330,000	1,761,038	1,385,000	510,800	290,000	548,863	3,371,263	3,047,122
2026	1,380,000	1,734,411	1,440,000	455,400	305,000	537,263	3,503,792	2,941,821
2027	1,410,000	1,700,753	1,500,000	397,800	315,000	525,063	4,130,402	3,253,363
2028-2032	7,960,000	7,862,154	8,445,000	1,040,000	1,775,000	2,426,313	19,626,081	12,087,591
2033-2037	9,850,000	6,395,063	-	-	2,170,000	2,028,263	13,502,188	8,918,876
2038-2042	12,705,000	4,224,323	-	-	2,655,000	1,548,563	16,762,411	5,970,888
2043-2047	10,475,000	1,553,864	-	-	3,000,000	991,563	13,879,047	2,560,697
2048-2052	1,545,000	88,884	-	-	3,825,000	381,063	5,370,000	469,946
<b>Total</b>	<b>\$ 49,170,000</b>	<b>\$ 28,908,403</b>	<b>\$ 15,350,000</b>	<b>\$ 3,619,722</b>	<b>\$ 14,850,000</b>	<b>\$ 10,151,275</b>	<b>\$ 86,460,948</b>	<b>\$ 45,702,263</b>
Due within one year	\$ 1,220,000	\$ 1,803,540	\$ 1,245,000	\$ 651,522	\$ 235,000	\$ 604,263	\$ 3,046,821	\$ 3,306,396
Due after one year	47,950,000	27,104,863	14,105,000	2,968,200	14,615,000	9,547,013	83,414,127	42,395,866
<b>Total</b>	<b>\$ 49,170,000</b>	<b>\$ 28,908,403</b>	<b>\$ 15,350,000</b>	<b>\$ 3,619,722</b>	<b>\$ 14,850,000</b>	<b>\$ 10,151,275</b>	<b>\$ 86,460,948</b>	<b>\$ 45,702,263</b>

Source: Ukiah, 2022.

**Figure 2-10 Long-term Debt Activity for FY 2022-23**

<b>Debt Service Schedule Enterprise (Business-Type)</b>		Enterprise Activities							
Year Ending June 30,	2017 Cal Trans (FAA) Loan - Airport		2016 Water Revenue Refunding Bonds		2017 SRF Recycled Water Loan		Series 2020 Wastewater Refunding Bonds		
	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest	
2023	10,903	3,471	415,000	335,618	529,130	176,996	1,471,000	528,008	
2024	11,157	3,217	435,000	316,444	534,421	171,705	1,507,000	492,192	
2025	11,417	2,957	460,000	294,069	539,765	166,360	1,543,000	455,505	
2026	11,683	2,691	480,000	270,569	545,163	160,963	1,581,000	417,934	
2027	62,629	9,243	2,795,000	957,218	2,808,689	721,941	1,620,000	379,444	
2028-2032	41,191	7,784	3,470,000	280,891	2,951,960	578,669	8,710,000	1,286,097	
2033-2037	27,776	976	-	-	3,102,538	428,151	5,752,000	246,054	
2038-2042	-	-	-	-	3,260,800	269,829	-	-	
2043-2047	-	-	-	-	3,427,134	103,495	-	-	
<b>Total</b>	<b>\$ 176,756</b>	<b>\$ 30,339</b>	<b>\$ 8,055,000</b>	<b>\$ 2,454,809</b>	<b>\$ 17,699,600</b>	<b>\$ 2,778,109</b>	<b>\$ 22,184,000</b>	<b>\$ 3,805,232</b>	
Due within one year	\$ 10,903	\$ 3,471	\$ 415,000	\$ 335,618	\$ 529,130	\$ 176,996	\$ 1,471,000	\$ 528,008	
Due after one year	165,853	26,868	7,640,000	2,119,191	17,170,470	2,601,113	20,713,000	3,277,225	
<b>Total</b>	<b>\$ 176,756</b>	<b>\$ 30,339</b>	<b>\$ 8,055,000</b>	<b>\$ 2,454,809</b>	<b>\$ 17,699,600</b>	<b>\$ 2,778,109</b>	<b>\$ 22,184,000</b>	<b>\$ 3,805,232</b>	

Year Ending June 30,	Series 2022 Lease Revenue Bonds (Utilities Projects)		Series 2022 Electric Revenue Bonds		Total	
	Principal	Interest	Principal	Interest	Principal	Interest
2023	-	378,074	-	363,539	2,426,033	1,785,705
2024	-	356,300	310,000	388,350	2,797,578	1,728,208
2025	-	356,300	330,000	372,850	2,884,182	1,648,041
2026	-	356,300	345,000	356,350	2,962,846	1,564,807
2027	-	356,300	360,000	339,100	7,646,318	2,763,246
2028-2032	2,360,000	1,600,100	2,070,000	1,410,750	19,603,151	5,164,291
2033-2037	2,885,000	1,071,800	2,590,000	906,850	14,357,314	2,653,831
2038-2042	3,525,000	434,200	3,185,000	311,600	9,970,800	1,015,629
2043-2047	-	-	-	-	3,427,134	103,495
<b>Total</b>	<b>\$ 8,770,000</b>	<b>\$ 4,909,374</b>	<b>\$ 9,190,000</b>	<b>\$ 4,449,389</b>	<b>\$ 66,075,356</b>	<b>\$ 18,427,252</b>
Due within one year	\$ -	\$ 378,074	\$ -	\$ 363,539	\$ 2,426,033	\$ 1,785,705
Due after one year	8,770,000	4,531,300	9,190,000	4,085,850	63,649,323	16,641,547
<b>Total</b>	<b>\$ 8,770,000</b>	<b>\$ 4,909,374</b>	<b>\$ 9,190,000</b>	<b>\$ 4,449,389</b>	<b>\$ 66,075,356</b>	<b>\$ 18,427,252</b>

Source: Ukiah, 2022.

2.4.2.3 CAPITAL IMPROVEMENT PLAN

A Capital Improvement Plan (CIP) is a comprehensive financial planning tool that identifies and prioritizes current and future major capital asset projects for facilities, infrastructure, and equipment.

The [City’s CIP Schedule for FY 2022-23 through FY 2026-27](#) identifies estimated costs and potential funding sources for capital projects over the next five years in the following categories: Streets & Rights-of-Way, Infrastructure, Information Technology, Facilities, Buildings, and Land, Vehicle and Machinery & Equipment, Future Projects, and Unfunded Projects. Actual project implementation is scheduled and funded as part of the annual budget development process.

The [City’s Ukiah Capital Improvement Map](#) is an interactive way for the public to view the location and description for individual capital projects. There is additional information for individual capital projects available under the map through CIP Category tiles which provide project tiles by capital project name.

The City uses current financial resources, including current revenues and available fund balance or working capital reserves, to finance routine maintenance and repairs of City facilities and equipment. The City uses a combination of current resources (revenues and reserves), interfund borrowing, and debt

financing to fund major capital improvements and some major equipment purchases. Debt financing is typically reserved for purchasing assets with an estimated useful life of more than ten-years. (Ukiah, 2022)



Figure 2-11 FY 2020-21 City of Ukiah Statement of Net Position

**City of Ukiah**  
**Statement of Net Position**  
**June 30, 2021**

	Primary Government		Total
	Governmental Activities	Business-type Activities	
<b>ASSETS</b>			
Cash and investments	\$ 15,763,095	\$ 20,133,777	\$ 35,896,872
Restricted cash and investments	2,864,287	-	2,864,287
Investment in NCPA reserves	-	7,749,546	7,749,546
Accounts receivables (net allowance for uncollectibles)	6,252,963	7,680,913	13,933,876
Notes and loans receivable	121,175	-	121,175
Inventories and prepaids	207,097	1,430,648	1,637,745
Land held for resale	2,435,114	-	2,435,114
Internal balances	943,385	(943,385)	-
Noncurrent assets:			
Notes and loans receivable	11,868,777	5,500	11,874,277
Capital assets not being depreciated:			
Land	4,092,630	7,042,727	11,135,357
Construction in progress	6,971,422	8,470,658	15,442,080
Intangible assets	-	180,000	180,000
Capital assets, net depreciation:			
Buildings and improvements	14,013,246	29,341,998	43,355,244
Infrastructure and network	29,801,312	127,499,366	157,300,678
Machinery equipment and vehicles	3,525,612	5,515,025	9,040,637
Total assets	<u>98,860,115</u>	<u>214,106,773</u>	<u>312,966,888</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>			
Deferred outflow of resources related to pension	35,276,895	18,409,328	53,686,223
Total deferred outflows of resources	<u>35,276,895</u>	<u>18,409,328</u>	<u>53,686,223</u>
Total assets and deferred outflows of resources	<u>134,137,010</u>	<u>232,516,101</u>	<u>366,653,111</u>
<b>LIABILITIES</b>			
Accounts payable	3,998,603	2,232,794	6,231,397
Accrued payroll liabilities	1,241,136	650,835	1,891,971
Interest payable	639,990	311,375	951,365
Deposits payable	-	5,724	5,724
Noncurrent liabilities:			
Due within one year	1,124,841	3,914,868	5,039,709
Due in more than one year	78,801,801	106,385,420	185,187,221
Total liabilities	<u>85,806,371</u>	<u>113,501,016</u>	<u>199,307,387</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Deferred inflow of resources related to pension	436,336	8,893	445,229
Total deferred inflows of resources	<u>436,336</u>	<u>8,893</u>	<u>445,229</u>
Total liabilities and deferred inflows of resources	<u>86,242,707</u>	<u>113,509,909</u>	<u>199,752,616</u>
<b>NET POSITION</b>			
Net investment in capital assets	50,915,097	126,053,127	176,968,224
Restricted for:			
Housing and community development	13,749,628	-	13,749,628
NCPA Projects	-	251,126	251,126
Parks and recreation:			
Expendable	8,460	-	8,460
Nonexpendable	137,576	-	137,576
Public safety	920,250	-	920,250
Public works	668,822	-	668,822
Unrestricted	(18,505,530)	(7,298,061)	(25,803,591)
Total net position	<u>\$ 47,894,303</u>	<u>\$ 119,006,192</u>	<u>\$ 166,900,495</u>

Source: V&amp;F, 2021.



## 2.5 Growth

Land use policies, plans, and ordinances guide development and shape the urban fabric of the Ukiah Planning Area. This section provides a snapshot of local land use patterns in Ukiah and examines existing and planned development.

### 2.5.1 Present and Planned Land Use and Development

#### 2.5.1.1 COMMUNITY PROFILE

Ukiah is a travel and recreation-oriented destination and fortunate to serve as a hub for Lake, Mendocino, southern Humboldt, and northern Sonoma counties. The Ukiah business environment is positive and well organized. Driven by an active chamber of commerce, local businesses are community-oriented and engaged in City-business partnerships, including economic development, job creation, tourism, and community events. The City's permanent retail trade area population is approximately 104,000 people with 45,000 within a 10-mile radius. Ukiah's historic downtown area is the center of commercial activity within the community. There are also commercial areas along Orchard/Perkins corridor, Airport Park Boulevard, Perkins Street, as well as much of State Street.

The City's total labor force is approximately 6,9602. Unemployment in Ukiah was approximately 6.4 percent in June 2021, down from 15.3 percent in 20203. Within ten miles, there is a diverse labor force specializing in such occupations as sales, technical and professional services, education, medical, agriculture, and government services, and other specialties. The largest employment sectors in the Ukiah area are: government (county and city); education; healthcare; light industry; and the service and hospitality trades. The agricultural and construction sectors are important, and the transportation/public utilities, wholesale trade, finance/insurance/real estate and manufacturing sectors round out the employment picture. Some of the larger employers in the primary trade area include the Ukiah Valley Medical Center, Ukiah Unified School District, County of Mendocino, City of Ukiah, and Savings Bank of Mendocino County. Approximately 19.14 percent of all jobs in Mendocino County are located within the City of Ukiah.

(V&F, 2021)

#### 2.5.1.2 LAND USE PLANNING HISTORY

The 1995 City of Ukiah General Plan, although serving as the City's municipal general plan, was designed as an early area plan for the Ukiah Valley. This effort established a large Planning Area, as well as goals, policies and programs that reflected an area-wide approach. (Ukiah, 2020)

In 2011, Mendocino County adopted the Ukiah Valley Area Plan (UVAP), a comprehensive and long range inter-jurisdictional planning document that defines how the Ukiah Valley will develop in the future. (Ukiah, 2020)

In February 2019, the City of Ukiah, with support from the County of Mendocino and the Airport Land Use Committee initiated a planning effort to prepare an updated compatibility plan for the Ukiah Municipal Airport, entitled the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP). Subsequently, on July 21, 2021, the City adopted the UKIALUCP. The basic function of this airport land use compatibility plan is to promote compatibility between the Airport and surrounding land uses. The plan sets compatibility criteria applicable to local agencies in their preparation or amendment of land use plans and ordinances and to landowners in their design of new development. By maintaining an updated and

compatible airport land use plan, the City provides clarity to developers regarding potential development within areas influenced by the airport. (MCALUC, 2021)

While the 1995 City General Plan has served the community well, the City has initiated an update to refine the Plan, address emerging trends and recent State laws, consider new issues, and remove completed implementation measures. The City General Plan Update is being developed by City staff with direction from the City Council and input from the Planning Commission and the community. Completion is expected by 2023.

In accordance with good planning principles and practices, LAFCo has coordinated with the City's General Plan Update process to prepare a concurrent MSR and SOI Update, which will be analyzed in the City's 2040 General Plan Update and associated Environmental Impact Report (EIR).

#### 2.5.1.3 LAND USE

Existing development in the Ukiah Valley consists of a mix of uses, including agricultural, residential, commercial, and light industrial. The City boundaries encompass 4.72 square miles. Over 33.1 percent of this area is comprised of residential development (i.e., single-family, multifamily, mobile home parks). Public and Quasi-Public uses make up nearly 18.7 percent of the city. Commercial areas comprise 12.2 percent of the city and are concentrated along Main and State Streets and near Highway 101. Parks and open space areas make up 9.74 percent of Ukiah, which include parks, the Ukiah Valley Golf Course, and trails. The table below shows a breakdown of existing land uses. (Ukiah, 2020)

Land Use	Acres	Percent of City Jurisdiction
Agriculture	72.4	2.4
Commercial	376.3	12.3
Industrial	43.4	1.4
Parks and Open Space	299.2	9.7
Public/Quasi-Public	574.9	18.7
Residential	1015.2	33.1
Vacant	239.4	7.8
Undefined	16.3	0.5
Roadways	433.9	14.1
<b>Total</b>	<b>3,071</b>	<b>100.0</b>

Source: Ukiah, 2020.

Single-Family Residential (R-1) zoning is predominant (55%); however, since 2017, a number of multi-family residential projects have been completed or planned for development. These projects are indicative of the City's efforts to appropriately locate housing within City limits with immediate access to needed services, infrastructure and retail (Table 2.10). Additionally, recent large-scale commercial developments include two developments on Airport Boulevard were completed since 2017 (Table 2.10).

Development Name	Location	Units	Status
<b>Residential Projects</b>			
Willow Terrace	237 East Gobbi Street	38	Completed 2018

Sun House Apartments	170 Cleveland Lane	41	Completed 2018
Main Street Apartments	345 North Main Street	35	Completed 2019
Ukiah Senior Apartments	763 South Oak Street	31	Completed 2021
Live Oak Apartments – Project Homekey	555 South Orchard Avenue	50	In process, 2022
Acorn Valley Plaza	210 East Gobbi Street	71	Pre-Development, 2022
<b>Commercial Projects</b>			
Costco Wholesale	1275 Airport Boulevard	141,000 sq ft	Completed 2018
Holiday Inn Express	1270 Airport Park Boulevard	52,634 sq ft/92 rooms	Completed 2021

In 2012, the City adopted the Downtown Zoning Code (DZC) to encourage the development of a healthy, safe, diverse, compact, and walkable urban community. The DZC created three downtown-specific zoning districts, General Urban (GU), Urban Center (UC), and Downtown Core.

- General Urban (GU) zone allows for mixed-use and urban residential uses in a wide range of building types, from single use and single-family to a mix of uses and multifamily. GU zone allows for residential densities between 10 and 28 du/ac.
- Urban Center (UC) zone allows for higher-density residential and mixed-use buildings that may accommodate retail, office, services, local and regional civic uses, and residential uses. This zone has a tight network of streets with wide sidewalks, regularly spaced street tree planting, and buildings set close to lot frontages. The UC zones allows for residential densities between 15 and 28 du/ac.
- Downtown Core (DC) zone allows the highest density and intensity of development by allowing a wide variety of commercial and residential uses located in mixed-use buildings. This zone has small, walkable blocks with regularly spaced street trees and buildings set at the frontage line. The DC zone allows for residential densities between 15 and 28 du/ac.

Including the aforementioned downtown districts, the City of Ukiah has 11 additional Zoning Districts, organized as follows:

- R1, R1H, R2, and R3 are residential zones ranging from low density hillside single-family to higher density multifamily. Combined, these residential zones account for more than 49 percent of the area within city limits and the majority of the west side. Residential land uses range in density from 1 du/ac in R1H to 28 du/ac in R3.
- Industrial and commercial zones are Manufacturing (M), Community Commercial (C1), Heavy Commercial (C2), and Neighborhood Commercial (CN). Commercial zones are generally situated immediately west of U.S. Route 101 and along North and South State Street, and account for approximately 15 percent of city. Height restrictions for commercial zones are 50 feet in Manufacturing zones, 50 feet in Community Commercial zones, 40 feet in Heavy Commercial zones, and 30 feet in Neighborhood Commercial zones.
- The Public Facilities zone (PF) includes City facilities, parks, and public land. PF is the largest zone in the city, containing approximately 24 percent of the city, including the Ukiah Municipal Airport. Building heights in the Public Facilities zone are restricted to 30 feet for park, school, and fairground buildings, and 40 feet for utility facilities and safety structures.

- Planned Development zones are intended to encourage development by providing more flexibility than is possible through the strict application of the Zoning Code requirements and allowing flexibility of design and the application of new techniques in land development. Large Residential Planned Development sites can be found at the intersection of Empire Drive and Despina Drive, along North Orchard Avenue just north of Clara Avenue, and along South Orchard Avenue just south of East Gobbi Street. Commercial Planned Development is comprised of a large area bounded by Airport Road to the west, U.S. Route 101 to the east, and Talmage Road to the North.

Table 2.11 shows the land distribution of existing land use zones in the City of Ukiah.

Zone	Acres	Percent (%)
Community Commercial (C1)	203.5	7.7
Heavy Commercial (C2)	138.4	5.2
Neighborhood Commercial (CN)	49.6	1.9
Manufacturing (M)	28.5	1.1
Planned Development, Commercial (PDC)	128.5	4.9
Planned Development, Residential (PDR)	91.5	3.5
Public Facilities (PF)	638.3	24.2
Single-Family Residential (R1)	626.0	23.7
Single Family Residential, Hillside (R1H)	489.4	18.6
Medium-Density Residential (R2)	75.1	2.8
High-Density Residential (R3)	108.4	4.1
Downtown Core (DC)	5.2	0.2
General Urban– (GU)	14.7	0.6
Urban Core (UC)	37.7	1.4
Right-of-Way	2.4	0.1
<b>Total</b>	<b>2637.2</b>	<b>100.0</b>

Source: Ukiah, 2020.

In the UVAP, the County supplements its General Plan inland land use classifications, adding several special land use classifications associated with specific parcels within the UVAP planning area. The following new land use classifications are specific to the UVAP planning area:

- Mixed Use North State Street (MUNS)
- Mixed Use Brush Street Triangle (MUBST)
- Mixed Use General (MU-2)

Generally, mixed use and compact development patterns allows greater efficiency and economy in providing public services, conserves agriculture and resource lands, preserves the rural character desired by many of the County’s residents, and can provide more affordable housing. It also encourages more walking and biking, benefiting community health. Both the County’s General Plan and this document include Mixed Use as a land use option. Within the UVAP, Land Use policies encourage higher population, building and land use density and intensity along appropriately classified roads with existing capacity.

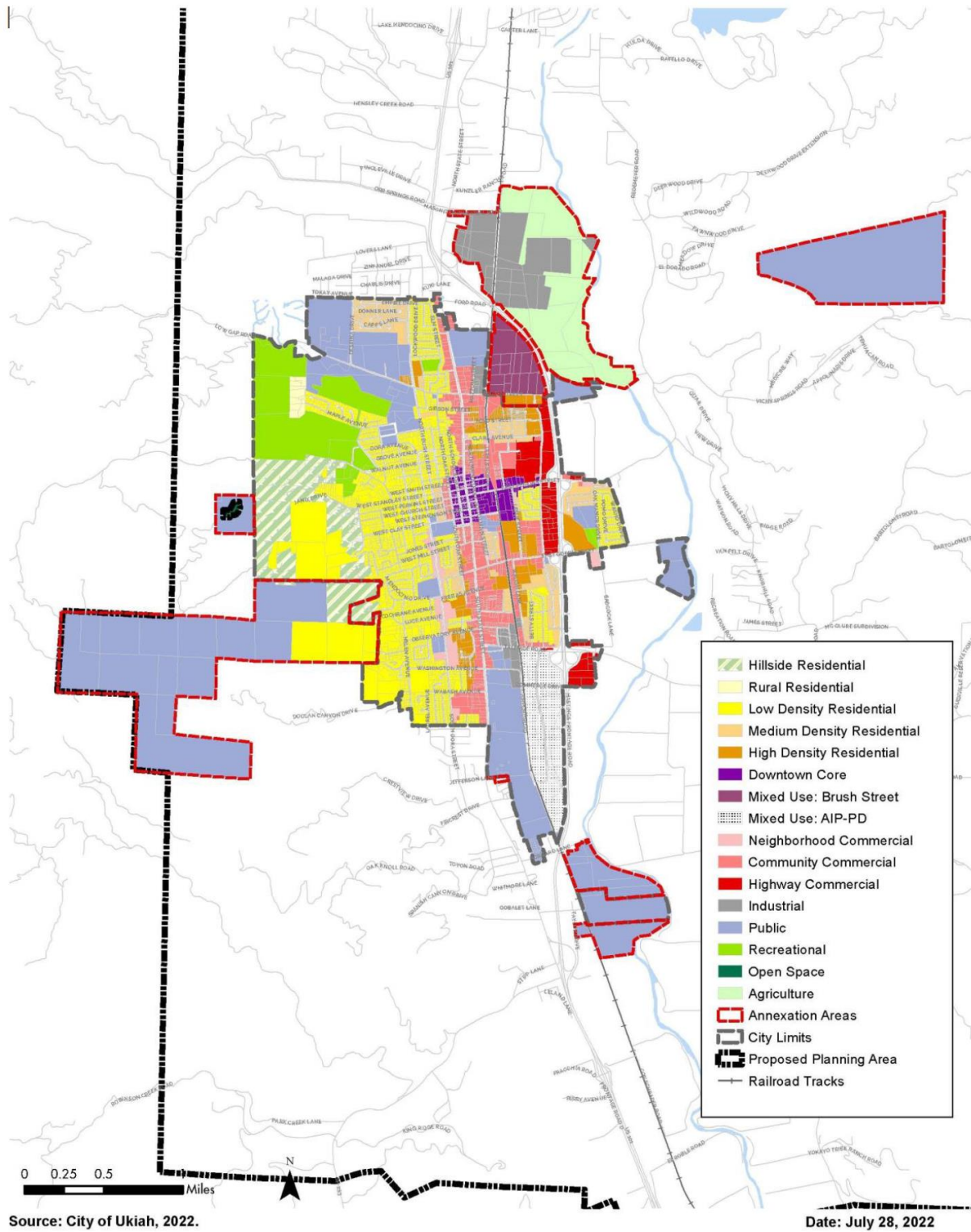
(Ukiah, 2020)

#### 2.5.1.4 DEVELOPMENT

Future development patterns in the Ukiah Valley are anticipated to follow applied zoning and proximity to existing infrastructure, maintaining a north-south pattern following the major transportation corridors. The area within the City limits is approaching build-out and a relatively significant level of urban development has already occurred in areas adjacent to the City, particularly along North State Street. The UVAP effectively maintains these past patterns and inserts new mixed-use and commercial considerations along the US 101 corridor, as well as limited growth in the eastern hills. (LAFCo, 2021)

As part of the City's 2040 General Plan Update, the City is developing an updated land use map that will guide locations of specific land uses, as well as what density/intensity of development will be allowed. (Figure 2-12) In April 2022, the City Council selected a preferred development pattern (Alternative #3) that introduced new, expanded land use designations that provide greater distinction between residential and commercial land use types and align existing land uses with corresponding designations. Four new designations are included to reflect a variety of considerations, including Hillside Residential, Agriculture, Mixed-Use: Brush Street Triangle, and Mixed Use: AIP-PD. The selected alternative also identified increased residential densities and building intensities (FARs). (Ukiah, 2022b)

Figure 2-12 City of Ukiah 2022 General Plan Update Draft Land Use Diagram



Source: Ukiah, 2022.



In the 2019 Housing Element process, the City used parcel improvement value data from the County Assessor to identify underutilized parcels. Underutilized sites were classified as parcels where the improvement value was less than \$20,000, which suggested that the parcels were underutilized to a degree that would make them more likely to redevelop within the planning period. As required by State Law, the vacant and underutilized parcel list is updated annually, and is included as **Appendix C** to this MSR. While considered vacant, it is noted that only a handful of these parcels have no intended development within the next ten years. Most are associated with some intended development for expansion or replacement of existing facilities, such as the County Courthouse, hospital, airport, etc.

While not particular to the City of Ukiah, recent updates to State law will inform and encourage more effective use of underutilized properties within the City, as well as bolster additional infill projects. SB 9, as well as various Accessory Dwelling Unit (ADU) streamlining efforts, including AB 68, AB 881, SB 13, AB 587, AB 670 and AB 671 encourage the use of underutilized properties by reducing the barriers to subdivision or more intensive residential use of existing space. In 2022, the City processed its first SB 9 subdivision. Beginning in 2020, staff notes that 17 applications for ADU construction or conversion have been received by the City.

In the coming years, substantial opportunities for redevelopment or adaptive reuse will arise in the City's downtown. Opportunities include development of a new courthouse along East Perkins Street, as well as redevelopment of the former courthouse site and associated facilities along State Street and School Streets. These future projects follow recent investments along the State Street corridor that include sidewalk widening, curb ramps and bulb outs, street lights, street furniture and tree planting. The project also included a road diet between Henry Street and Mill Street that transformed the existing corridor into a more walkable environment. Additionally, future streetscape improvement projects are cited along the State Street and Perkins Street corridors in the City's Capital Improvement Plan.

The California Court system is planning to develop a new courthouse to serve Mendocino County, which will replace two County Courthouses that have been deemed unsafe, overcrowded, and physically deficient court facilities: the main Ukiah Courthouse and the Willits branch. The Mendocino Courthouse in Ukiah dates to the 1950s and is located on a downtown city block between South State and South School Streets, and West Perkins and West Standley Streets. The Willits branch closed at the end of 2009.

The current Courthouse in downtown Ukiah is overcrowded and has significant security deficiencies, functional deficiencies, and problems with access under the Americans with Disabilities Act (ADA). As proposed, the new courthouse will be located off East Perkins Street behind the historic train depot. Hospital Drive will be extended into the property, where it will meet with a new extension of East Clay Street. The City is facilitating this development in order to preserve the community's interest in the location and functionality of the project, ensure that "islands" of land that can't be developed aren't created, keep the development compatible with other City plans and projects, and ensure that no negative impacts (parking, drainage, etc.) will result from the project.

The site of the existing courthouse, as well as associated County facilities such as parking lots and administrative offices that may need to be relocated, present substantial opportunity for enhancing the urban fabric of Downtown Ukiah. The proposed courthouse project will provide a new 7-courtroom courthouse of 82,000 square feet and will include secured parking for judicial officers and approximately 160 surface parking spaces for jurors and the public, with solar power generation capability.

Another substantial downtown redevelopment site is the Palace Hotel, which has been vacant since 1995. The building has always been privately owned, thus complicating the abatement process. Over the last three decades, the City of Ukiah has actively worked to encourage improvements of the nearly 60,000 square foot structure. Various studies, evaluations, and an appraisal were commissioned by the City and/or the Redevelopment Agency in an effort to facilitate repairs. In 2021, the City entered into a purchase agreement, starting a nine-month escrow during which additional due diligence will be performed. If the current purchase agreement closes successfully and other terms of the settlement agreement are reached, the Receiver will be released from the project and redevelopment of the site can commence. (Ukiah, 2022a)

In general, the City of Ukiah has a demonstrated history of attracting new tenants when larger retail properties have become vacant. This includes Home Depot replacing Big Kmart and Kohl's replacing Mervyn's. This trend extends to manufacturing uses as well, where recent cannabis related businesses have been approved to occupy vacant manufacturing/warehouse structures at 902 Waugh Lane (APN 003-090-38), as well as 120 and 150 Brush Street (APN 002-040-32).

#### 2.5.1.4.1 Annexation Efforts

Annexation efforts for the City of Ukiah have been discussed over the last three decades and addressed in multiple planning documents. Themes within these documents include collaboration between cities on regional housing and the need for preservation of open space and agricultural lands. Consistent with direction received from Council, an adopted Annexation Policy, and relevant City and County planning documents, the City of Ukiah intends to pursue annexation of land within the planning period of this study. The areas currently proposed for annexation are identified in Table 2.12.

<b>Annexation Area</b>	<b>LAFCo File No.</b>	<b>Acreage</b>	<b>Status</b>
City-Owned Properties	A-2021-01	<u>+437</u>	Submitted 2020
Western Hills Area	A-2022-02	<u>+707</u>	Submitted 2022
Brush Street/Masonite Area	TBD	<u>+473</u>	Tentatively proposed for 2023
Total		<u>+1,617</u>	

The following provides additional detail about the areas proposed for annexation. Annexation requests and jurisdictional changes must be reviewed and approved first by City Council, then by LAFCo, and must be located within an agency's SOI, among other requirements.

**A: City-Owned Properties:** The City proposes to annex approximately 437 acres of non-contiguous City-owned properties that have been acquired by the City for public purposes. The City only recently applied to LAFCo for annexation (LAFCo File No. A-2021-01). City-owned lands proposed for annexation include the following:

- The former landfill site on Vichy Springs Road
- An airport hanger associated with the Ukiah Municipal Airport along South State Street
- Landbanked properties adjacent to the City's Wastewater Treatment Plant along Norgard Lane, Taylor Drive and Plant Road
- The City's Solid Waste Transfer Station
- Former fish hatchery along Gibson Creek, at the terminus of Standley Street



As mentioned above, the majority of these properties host City operations such as the WWTP, recycled water system, and a portion of the Ukiah Municipal Airport. Others are currently undeveloped and preserved as open space. Once annexed, the City-owned properties would continue to be used for existing uses of agriculture, open space, or municipal uses. As such, these lands are proposed to be designated as Public and Open Space, and the buildout analysis assumed no new development (aside from potential new or expansion of public facilities) on these sites for the next 20 years.

**B: Brush Street/Masonite Area Properties Annexation Area:** The City proposes to annex properties totaling approximately 473 acres north of the City limits and consists of areas locally known as the “Masonite” and “Brush Street Triangle”. These areas are located along Kunzler Ranch Road, Ford Road, Masonite Road, Brush Street, Brunner Street, and Orchard Avenue. Development in this area includes some commercial, industrial and manufacturing uses (both existing and decommissioned), as well as areas containing vacant and agricultural land. For the Brush Street Triangle, development assumptions were analyzed by using the current UVAP Mixed-Use: Brush Street Triangle designation. For the Masonite area, the existing Industrial designation was used. The Agriculture designation is proposed to remain on the areas south of the Masonite site and north of Ford Road that are currently vacant and/or developed with agriculture uses.

**C: Western Hills Annexation Area.**

This request is concentrated in the hills west of Ukiah. This area contains approximately 752 acres and a portion of that area (707 acres) is being pursued as part of the Western Hills Open Land Acquisition and Limited Development Agreement, approved by City Council on September 15, 2021. Approximately 640 acres of this land is currently preserved for open space conservation and is pre-zoned as Public Facilities. Approximately 54 acres of this land would allow for residential development through the creation of seven “Development Parcels,” beginning at the terminus of Redwood Avenue. Parcels eligible for residential uses feature a Single-Family Residential – Hillside Overlay, allowing for a maximum of 14 units total (seven-single family homes and seven accessory dwelling units) upon annexation. Additionally, 14 acres of privately owned property was included in the Western Hills Open Land Acquisition and Limited Development Agreement for access to the project parcels. These parcels currently provide access to the project and are also proposed for annexation. Although these parcels are pre-zoned as Single-Family Residential – Hillside Overlay for consistency with surrounding zoning and land uses, they are not included in the Development Agreement and no further development is proposed or expected. Finally, approximately 44 acres of private property are included in this annexation to address existing LAFCo policies and known mapping errors, and to avoid the formation of an unincorporated island. The median size of these privately owned parcels is .94 acres, as the majority are unincorporated remnants of lots already developed within the City along Lookout Drive. As these additional parcels are privately owned, the application of a Public Facilities zoning designation is inappropriate. Therefore, a Single-Family Residential - Hillside Overlay was applied to these fragment and island parcels for consistency.

### 2.5.2 Existing Population and Projected Growth

Over the past several years, Ukiah’s population has remained relatively static, hovering around 16,000 residents. As of the 2010 U.S. Census, Ukiah had 16,075 residents. In the following years, the estimated population dipped just below 16,000, before growing to an estimated population of 16,296 in 2019. Based on the 2020 Census, the population for the City is 16,607.

Although population growth projections specific to Ukiah are unavailable, the California Department of Finance estimates that Mendocino County as a whole will grow by six percent by 2040, or an average rate of 0.3% annually. (Ukiah, 2020a) As of January, 2022, similar to the State of California, a slight population decline was noted for the City of Ukiah (-0.9%) and County of Mendocino (-0.7%). As of January 1, 2022, the population for the City of Ukiah was 16,228. (DOF, 2022)

Within the City’s 2020 Urban Water Management Plan (UWMP), the City cites a Department of Finance (DOF) growth rate of 0.36% for their projections. Population projections for 2045 from the UWMP at every five-year increment are shown in the table below (Ukiah, 2020b):

Year	Population
2025	16,350
2030	16,639
2035	16,928
2040	17,217
2045	17,506

Source: Ukiah, 2020b.

### 2.5.3 Demographics and Housing

Overall, Ukiah has a population that is decreasing in age. The median age, based on 2017 American Community Survey estimates, is 34.8 years old, down from 35.9 in 2010. Much of this change is due to an increased percentage of young adults between 25 and 35 in the City, indicating that young families are moving to Ukiah. This is a major divergence from countywide trends, which suggest, on average, a older and increasingly aging population. In 2010, the median age in the county was 41.5 years old, which increased to 42.4 years old in 2017. Ukiah also has a high percentage of working age residents between 25 and 54, which combine to make up nearly 42% of the population.

While a majority of the population identifies as White (57.3%), nearly a third of the population identifies as Hispanic or Latino (32.7%). This differs from Mendocino County as a whole where just 24.5% of the population identifies as Hispanic or Latino. Approximately 30% of Ukiah residents speak a primary language other than English, compared to a countywide average of approximately 22%.

The California DOF estimates that in January 2018, the majority (55%) of the City’s housing stock was single-family detached homes. The second most common type of housing was multifamily (19%), which includes apartments and condominiums. In 2018, there were significantly less 2-unit to 4-unit complexes or mobile homes. From 2013-2017, Ukiah had a higher rate of overcrowding in owner-occupied households at 6.3% compared to statewide rate of 4.0%. However, statewide, there was significantly more overcrowding in renter-occupied housing at 13.3% compared to 2.9% in Ukiah.

Over 90% of all housing stock in the City of Ukiah was built prior to 1990 and is over 30 years of age. Only 10% of housing stock is newer, and until quite recently very few new housing units were constructed. From 2013-2017, Ukiah had a higher rate of overcrowding in owner-occupied households at 6.3% compared to statewide rate of 4.0%. However, statewide, there was significantly more overcrowding in renter-occupied housing at 13.3% compared to 2.9% in Ukiah.

State law requires each city and county to plan for its “fair share” of the statewide housing need. This fair share is calculated through a process called the Regional Housing Needs Allocation (RHNA). For the sixth cycle RHNA projection period from December 31, 2018 to August 15, 2027, the City of Ukiah was assigned a RHNA of 239 units. Even after accounting for the difference in the number of years in this cycle compared to the 2014-2019 cycle, the 2018-2027 RHNA is significantly higher (more than 200 percent) than the 2014-2019 RHNA at 45 units.

(Ukiah, 2020a)

In general, the City continues to make adequate progress on its assigned RHNA. In 2021, the City reported completion of 86 of the required 239 units with 5 years remaining in the accounting period.

Income Level	Units Required	Units Issued	Units Remaining
Very Low	86	30	56
Low	72	33	39
Moderate	49	11	38
Above Moderate	32	12	20

Source: Ukiah, 2022.

## 2.6 Disadvantaged Unincorporated Communities

Senate Bill (SB) 244, which became effective in January 2012, requires LAFCo to evaluate any Disadvantaged Unincorporated Communities (DUCs), including the location and characteristics of any such communities, when preparing an MSR that addresses agencies that provide water, wastewater, or structural fire protection services. A DUC is an unincorporated geographic area with 12 or more registered voters with a median household income (MHI) that is less than 80% of the State MHI of \$80,440 or \$64,000 (USCB, 2019c). This State legislation is intended to ensure that the needs of these communities are met when considering service extensions and/or annexations in unincorporated areas.

### 2.6.1 CALAFCO DUC Mapping

Four DUCs are identified per the [CALAFCO Statewide DUC Mapping Tool](#), which is based on the American Community Survey 5-Year Data (2015-2019) and updated March 2022. The mapping parameters meet the definition of DUCs per SB 244 and utilizes a threshold of 50 registered voters to identify communities. The following DUCs are located Adjacent to the City of Ukiah (CALAFCO, 2022).

- DUC #1: Ukiah SXSX
- DUC #2: Norgard/Airport South
- DUC #3: Empire Gardens
- DUC #4: The Forks

### 2.6.2 City General Plan Update DUC Analysis

As defined under Government Code Section 65302.10, the DUCs identified below for the City of Ukiah 2040 Land Use Element are detailed in Table 2.15 and shown in Figure 1-13.

- 1) Ukiah SXSX
- 2) Norgard Lane

- 3) Empire Gardens
- 4) Talmage
- 5) The Forks

Table 2.15 Infrastructure in Disadvantaged Unincorporated Communities – City of Ukiah 2022					
DUC Identifier	Water	Wastewater	Storm-Water	Fire Protection	Underserved
<b>South - City of Ukiah City Limits</b>					
Ukiah SXSX - DUC	■	■	■	■	■
Airport South – DUC	■	■	■	■	■
<b>North - City of Ukiah City Limits</b>					
Empire Gardens – DUC	■	■	■	■	■
<b>Mendocino County Housing Element DUCs</b>					
The Forks - DUC	■	■	■	■	?
Talmage - DUC	■	■	■	■	?
<b>KEY:</b> <span style="color: green;">■</span> No Deficiencies <span style="color: red;">■</span> Deficient					

**Ukiah SXSX (DUC #1):** Located adjacent to the southwestern boundary of the City of Ukiah. This area spans from Beacon Lane to Gobalet Lane and includes \_\_\_ parcels totaling \_\_\_ acres with approximately \_\_\_ residential units. Considered a ‘Fringe Community’, this DUC is adjacent the City of Ukiah, and was first identified by the City of Ukiah in 2019.

While the DUC boundaries identified by CALAFCO are slightly different for ‘Ukiah SXSX (DUC #1), the City has elected to retain the previously identified boundaries for consistency with past analysis. The community is associated with Block Group 2, Census Tract 113, which has a MHI of approximately \$44,229.

**Norgard/Airport South (DUC #2):** Located adjacent to the southern boundary of the City of Ukiah in unincorporated Mendocino County along Pomo Lane and Townsend Lane to the north of Norgard Lane. Considered a ‘Fringe Community’, it is adjacent to the City of Ukiah, and was identified as a DUC by the City of Ukiah in 2019. This area includes 26 parcels totaling nearly 9 acres with approximately 25 family homes. It is adjacent to the Ukiah Municipal Airport, as well as U.S. Route 101 (US 101).

While the DUC boundaries identified by CALAFCO are slightly different for ‘Norgard/Airport South DUC’, the City has elected to modify this boundary to include similar residential development to the east of the US 101, as the community is bifurcated and divided by this highway. Upon review, the community on the eastern side of the US 101 is within a different Census Block Group, which is a reason it was not included with the previously identified community. Those properties are within the County’s Agricultural Zoning District, and are considered non-conforming.

Additional considerations for this DUC include the associated Airport Compatibility Zones, and the fact that all properties within the DUC are subject to the regulations of the Mendocino County Limited Industrial (I1) Zoning District, which does not consider 'Residential Uses' as permitted without discretionary review. Many of these residences would be considered legal non-conforming, which are additionally restricted by airport land use considerations.

The community is primarily associated with Block Group 3, Census Tract 116, which has a MHI of approximately \$31,344. Again, a portion of the community also existing in Block Group 2.

**Empire Gardens (DUC #3):** Located adjacent to the northern boundary of the City of Ukiah in unincorporated Mendocino County. Considered a 'Fringe Community', it is adjacent to the City of Ukiah, and was identified as a DUC by the City of Ukiah in 2019. This area includes 295 parcels spanning approximately 66 acres with approximately 330 single-family and multifamily (i.e., apartments) homes.

While the DUC boundaries identified by CALAFCO are slightly different for 'Empire Gardens', the City has elected to retain the previously identified boundaries for consistency with past analysis. For example, the DUC as identified by CALAFCO includes portions of active agricultural land, as well tribal properties.

The community is associated with Block Group 1, Census Tract 113, which has a MHI of approximately \$47,833

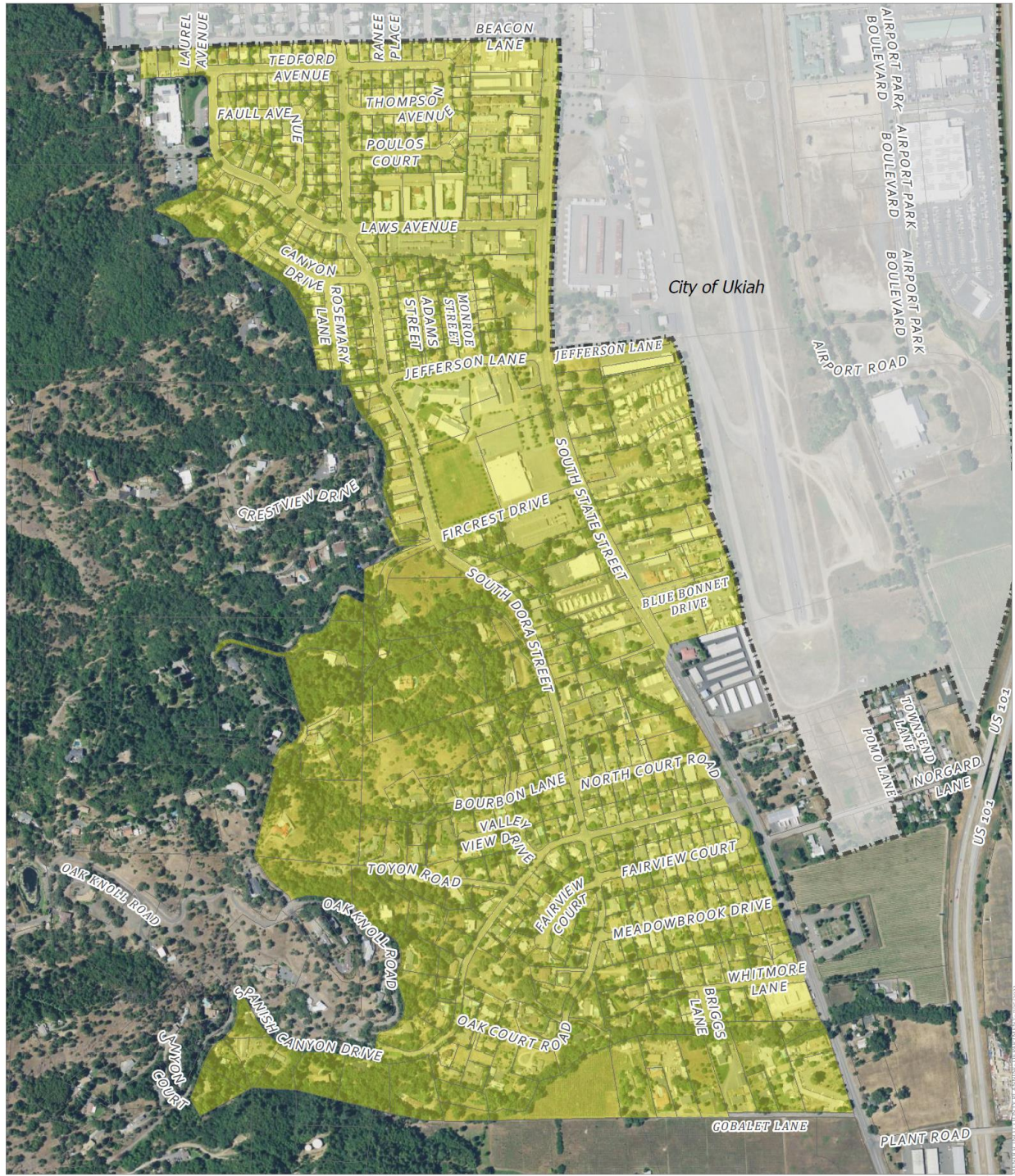
**The Forks (DUC #4):** Located due north of Ukiah and one mile west of Lake Mendocino adjacent to Highway 101. Existing residential land uses located in The Forks DUC consist of approximately 314 housing units within an area of 75 acres, leading to an average density of 4.2 dwelling units per acre. It is safe to assume that at least 12 registered voters reside in the 314 units.

The current Mendocino County zoning in The Forks is Suburban Residential (SR). Surrounding land uses consist mainly of low-density residential uses. The Census tract where The Forks DUC is located contains median household incomes of \$53,735 or lower.



**Talmage (DUC #5):** Located one mile southwest of Ukiah along Talmage Road and bounded by Mill Creek to the south. Existing residential land uses located in Talmage DUC consist of approximately 136 housing units within an area of 49 acres, leading to an average density of 2.8 dwelling units per acre. It is safe to assume that at least 12 registered voters reside in the 136 units. The current Mendocino County zoning in Talmage DUC is Suburban Residential (SR), Multi-Family Residential (R3), and Inland Limited Commercial (C1). Surrounding land uses consist mainly of agricultural and low-density residential uses. The Census tract where Talmage DUC is located contains median household incomes of \$53,735 or lower.




Figure 2-13 - City of Ukiah 2040 Land Use Element DUC Mapping



Map produced by the Mendocino County Planning & Building Svcs. Dept., July 2022  
 Coordinate System: NAD 83, Calif. State Plane Zone II  
 Projection: Lambert Conformal Conic  
 Parcel Data: Mendocino County Information Services, October, 2018  
 Aerial Imagery: US Dept. of Agriculture/ArcGIS Online mosaic  
 Topographic Data: USGS 7.5 minute quad series Mount Diablo Base & Meridian  
 Parcel numbers are for tax purposes only and do not represent legal or salable parcels.  
 All spatial data is approximate. This map is not a substitute for a proper land survey.

 City Limits  
 Public Roads

0 350 700 Feet  
 0 0.05 0.1 Miles  
  
 18,400

UKIAH SOUTH BY SOUTHWEST PROPOSED DUC

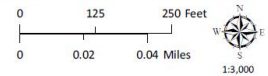
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 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES**





Map produced by the Mendocino County Planning & Building Svcs. Dept., July 2022  
 Coordinate System: NAD 83, Calif. State Plane Zone II  
 Projection: Lambert Conformal Conic  
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City Limits  
 Highways  
 Public Roads





NORGARD PROPOSED DUC

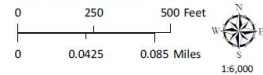
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Map produced by the Mendocino County Planning & Building Svcs. Dept., July 2022  
 Coordinate System: NAD 83, Calif. State Plane Zone II  
 Projection: Lambert Conformal Conic  
 Parcel Data: Mendocino County Information Services, October, 2018  
 Aerial Imagery: US Dept. of Agriculture/ArcGIS Online mosaic  
 Topographic Data: USGS 7.5 minute quad series Mount Diablo Base & Meridian  
 Parcel numbers are for tax purposes only and do not represent legal or salable parcels.  
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 City Limits  
 Public Roads



EMPIRE GARDENS PROPOSED DUC

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Source: Ukiah, 2022.



## 3 MUNICIPAL SERVICES

### 3.1 Service Overview

A Municipal Service Review (MSR) is a comprehensive analysis of the services provided by a local government agency to evaluate the capabilities of that agency to meet the public service needs of their current and future service area. The MSR determinations inform the SOI Update process and assist LAFCo in considering the appropriateness of a public service provider's existing and future service area boundary. The information and analysis presented in Chapters 2 and 3 of this document form the basis for the MSR determinations provided under Section 3.7.

#### 3.1.1 Services

One of the core responsibilities of a City is to ensure provision of public facilities and services to its residents. Public facilities and services contribute to the quality of life for both individuals and groups in the community. A key consideration in the MSR process is planning adequate public facilities, services, and infrastructure to accommodate future growth and changes.

This section provides information regarding the wide range of municipal services provided by the City of Ukiah, including the following:

- General Government
- Finance
- Public Safety
- Community Development
- Community Services
- Public Works
- Water
- Wastewater
- Airport
- Electrical Utility

Additional municipal services are provided to City residents by other public agencies through agreements and Joint Powers Authority (JPA) and by private businesses through service contracts. This MSR only reviews services provided by the City. This is the second MSR prepared for the City; the first one was adopted by the Commission on September 4, 2012.

Table 3.1 shows the services provided in the City and adjacent areas. The City of Ukiah is a full-service city, providing services through city departments. Unique for its size is the City's electric utility and airport. As seen in the table, special districts also provide services within the City's boundary. The Ukiah Valley Sanitation District (UVSD) boundaries include portions of Ukiah. Additionally, the Willow County Water District (WCWD) and the Millview County Water District (MCWD) serves customers in the City by agreement with the City.

Service	City	UVSD	UVFD	Willow	Millview	RRFC <sup>1</sup>	County
Airport	●						
Animal Control <sup>2</sup>	●						●
Electric Utility	●						
Fire			●				
Law Enforcement	●						●
Parks & Recreation <sup>2</sup>	●						●
Public Works	●						

Public Health							●
Storm-Water	●						
Wastewater	●	●					
Water	●			●	●	●	
Recycled Water	●						
<sup>1</sup> Wholesale Provider <sup>2</sup> Shared operations and/or maintenance -Animal Control: The County maintains the facility on City property and Ukiah PD responds to animal control issues within the City limits. -Parks & Recreation: Low – Gap Park (Trail Creation and Maintenance)							

Source: Ukiah, 2022.

### 3.1.2 Service Area

The City limits is 4.7-square miles in size and located along the busy Highway 101 corridor and near the east/west intersection with Highway 20, providing access to the Central Valley and Coast. Refer to Section 2.1.3 for a detailed description of the City’s jurisdictional boundary. (V&F, 2021)

The City serves a resident population of approximately 16,000. In addition, the weekday population can increase to as much as 40,000 or more because the City of Ukiah is the Mendocino County seat and the business/education/shopping center for much of Mendocino, Lake, southern Humboldt, and northern Sonoma Counties. There are also large influxes of visitors to the Ukiah Valley area during the summer tourist season and special events such as Concerts in the Park and Pumpkinfest. (V&F, 2021)

There is a common area between the City of Ukiah and the Ukiah Valley Sanitation District (UVSD) service areas, known as the “overlap area” and represents roughly one-third of City residents, which was created when the City incorporated this area without a concurrent detachment from the District.

### 3.1.3 Out-of-Agency Services

The City has agreed to provide municipal water Out-of-Agency Services (OAS) to a single parcel to serve up to 151 units of affordable housing through a LAFCo approved OAS agreement (LAFCo Resolution No. 2004-01). As of June 2022, 80 units of supportive housing have been constructed in conjunction with *Orr Creek Commons*, located in the Brush Street Triangle area. In 2022, the County of Mendocino approved the subject parcel for subdivision. It is the intention of the developer (RCHDC) to construct an additional 32 units of multi-family affordable housing on the resulting lot. (Mendocino, 2022)

## 3.2 Administration

### 3.2.1 Staffing

The City of Ukiah operates a full range of municipal functions including public safety, public works, community development, and community services. The City provides electric, water, and wastewater utilities for its residents and operates an airport, golf course, museum, and conference center. In fiscal year (FY) 2021-2022, the City had 231 full-time equivalent (FTE) employees budgeted, nearly half of whom work in administrative and technical roles. (Ukiah, 2022a)

#### 3.2.1.1 CITY MANAGER

The City Manager's Office is a department consisting of seven divisions: City Manager, City-Wide Administration, Community Outreach, City Clerk, Economic Development, Visit Ukiah, Emergency Management; and the Redevelopment Successor Agency. The daily business of City operations is the

responsibility of the City Manager who is appointed by the City Council. The City Manager prepares recommendations and implements the policy direction approved by the Council. The City Manager is also responsible for the administration of services provided by the City. Each department reports to the City Manager.

The City Council/City Manager Administrative Support role involves providing direct support for office services and meeting management. The Public Relations and Communications role involves informing, engaging, educating, and interacting with the people the City government serves, as well as with regional partners and the media. (Ukiah, 2022a)

#### 3.2.1.2 CITY CLERK

The City Clerk's office serves the City Council, and is a resource for the public and City staff, as well as functioning as administrative support for the City Manager's office. The City Clerk conducts municipal elections, and is also charged with keeping and maintaining complete and accurate records for the City and other related proceedings; maintaining the Municipal Code; assisting in the filing of Campaign Statements and Statements of Economic Interests; publishing all ordinances adopted by Council; posting notices of hearings, bid openings, Board and Commission vacancies, and other legal notices; receiving claims and court documents; processing Public Record Act requests; administering the Records Management Program; Recruiting and Maintaining the Qualified Contractors List; and maintaining a comprehensive historical collection of documents; and writing staff reports to Council throughout the year. (Ukiah, 2022a)

#### 3.2.1.3 CITY ATTORNEY

The City of Ukiah contracts with David Rapport, City Attorney, and Darcy Vaughn, Deputy City Attorney, for the provision of general legal services, to provide sound, timely, and cost-effective legal advice and representation to the City Council, Commissions, Boards, City officers, and staff. Responsibilities, include:

- Provide legal representation to the City
  - Review contracts, leases, agreements, and other documents
  - Assist with the formation of policy, regulations, and ordinances
  - Assess claims and other risk management issues
- (Ukiah, 2022a)

#### 3.2.1.4 DEPARTMENT OF COMMUNITY DEVELOPMENT

The Community Development Department is comprised of the following five integrated divisions.

- Planning Division
  - Building and Code Enforcement Services Division
  - Housing Services Division
  - Grants Management Division
  - Fire Prevention Services Division
- (Ukiah, 2022a)

##### 3.2.1.4.1 Planning Division

The Planning Services Division assists with planning for the City's future development and maintains and implements the City's General Plan, while also providing information to the public and processing applications related to planning permits, zoning, and development requirements.

The Division also provides primary staff support to the Planning Commission, Zoning Administrator, Design Review Board, Building Appeals Board, as well as the Demolition Permit Review Committee. The Division supports and assists with the City Engineer and Traffic Engineering Committee. (Ukiah, 2022a)

#### 3.2.1.4.2 Building and Code Enforcement Division

The Building and Code Enforcement Services Division is responsible for reviewing plans, issuing building permits, performing field inspections, and monitoring building code enforcement activities to ensure compliance with local and state mandated regulations related to building construction, maintenance, rehabilitation, and accessibility. The Division partners with the Ukiah Police Department for code enforcement activities and to ensure building safety. (Ukiah, 2022a)

#### 3.2.1.4.3 Housing Services Division

The Housing Services Division administers and implements the City's federal, state, and local housing and community development programs to improve and expand the City's housing stock and assist in the development of economic opportunities for residents. Housing Services also coordinates the City's housing efforts and implementation of the General Plan Housing Element with Planning Division staff and partners with the City Manager's Office to implement business assistance loan activities. (Ukiah, 2022a)

#### 3.2.1.4.4 Grants Management Division

Grants Management is a division of the Community Development Department. Grants Management acquires grant funds and provides grant seeking, coordination and grants management to City departments to assist in the delivery and/or improvement of City services, expand housing and economic opportunities for the Ukiah community, and to supplement limited City resources. (Ukiah, 2022a)

The largest funding sources for Division programs include the State Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships (HOME) Program. (Ukiah, 2022a)

#### 3.2.1.4.5 Fire Prevention Services Division

Fire Prevention is a division of the Community Development Department and works in partnership and close coordination with the Ukiah Valley Fire Authority to provide fire code plan check services, the issuing of fire prevention permits, and fire code-related inspection services. The Division also works closely with Code Enforcement on fire prevention enforcement issues such as weed abatement and tire storage. (Ukiah, 2022a)

### 3.2.2 Service Adequacy

#### 3.2.2.1 CHALLENGES

Needs: Enhanced GIS and Mapping, Electronic Permit System, and Digitalization of Records.

Challenges: State Law Updates and Mandates, CEQA Complexity, Staffing Identification and Retention.

### 3.3 [Airport](#)

The Ukiah Municipal Airport (UKI) provides an important alternative form of transportation and emergency access for Ukiah and is situated on 160 acres at the south end of the City. The Ukiah Municipal Airport has been owned and operated by the City of Ukiah since the 1930s. Several companies, including Federal Express and Calstar, are longstanding users of its facilities, and the airport serves as a CAL FIRE air attack base to combat wildfires throughout the region, including coordinated suppression efforts with the United States Forest Service across Mendocino, Lake, Trinity, Sonoma, and Tehama Counties .

### 3.3.1 Service Overview

The operations and maintenance activities of the airport include management, supervision and training of staff as well as the upkeep of facilities and equipment. Services include freight operations, flight instruction, charter flights, sales and rental, as well as emergency services, including search and rescue, fire suppression, and medical air ambulance flights to nearby medical facilities.

Per the *Ukiah Municipal Airport Land Use Compatibility Plan (2021)*, 30,916 annual operations are expected by 2040. This forecast is double the 2019 activity level of 15,458 annual operations and is representative of the airport's current condition and potential growth, especially as it relates to potential increase in wildfire activity across Northern California. (MCALUC, 2021)

#### 3.3.1.1 STAFFING

Per the FY 2021-2022 City of Ukiah Budget, the Airport was allocated the following positions and employed approximately four (4) individuals:

- Airport Manager
- Airport Assistant
- Airport Attendant (part-time)
- Airport Grounds Maintenance Attendant (part-time)

The City estimates that an additional 126 employees are supported by operations of the Ukiah Municipal Airport. (Ukiah, 2022a)

### 3.3.2 Facilities and Capacity

The Ukiah Municipal Airport sits on 160 acres at the south end of Ukiah. The Airport has one asphalt runway, Runway 15-33, which is currently 4,451 feet in length, 150 feet wide and 31 years old. The Airport has three instrument approach procedures:

- RNAV (GPS) Procedure – Circling (as low as 1 ¼ mile visibility minimums)
- VOR procedure – Circling (as low as 1 ¼ mile visibility minimums)
- Localizer Procedure – Runway 15 (as low as 1 ¼ mile visibility minimums)

The existing Airport Reference Code (ARC) at Ukiah Municipal Airport is B-II. The ARC is based on the largest aircraft that operates at least 500 times per year at the Airport. For Ukiah Municipal Airport, the aircraft meeting that requirement is the Beechcraft King Air. The Airport's existing layout satisfies safety standards for a B-II airport.

With regard to fueling service, the Airport maintains two fuel trucks holding 5,000 gallons (Jet A truck) and 750 gallons (Avgas truck) of fuel; 12,000 gallons self-service Avgas storage tank; and a 20,000-gallon bulk fuel storage tank that is split to hold 12,000 gallons Avgas.

Other improvements at the Airport include the terminal office building, a 75-slot parking lot, 4 tie-down areas, and 10 conventional hangars. The tie-down areas can accommodate 65 aircraft. In addition, there are two T-hangar buildings with a capacity to store approximately 20 aircraft and a shade hangar with a capacity of 24 aircraft. In total, approximately 100 aircraft are based at the Airport with a capacity for 109. (Ukiah, 2022a)

### 3.3.2.1 INFRASTRUCTURE NEEDS

The current master plan for the Ukiah Municipal Airport was adopted by the City in 1996. The Airport Layout Plan drawing was approved by the Federal Aviation Administration (FAA) in January 2016 and illustrates proposed alterations to the airfield system. The principal development proposal shown on the Airport Layout Plan is extending the Runway 15 end 465 feet north.

In November 2020, the Ukiah City Council unanimously approved a recommendation to the ALUC that the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP) protect for a future 5,000-foot runway to accommodate operations by CalFire Lockheed C-130 fire attack aircraft.

(MCALUC, 2021)

On February 3, 2022, the Ukiah City Council commenced an Exploratory Study to determine the feasibility of extending the Ukiah Municipal Airport Runway 15/33 to a total length of 5,000 feet; this would require an extension of 577 feet. This study is funded by the City of Ukiah with no participation from the FAA.

## 3.3.3 Service Adequacy

### 3.3.3.1 CHALLENGES

As is common in communities with airports, the Ukiah Municipal Airport faced pressure from nearby development. Land use conflicts among adjacent uses, such as residential, commercial, industrial or aviation-related uses, often occur as density of development increases near airports. At the same time, the airport land use restrictions, to a certain extent, limit infill potential in both the City and the unincorporated County. Because airport planning matters involve both jurisdictions, City-County cooperation is essential in planning for the viable operation of the airport.

Per the UVAP, it is important to maintain consistent City-County land use regulations that protect the airspace to ensure safe flight operations, minimize hazards on the ground in the event of a crash, and minimize noise impacts to surrounding development. Adhering to airport compatibility guidelines by strategically planning for acceptable types of uses and density of development near the airport will enhance safety and minimize potential land use conflicts. The adoption of the UKIALUCP in 2021 addressed many of these associated challenges.

## 3.4 [Animal Control](#)

Animal control services for the City of Ukiah are shared between the County of Mendocino and the Ukiah Police Department. Ukiah's Community Service Officers work closely with the Mendocino County Department of Animal Care Services that operates out of the Ukiah Animal Shelter located at 298 Plant Road, Ukiah, CA.

### 3.4.1 Service Overview

Services provided in the field by the Mendocino County Department of Animal Care Services are rabies prevention, impounding stray or lost animals, responding to injured or sick animals, investigating suspected cruelty to animals and promoting responsible pet ownership.

In 2021, the City of Ukiah Community Service Officers responded to 396 Animal Complaint calls, and worked closely with the Department of Animal Care Services. The City of Ukiah is responsible for responding to most animal related concerns or complaints within City limits. (Ukiah, 2022a)

#### 3.4.1.1 STAFFING

Per the 2021-2022 City of Ukiah Budget, the Ukiah Police Department allocated four (4) Community Service Officers that were responsible for parking and animal control related issues. The Police Department funds the Community Service Officer positions, and the City of Ukiah funds the animal shelter and related services, which is operated by the Mendocino County Department of Animal Care Services.

### 3.4.2 Facilities and Capacity

The Mendocino County Department of Animal Care Services operates out of the Animal Shelter located at 298 Plant Road, Ukiah, CA. The facility and subject property are owned by the County of Mendocino, but located within the City-limits. The City's FY 2021-22 budget appropriated \$95,000 to animal control related costs. The County Animal Shelter is located within City limits at 298 Plant Road adjacent to the City's Wastewater Treatment Facility. Additionally, per agreement with the County, the City does not collect associated license fees for dogs, which further contributes to the operation of shared facilities and services. (Personal Communication: Sage Sangiacomo and Dan Buffalo)

#### 3.4.2.1 INFRASTRUCTURE NEEDS

There are no plans to expand the animal shelter even though the Ukiah and Fort Bragg facilities generally operate at or near capacity.

### 3.4.3 Service Adequacy

The Mendocino County Animal Shelters can house approximately 60 dogs and 60 cats at 100% occupancy. The Ukiah animal shelter has been operating near capacity for a number of years, and was at 100% capacity in June 2022. (Mendocino, 2022)

#### 3.4.3.1 CHALLENGES

During the pandemic stay-at-home orders, there was an increase in dog ownership that was not successful in the long-term and has resulted in especially high occupancy levels in dog kennels. (Mendocino, 2022)

## 3.5 [Electric Utility](#)

The Electric Utility Department oversees the procurement of wholesale power and energy sales; maintains and operates the electricity distribution system; and provides advanced engineering and planning for improvements, replacement, and expansion of the distribution system. In addition, the Department provides engineering services to new commercial and residential development projects. The Department also maintains the City's streetlights and provides engineering support to other City Departments.

### 3.5.1 Service Overview

The Ukiah Electric Utility Department is Mendocino County's only municipal-owned electric utility, supplying electricity to more than 16,000 residents and 2,000 businesses. The Electric Utility Department is a department that consists of three divisions (Distribution, Technical Services, and Administration). The Distribution Division provides skilled construction services supporting the customer's electric needs. The Division also provides a wide range of services including contract administration, inspection and 24/7 emergency response services supporting first responders.

The Technical Services Division is responsible for the operation, maintenance, testing and calibration of the Department's substation, hydroelectric plant, metering, protection and control systems used for generation, distribution, and communication systems. Responsibilities include High Voltage maintenance of circuit breakers, switchgear and power transformers, which are necessary and critical to the



Department’s operation. The Division plans and schedules work on the Lake Mendocino Hydroelectric Plant (LMHP) internally and externally with the United States Corps of Engineers (USACE), Fish & Wildlife, Sonoma Water Agency and Northern California Power Agency (NCPA). The team deals with a wide variety of advanced systems that provide control and protection of the Utility’s most critical systems.

The Administration Division provides the financial and organizational oversight of the department. Additionally, other duties include; system design and engineering, administrative support, energy resource purchasing, system planning and management of the Public Benefit Program. This Division develops rates and rate structures, establishes department policies, goals and objectives, monitors cash flow, capital and Operation and Maintenance (O&M) budgets, and coordinates training that develops each individual to their full potential for the department. (Ukiah, 2022a)(LAFCo, 2012)

**3.5.1.1 STAFFING**

Per the 2021-2022 City of Ukiah Budget, the Electric Utility was allocated the following positions and employed approximately 21 individuals across the following Personnel Division:

- Professional – 6
  - Management – 3
  - Administration and Technical- 10.96
  - Executive - 1
- (Ukiah, 2022a)

**3.5.2 Facilities and Capacity**

As of 2021, the electric utility serves 6,665 residential and 1,677 commercial customers for a total of 8,200 customers. The department operates the Lake Mendocino Hydro Plant, which produces 3.5MW, and an annual production of 10,000 MWh. The lake is created by the Coyote Dam, which straddles the East Fork of the Russian River. Water flowing through the dam’s outlet conduit is used to power turbines that generate electricity at the plant. The Coyote dam and structures are operated and maintained by the U.S. Army Corps of Engineers (USACE). The USACE has the responsibility for flood control releases. The Ukiah Electric Department also receives power from generation facilities, jointly owned with other utilities and operated by Northern California Power Agency (NCPA), and through power purchase contracts. (LAFCo, 2012)(Personal Communication: Cindy Sauers)

<b>Table 3.2 Electrical Utility Facilities</b>	
<b>Name</b>	<b>Location</b>
Lake Mendocino Hydroelectric Plant	1229 Lake Mendocino Drive
Distribution System	40 miles UG cable 36 miles OH conductor Transformers & switchgear
Orchard Street Substation	724 South Orchard Avenue
Electric Service Center (to be completed by 2023)	1350 Hastings Road

Source: LAFCo, 2012; Ukiah, 2022; Personal Communication: Cindy Sauers.

**3.5.2.1 INFRASTRUCTURE NEEDS**

Currently, offices for the Distribution and Technical Services Division, as well as half of the engineering staff are located in 40-year-old, temporary modular buildings with no foundation. The electrical

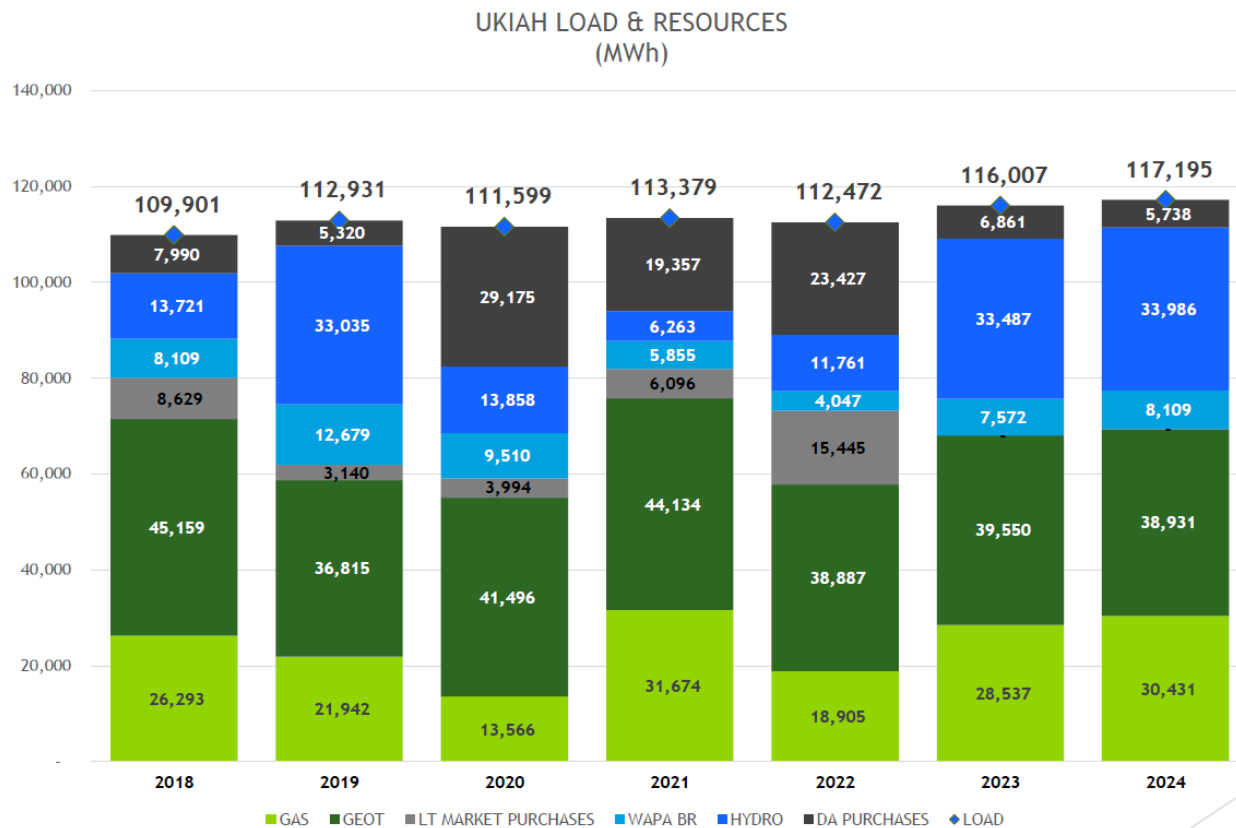


construction and maintenance materials are stored in an unsealed, non-insulated tin building. Improvements will provide offices and warehouse facilities for the Electric Utility Department. The Electric Service Center property was purchased and site improvements were completed in 2020/2021. Currently, design for the interior remodel is underway. This new location will house all divisions of the Utility, including storage of material and equipment. (Ukiah, 2022a)

### 3.5.3 Service Adequacy

The Electric Utility Department has operated for more than 110-years, produces 3.5MW annually and also receives power from jointly owned generation facilities and through power purchase contracts. Power is transmitted to the Orchard Street substation, which serves as the main distribution center and has adequate capacity to meet current demands. The figure below shows the historic and projected energy use demand for the City and the different energy sources.

**Figure 3-1 City of Ukiah Electricity Portfolio**



Source: Ukiah, 2022a.

The Electric Utility has sufficient capacity to meet power needs of the City, and should there be an anticipated shortage, the City has the ability to purchase additional power.

### 3.5.3.1 CHALLENGES

The Electric Utility Department faces many challenges, including increasing energy prices and drought, which directly impacts the supply for the energy market. Additionally, keeping up with the State goals for climate while balancing resources and keeping rates low for City customers is a challenge.

## 3.6 Fire Protection and Emergency Medical Services

Emergency services within the City of Ukiah are provided through the Ukiah Valley Fire Authority (UVFA), a Joint Powers Agreement (JPA) under which the Ukiah Fire Department and Ukiah Valley Fire District (UVFD) seamlessly operate and manage the provision of services. The Ukiah Valley Fire Authority responds to fires, medical emergencies, traffic collisions, technical rescues, hazardous materials, explosions, floods and earthquakes, as well as non-emergency public service calls, through a consistent state of readiness. Volunteer Firefighters participate in training activities and augment career staffing during emergency and non-emergency activities.

For purposes of this MSR, the description of services and analysis will be focused on the UVFA. Unless noted otherwise, all information in this section is sourced from the 2021 UVFD MSR/SOI Update.

### 3.6.1 Service Overview

The UVFA is organized into four divisions: Administration, Operations, Training and Safety, and Fire Prevention. The Administration division provides leadership and management to the operations, training and safety, and fire prevention activities, including the implementation and liaison of the financial and general services provided by the City of Ukiah. The Administration division also supports the UVFD Board and FEC functions.

The Operations division provides emergency response to fires, medical emergencies, traffic collisions, technical rescues, hazardous materials, explosions, floods and earthquakes, as well as non-emergency public service calls, through a consistent state of readiness. Volunteer firefighters participate in training activities and augment career staffing during emergency and non-emergency activities.

The Training and Safety division ensures that all personnel complete annual in-service mandatory and recurrent training, all required medical continuing education and certifications, along with maintaining license and training records, administering skills testing, course development and instruction, maintaining and updating training materials, setting standards, assisting in recruitments and testing, all designed to attain and provide for a high level of proficiency and excellence for career and volunteer staff.

The Fire Prevention division ensures compliance and is responsible for administering the California Fire Code, as amended by the City and District, as it relates to new and existing businesses, schools, multifamily and other permitted occupancies. Further, services are provided for new construction plan reviews and inspections, vegetation management and weed abatement, hazard abatement, along with fire cause and origin investigations, community awareness and safety programs, public education and outreach.

#### 3.6.1.1 UKIAH VALLEY FIRE AUTHORITY

The Ukiah Valley Fire Authority (UVFA) became effective on July 1, 2017, as a result of a Joint Powers Agreement (JPA) between the City of Ukiah and the Ukiah Valley Fire Protection District (UVFD). The Agreement jointly manages, equips, maintains and operates all-risk fire, emergency medical and rescue services to the City and Fire District. UVFA was formed with the desire to maximize the use of existing

resources, create cost containment opportunities, reduce duplication, maintain local control and continue to deliver fire, medical, and other emergency services at a high level of service.

### 3.6.1.2 STAFFING

The Fire Chief of the UVFA reports to the City Manager and provides general administration and oversight of the City and District Fire Operations. A Fire Executive Committee (FEC) consists of two appointees each from the City Council and Fire District Board and provides advisory support to the Fire Chief. The Fire Chief coordinates and cooperates with the City and District regarding performance of services within their respective jurisdiction. The City and District provides direction to the Fire Chief regarding services or any desired special projects to be performed for them. The FEC collaborates regarding directions from their respective agencies, for the purpose of avoiding conflicting guidance or creating conflicts relating to priority of services

The Fire Chief manages and oversees the daily operations of the Fire Authority to ensure that the policies, programs, and priorities of the joint fire service operation between the District and City is implemented effectively and efficiently. The following table provides information regarding the current staff resources dedicated to providing fire protection and emergency medical services to the District and the City under the Fire Authority.

Title	Career	Paid On-Call	Volunteer
Fire Chief	1	0	0
Battalion Chief	2	0	0
Captain	6	0	0
Engineer	8	0	0
Firefighter	4	0	15
Adm. Secretary	1	0	0

Note: There are 9 EMTs and 11 Paramedics that operate at an EMT level.

The District reports that the current paid staffing level is not adequate to deliver services. Based on the International City Managers Association's recommendation of 0.98 firefighters per 1,000 residents, the Fire District should have at least 33 firefighters. The National Fire Protection Association (NFPA) Code and Standard 1720 calls for a minimum of 15 firefighters to respond to a residential structure fire in an urban area (defined as an area with more than 1,000 people per square mile).

### 3.6.1.3 TRAINING

The Fire Authority is an All-Risk combination fire department, consisting of paid career firefighters as well as volunteer firefighters. Volunteer firefighters have been provided with the necessary safety equipment and basic training, including mandatory weekly training. Volunteers are eligible to augment daily staffing levels as well as receive additional training, and they receive a stipend semiannually based upon their attendance at training and their response to emergency incidents.

Volunteer personnel are trained in emergency medical services, fire suppression, technical rescue, hazardous materials release response, the Incident Command System, wildland firefighting, and the operation of fire engines and aerial apparatus. The volunteer workforce creates a source of individuals who can also compete for and obtain permanent full-time career positions.

The maximum number of volunteers that the District can support is 25 regular members. Currently, the District has 15 volunteer firefighters and 0 auxiliary members. The District reports that there are not sufficient volunteers available to supplement paid staff for all shifts throughout the 24/7 operation. The District is always recruiting for new volunteer firefighters because their volunteer force is aging, declining in number, and becoming less available during daytime hours.

#### 3.6.1.4 DISPATCH

In Mendocino County, dispatch for fire protection services and emergency medical services are provided by the CAL FIRE Emergency Communications Command Center (ECC) at the Howard Forest Station near Willits. Mendocino County pays for the countywide dispatch system through a portion of Proposition 172 funds.

Due to the dynamic and unpredictable nature of emergencies, multiple public agencies could be dispatched to a single service call. In responding to medical emergencies, local fire protection and ambulance service providers are often dispatched simultaneously. In many cases, local fire agencies are the first to arrive on scene and provide first aid and basic life support while preparing the patient for transport.

#### 3.6.1.5 MUTUAL AND AUTOMATIC AID AGREEMENTS

The UVFA participates in the following regional and service-specific associations and organizations:

- The Fire Chief is an active member of the Mendocino County Fire Chief's Association, the Mendocino County Association of Fire Districts, the Fire Districts Association of California, and the California Fire Chiefs Association.
- The District is a sponsor of the Mendocino Fire Safe Council.

Below are examples of the UVFA's interagency collaborative arrangements and efforts:

- The District actively participates in Redwood Empire Hazardous Incident Team.
- The District is a County Emergency Medical Services (EMS) System participant.
- The District works with CAL FIRE in implementing vegetation fuel management grants to reduce vegetative fire hazards in and around the District, such as when the District as part of the UVFA cooperated with CAL FIRE on the Western Hills Fuel Break.

Mutual aid refers to reciprocal service and support provided to another agency upon request under a mutual aid agreement between one or more agencies. Automatic aid differs in that no request for aid is necessary for reciprocal service and support between agencies within the automatic aid agreement. These types of pre-arrangements allow for the dispatch and use of additional equipment and personnel that a single jurisdiction cannot provide on its own and also entails a reciprocal return of resources when needed. The District maintains verbal mutual aid agreements with the Redwood Valley-Calpella Fire District, Hopland Fire Protection District, Potter Valley Community Services District and Little Lake Fire Protection District, as well as an automatic aid agreement with CAL FIRE.

The Fire Authority primarily serves residents and property within the District and City jurisdictional boundaries. However, due to the critical need for rapid response in emergency situations, when a call for service is received, the nearest available response unit is dispatched regardless of jurisdictional boundary. Therefore, the Fire Authority response area is larger than the District and the City boundaries based on the Countywide Mutual Aid System. According to the 2015 Mendocino County Community Wildfire

Protection Plan, the Fire Authority is within Mutual Aid/Planning Zone 2, which includes the City of Ukiah, Ukiah Valley Fire District, Potter Valley Community Services District, Redwood Valley-Calpella Fire District, and Hopland Fire Protection District.

The UVFA does not maintain contracts with individual property owners to provide services outside its boundary. The District does not provide any other out-of-agency services, except for mutual aid responses and dispatched service calls as necessary for public health and safety. In addition to the local mutual aid system, the Fire Authority participates in the California Fire Service and Rescue Emergency Mutual Aid System for wildland fire incidents throughout the State. The Fire Authority responds to out-of-County fire incidents upon request and when the remaining equipment and personnel are capable of providing adequate service levels in the District and City boundaries.

### 3.6.2 Facilities and Assets

The UVFD has worked cooperatively with the City of Ukiah to maximize the efficient provision of fire services in Ukiah Valley since 2012. All fleet maintenance for the UVFD and UVFA is completed by trained fleet mechanics at the City of Ukiah Fleet Maintenance facility.

The Fire Authority operates and maintains multiple capital assets including land, buildings, equipment, and infrastructure owned and funded by the District and the City.

#### 3.6.2.1 FACILITIES

The UVFD owns three fire stations and the Fire Authority primarily operates from two of these stations.

- The South Fire Station is located at 1500 South State Street and is the Main Station. The South Station was once a CHP administrative office and was not intended to house staff. The Fire Authority currently houses its administrative staff, including three Division Chiefs, one Fire Chief and one Administrative Secretary, as well as two suppression members at this station. The South Station needs significant remodel to bring it up to modern, livable standards, since it was never intended to be used to house suppression staff.
- The North Fire Station is located at 141 Lovers Lane. The North Station was once a general contractor's business location and residence. The typical on-duty staff of two live in a relatively comfortable doublewide modular home, which adequately houses them, and may be able to accommodate two additional members if the need should arise. The apparatus bay at this location is an uninsulated building housing the duty office, one ladder truck, and one engine. The property is not paved and needs paving around the entire site. The dust generated at this site is problematic for the micro-switches and electronics on the apparatus as well as the storage of safety gear and structural turnout.

The Talmage Volunteer Fire Station is located at 1301 Talmage Road, at the intersection of Talmage Road and Sanford Ranch Road. It has a small office space but no kitchen, living room, or sleeping quarters.

#### 3.6.2.2 EQUIPMENT

The UVFD owns, operates, and maintains multiple fire engines, emergency response vehicles, and other capital assets. The following table shows the current schedule of vehicles for the Fire Authority.

Reserve and volunteer assigned apparatus includes a Type I Ladder Truck (Quint), Type I (Structural) Engine, Type V (Wildland) Engine, Type I Water Tender, Breathing Air Support Unit, Breathing Air and Light

Trailer, USAR Trailer and Rescue Boat. The Fire Authority is also the host agency for the Redwood Empire Hazardous Incident Team Hazmat Unit and the Mendocino County Fire Chiefs Association’s Fire Safety Trailer.

Identifier	Manufacture Year	Equipment Description
6881	2018	Type I Engine
6882	2007	Type I Engine
6883	2018	Type I Engine
6861	2014	Type II Engine
6862	2019	Type IV Engine
6863	2015	Type II Engine
6872	1980	Type III Engine
6852	2009	75 ft. Aerial/Quint
6892	2005	2000 gal. Water Tender
6856	2002	Support Unit
6821	2014	Type 3 Ambulance
6823	2000	Type 3 Ambulance
6800	2019	Utility Pickup
6802	2007	Utility Pickup
6804	2008	Utility Pickup
6806	2019	Utility Pickup
6807	2006	Utility Pickup
6841	1999	Utility

Source: Ukiah, 2022.

The District reports that the current fire protection fleet is adequate to deliver services, provided that the Fire Authority Fleet Replacement Plan continues to be implemented and updated regularly to reflect the actual condition of vehicles and to address unanticipated needs.

Routine maintenance of equipment and facilities is generally performed based upon the manufacturer’s recommended schedule, industry best practices, and actual need, and is funded through the annual budget development process.

### 3.6.2.3 FIRE FLOW AND WATER SUPPLY

Available water supply for fire suppression varies based on location in the UVFD and includes such resources as hydrants from small water districts, on-site residential water storage tanks, various water tenders, on-board tanks on fire engines, and other water supplies available for drafting such as ponds, rivers, and streams. In some cases, property located within the UVFD near the City limits may have use of City fire hydrants in an emergency.

In the City of Ukiah, water for fire suppression is available from the City’s public water system via fire hydrants located throughout the City limits. The City’s water distribution system provides adequate water pressure for fire flow and is not subject to unreliability issues from different pressure zones.

### 3.6.3 Service Adequacy

#### 3.6.3.1 SERVICE CALLS

The following table provides a summary of the total number and types of service calls by location the Fire Authority responded to over the last two years. Of note, in 2021 the Ukiah Valley Fire District annexed the entire City of Ukiah jurisdiction (LAFCo Resolution No. 21-22-03).

Service Call Type	2020		2021		2022 - YTD	
	District	City	District	City	District	City
Fires	92	129	98	114	22	33
Overpressure rupture, explosion, overheat (No fire)	3	1	2	1	1	1
Rescue & Emergency Medical Service	666	1287	742	1429	257	524
Hazardous Condition (No fire)	27	55	40	49	16	29
Service Call	123	299	161	288	52	102
Good Intent Call	305	631	289	677	100	228
False Alarm & False Call	34	103	70	132	25	60
Severe Weather & Natural Disaster	2	1	2	8	1	
Special Incident Type	2	1	0	1		1
Subtotal	1254	2507	1404	2699	474	978
<b>Grand Total</b>	<b>3761</b>		<b>4103</b>		<b>1452</b>	

Source: Ukiah, 2022.

The Fire Authority responds to over 4,000 calls per year, varying from structure fires to public assistance. The majority of service calls are related to emergency medical responses, at approximately 70%. The Fire Authority can struggle at times to successfully manage multiple service calls simultaneously and for all shifts throughout the 24/7 operation. In 2020, the Fire Authority had an overall overlapping call rate of 35.5%, which rose to 38.2% in 2021. These overlaps can last seconds to hours depending on the type of incident(s) occurring. With only two-staffed units, anything more than two simultaneous incidents, or a single multi-unit response, effectively limits any further response from the Fire Authority until volunteers arrive, unless volunteers are already included in the multi-unit response, or until adjacent service providers are dispatched for additional service calls.

#### 3.6.3.2 RESPONSE TIMES

Response time relates to the time elapsed between the dispatch of personnel and the arrival of the first responder on the scene of an incident. There are different response time expectations and first responder capabilities in serving urban, suburban, and rural areas. In general, the faster the response time the higher the likelihood of a positive outcome related to managing and addressing the incident. A fast response time for medical care is especially important for incidents involving patients who are suffering from a life-threatening condition. Further, a fast response time for fire suppression is important to prevent a structure fire from rapidly spreading to other structures and/or wildland interface areas.

#### 3.6.3.3 ISO RATING

Fire services in communities are classified by the Insurance Service Office (ISO), which is an advisory organization depended on by insurance companies for establishing the availability and costs for fire insurance. The ISO rating classifies fire service in communities with a ranking from 1 to 10, indicating the



general adequacy of coverage. Communities with the best fire protection facilities, systems for water distribution, fire alarms, communications, equipment, and personnel receive a rating of 1. Primary factors assessed in establishing ISO ratings are maintaining more than one fire station within a district boundary to meet the 5-mile radius requirements, ensuring appropriate facility maintenance and upgrades are made, and sufficient personnel and volunteers exist to respond to each station.

The UVFD has an ISO rating of 4/4X on a scale of 1 to 10, with 1 being the highest. The City of Ukiah has an ISO rating of 3. While wildfires are a natural occurrence in California, the effects of prolonged drought, high tree mortality rates from bark beetles and other infestations, high fuel loads and ladder fuels in wildland areas, record high temperatures, and longer fire seasons are resulting in increasingly extreme and destructive wildfires both in the wildland areas as well as the wildland urban interface (WUI) and even urban areas. There is a growing trend of insurance companies issuing non-renewal notices for existing homeowner's insurance policies due to high wildfire risk.

The insurability of property has historically been closely tied to the ISO rating classification system. With the changing landscape of wildfires in California, some insurance companies are moving away from ISO rating altogether and some are also relying on information regarding the level of fire severity established by CAL FIRE. With more sophisticated fire behavior modeling available, CAL FIRE is anticipated to update the 2007 Fire Hazard Severity Zones mapping, which could potentially result in property being re-classified into a higher fire severity zone and becoming less insurable.

As a last resort, the California Fair Access to Insurance Requirements (FAIR) Plan is a fire insurance pool comprised of all California licensed insurers to provide insurance for property owners that are not able to obtain basic coverage in the voluntary insurance market. There may be properties within the UVFD boundary that have received notice of non-renewal, but the UVFD has not received reports of property owners unable to find coverage from other insurance providers.

#### 3.6.3.4 CHALLENGES

As it relates to fire protection services, adequate water supply, pressure and hydrants play a critical role in fire suppression activities. Water availability has long been an issue in the Ukiah Valley and is a likely constraint to future development in the Valley, complicated by legal, environmental, political and socioeconomic issues. Challenges include decreased water diversion, as well as difficulties and lengthy time inherent in developing new supplies in the face of increasing demand. Various "unknowns" related to water supply make planning for future growth and development a difficult task. There are areas within the UVAP planning area that are served by public water providers which are under a moratorium. Non-environmental constraints to development include a limited amount of developable land and regulatory requirements mandated by state government. While neither factor prevents development, it does increase time and cost of land use projects.

The UVFD and the City work together to plan and fund capital improvements through a 5-Year Capital Improvement Plan (CIP). Through the Fire Authority, the District and City prepare a Fleet Replacement Plan to address equipment needs. The Fire Authority does not currently have a Facilities Replacement Plan, which would require studies to determine the best locations based on various factors, such as, current and projected population growth, call volumes, response times.

While funding capital needs and maintenance costs are generally addressed at the individual agency level, conducting joint comprehensive planning activities for capital needs and priorities is important since



deficiencies in facilities, equipment, and infrastructure can translate to a diminished level of the shared delivery of services.

It is recommended that the Fire Authority develop a long-range comprehensive Service Enhancement Plan that prioritizes fire and emergency response service enhancement projects related to such goals as increasing staffing levels, equipment replacement and major maintenance, facility upgrades and improvement needs including water storage, tactical and specialized training, expanded fire prevention programs, and technological advancements (drones, in-helmet thermal imaging cameras, etc.) and identifies options for generating additional revenue and an anticipated implementation schedule for priority projects.

Below are needs and deficiencies identified by the UVFD to date:

- UVFD fire station deficiencies include providing adequate sleeping quarters for personnel, ADA compliance, seismic retrofits, and emergency generators for power during outages.
- The UVFD has indicated that their staffing was currently impacted by the freezing of an open Firefighter position, which has caused one shift to always run at minimum staffing levels.

The UVFD is also impacted by a major reduction in Learning and Development funding due to significant staff turnover and the high cost of external training sources. The UVFD intends to enroll some of their own staff members in the instructor cadre to classes and conferences so that they can in turn provide in-house training.

### 3.7 Law Enforcement

The Ukiah Police Department (UPD) is a professional organization comprised of dedicated, well-trained officers and staff who are committed to work in partnership with the community to provide public safety to the residents and visitors of Ukiah. Officers serve by patrolling the City and by responding to calls for police service, performing crime prevention activities, conducting investigations, promoting traffic safety, and apprehending offenders. Officers are also responsible for providing general public safety and public order and strive to make a positive difference in the community's quality of life.

The department is organized into three divisions which are overseen by the Police Captain who is second-in command. The Operations and Administrative Divisions are commanded by lieutenants, and the Communications and Records Division is supervised by a civilian manager.

The UPD Communications Center handles all 911 and non-emergency calls for the City of Ukiah and City of Fort Bragg Police Departments, provides after-hours dispatching services for Electric, Water, Wastewater and other City of Ukiah services, and makes emergency notifications to the community.

The Police Department has continued to maintain and build its relationships with community and county agencies along with various supportive service providers. To facilitate reducing neighborhood crime and addressing community concerns, the City maintains memberships on RCS Homeless Services Community Center, Ford Street Project, Mendocino County Youth Project, and the Boys and Girls Club. Additionally, the City has entered into partnership with Mendocino County's Whole Person Care program to establish a pilot Homeless Outreach Team and develop this program.

### 3.7.1 Service Overview

#### 3.7.1.1 STAFFING

Ukiah Police Department Staffing is made up of many divisions (described below), but overall the total number of full-time equivalent staff is as follows:

- Professional 36
- Management 10
- Administrative 2.76
- Executive 1

The Operations Division is the most visible division within the Ukiah Police Department, with Patrol typically being the first point of contact between law enforcement and the community. The Patrol Division is divided into shifts that provide coverage to the entire City of Ukiah 24 hours per day, 365 days per year. The Patrol Division works 12-hour shifts and is the backbone of the Ukiah Police Department. A typical shift will comprise of a patrol Sergeant and include two to three officers.

The Patrol Division is responsible for providing law enforcement and crime prevention services to Ukiah's residents and visitors, which is accomplished by providing uniformed police response to emergency and non-emergency calls for service. These law enforcement services include but are not limited to serving criminal warrants, making arrests, issuing citations, taking reports, conducting criminal investigations, providing extra security and traffic control patrol for special events, vacation home checks, extra patrol requests, traffic enforcement and collision reports, and assisting other law enforcement agencies when needed.

The Patrol Division's Community Service Officers (CSOs) handle numerous calls for service each day, which diverts workload from patrol officers by increasing their availability for priority calls for service. CSOs are typically responsible for handling non-hazardous situations such as traffic collisions, lost and found property, abandoned vehicle complaints, animal control enforcement, theft-related calls when a suspect is unknown, and a variety of other service requests.

The Department's CSOs also assists the Detective Bureau by facilitating mandated registration of individuals convicted of sex and arson crimes.

##### 3.7.1.1.1 Administrative Division Arrests

The Detective Bureau prepares and submits cases to be reviewed and prosecuted by the District Attorney's Office, works closely with neighboring law enforcement and social service agencies, provides testimony and presents evidence in court, and assists the DA's office in prosecuting those that victimize our community.

The Detective Bureau is responsible for conducting initial and follow up investigations on complex crimes that fall outside the scope of normal patrol duties. Those crimes include:

- Arson, Assault with a Deadly Weapon, Burglary, Homicide, Child Abuse, Elder Abuse, Embezzlement, Robbery, Missing Persons, Sex Crimes, and Sex Offender Registration Monitoring.

##### 3.7.1.1.2 Parking Enforcement

The Community Services Officer assigned to Parking Enforcement unit is responsible for ensuring drivers comply with local parking regulations and ordinances, especially in the downtown Ukiah area. In 2021,

the Parking Enforcement vehicle was equipped with a pair of License Plate Reader (LPR) mounts that use satellite technology to aid in identifying parking violations as opposed to chalking tires.

#### 3.7.1.1.3 School Resource Officer

In partnership with the Ukiah Unified School District (UUSD), the UPD assigns one School Resource Officer (SRO) to oversee attendance for six elementary schools, two middle schools, and two high schools within the district. The SRO maintains a close partnership with school administrators in order to provide for a safe school environment. The SRO is visible within the school community, often attends and participates in school functions, as well as providing safety by being present during school searches, which may involve weapons or controlled dangerous substances.

In addition to day-to-day duties, our SRO provides Gang Resistance Education and Training (GREAT). This violence prevention program is designed to be taught by trained law enforcement officers. In this program, children learn important skills to help them avoid participating in bullying, violence, and gangs.

#### 3.7.1.1.4 Property And Evidence

Thousands of pieces of property pass through the UPD each year. The CSO assigned to the Property and Evidence unit ensures these items are properly catalogued and maintained as either evidence, safekeeping, or found property. Evidence is held until needed for court. Illegal property, such as narcotics, paraphernalia and weapons, are destroyed.

#### 3.7.1.1.5 Communications & Records

The Communications Center is the initial contact point for public safety services for the City of Ukiah and the City of Fort Bragg.

The center consists of a team of eight fulltime Dispatchers and one Dispatch Supervisor, with two dispatchers assigned to a 12-hour shift seven days a week. Dispatchers quickly assess incoming calls and dispatch the appropriate units through the police radios. The dispatchers type the caller's information into the Computer Aided Dispatch System and use several different computer software applications simultaneously.

#### 3.7.1.1.6 Records

The Records Division processes and files all the paperwork necessary for the courts, district attorney's office, and in-house detectives. Clerical staff also answer calls from the public on business lines and assist walk-in citizens during business hours. Additionally, they handle a variety of tasks ranging from receiving subpoenas, sending monthly statistical crime reports to the State of California, processing taxi permits, conducting Livescan fingerprinting services, processing Public Records Acts requests, among several other administrative functions.

### 3.7.2 Facilities and Capacity

The Police Department is headquartered at the Ukiah Civic Center at 300 Seminary Avenue. The department has been housed at its current location for more than 30 years. During this time, the policing needs of the community have increased and the department has grown both in its patrol and dispatch operations. The department facility is currently at capacity for what the Police Facility can accommodate. A few examples are the limited space in report writing, training, evidence storage, locker rooms, parking and dispatch facilities. The facility also lacks modern security features such as secured parking and electric

gates. The department also currently relies on the use of external ranges for firearms training which is perishable skill and would benefit from the operation of its own facility.

#### 3.7.2.1 INFRASTRUCTURE NEEDS

The UPD has several current needs which include secured parking/ access for staff and patrol vehicles. The department will need to replace outdated radio equipment at our repeater site and comply with future requirements for radio encryption.

The department has been using the same Computer Aided Dispatch (CAD) System since 1998. The provider of this CAD system has changed ownership multiple times since the initial purchase. Currently there are only 6 Agencies in the state using this system and it does not have standard functionality such as mapping, found in more modern systems. It is likely that this system will be discontinued in the future. The department is options and funding sources for replacement of our CAD system. The expected cost of a new system is in the area of \$500,000.

#### 3.7.3 Service Adequacy

Overall, in 2021 the Emergency Communication Center received 78,534 calls: 16,188 emergency 911 calls and 62,346 non-emergency calls.

In 2021, CSOs handled 2,498 calls for service and wrote 442 reports.

Response times:

- Priority 1 - 3:10
- Priority 2 - 8:06
- Priority 3 - 13:27

(Ukiah, 2022)

#### 3.7.3.1 CHALLENGES

For several years, police departments across the nation have struggled to recruit, hire and retain officers to meet staffing levels. To address these challenges, the Ukiah Police Department has increased incentives for new hires such as:

- \$20,000 bonus for lateral police officers
- \$10,000 bonus for Academy graduate recruits
- \$8,000 relocation benefit for out of the area applicants
- Vacation & sick bank hours for lateral applicants.

In 2021, the UPD was able to hire five Police Officers, one Dispatcher, and one Records Clerk. Recruiting continues to be a top priority for the UPD. The Department is still actively recruiting for diverse and community-oriented candidates to serve the City in a professional manner.

### 3.8 [Community Services \(Park and Recreation\)](#)

#### 3.8.1 Service Overview

Community Services is a department consisting of ten divisions, including the Alex Rorabaugh Recreation Center, Parks, Park Development, Aquatics, Golf, Building Maintenance, Conference Center, Museum, Recreation, and Special Services. While operated by the City of Ukiah, the Community Services Department plays a significant and broader population.

### 3.8.1.1 STAFFING

Per the 2021-2022 City of Ukiah Budget, Community Services was allocated the following positions and employed approximately thirty-three (33) individuals across the following Personnel Division:

- Executive – 1
- Management – 4
- Administrative and Technical – 28
- Seasonal - Varies

The maintenance practices and procedures within the Parks Division place a high priority on safety in parks. Therefore, Parks Division staff members must maintain current certifications and licensing for Playground Safety Inspections, Certified Pool Operator, Tree Care, and the ability to safely operate maintenance equipment.

## 3.8.2 Facilities and Capacity

### 3.8.2.1 EXISTING PARK AND RECREATIONAL FACILITIES

#### 3.8.2.1.1 Recreation Facilities

The Community Services Department is responsible for maintenance and operations of multiple facilities. Major facilities are described below.

#### **Grace Hudson Museum**

The Grace Hudson Museum is an art, history, and anthropology museum focusing on the life's work of Grace Carpenter Hudson (1865-1937) and her ethnologist husband, Dr. John W. Hudson (1857- 1936). Permanent and changing exhibits feature Western American art, California Indian cultures, histories of California's diverse North Coast region, and the work of contemporary regional artists. Grace and John Hudson built their Craftsman bungalow home, The Sun House, on a large lot in central Ukiah in 1911. Most of that property is preserved today by the City of Ukiah. The Norma & Evert Person Gallery features articles, textiles, photographs, and manuscripts highlighting the history and celebrating the legacy of the Carpenter-Hudson family. The six-room Sun House is furnished with items from the museum collection to retain the flavor of the Hudson's lifestyle. The Sun House is California Historical Landmark No. 926, and is listed in the National Register of Historic Places.

#### **Ukiah Valley Conference Center**

The department also manages the Ukiah Valley Conference Center. The Ukiah Valley Conference Center is a 26,000-square-foot facility located in Ukiah's historic downtown district alongside shopping and dining services. The Center has popular street front retail space, a number of office tenants as well as meeting room facilities for small groups and large groups. The facility includes eight meeting rooms named for red and white grape varieties. The white rooms (Chardonnay, Riesling, Chenin, and Blanc) are small and medium-size conference rooms designed for board meetings, seminars, small receptions, and banquets. The red rooms (Cabernet I, Cabernet II, Merlot, and Zinfandel) can be divided into two rooms or combined to form a large room for wedding receptions, banquets, trade shows, and large seminars.

#### **Alex Rorabaugh Center**

The Community Services Department operates the 21,000-square-foot Alex Rorabaugh Center. The indoor meeting rooms and active community spaces provide an important venue for recreation programs, as well as community activities and events. The facility is co-managed with the UUSD, as well as a local non-profit.

**Ukiah Municipal Pool**

The Ukiah Municipal Pool offers the only Red Cross-certified learn-to-swim program in the Ukiah Valley. The 65,000 square foot pool facility is located at Todd Grove Park. In addition, the pool offers public swim, lap swim, private party rentals, and aquatic sports.

**Civic Center & 501 South State Street**

In 2020, the City purchased the former Bank of America building located at 501 South State Street. Presently, a comprehensive plan for space allocation/usage and facility renovations is under development for both the Civic Center and 501 South State Street. The City has successfully bonded for facility improvements. A Community Development Block Grant (CDBG) planning grant was awarded for ADA planning at 501 South State and additional funding for ADA improvements will be sought.

3.8.2.1.2 Parks and Recreation

Figure 3-2 shows the park and trail facilities across the City. The skate park is one of the newest facilities, having opened in early 2011, and is regularly utilized in conjunction with Low Gap Regional Park.

**Figure 3-2 City of Ukiah Park and Trail Facilities**

Park Facilities	Address	Acreage	Open Grass Area	Playground Equipment	Picnic Tables and Benches	Barbecues	Reservable Group Picnic Area	Restrooms or Port-o-lets	Horseshoe Pits	Tennis Courts	Basketball Courts	Adjacent to School Facilities	Swimming Pool	Amphitheater	Covered Gazebo/Pavilion	Softball/Baseball Diamonds	Multi-Purpose/Meeting Rooms
Alex R. Thomas Plaza	310 S. State St.	0.8		✓			✓	✓						✓	✓		
Gardner Park	248 Oak St.	0.2		✓													
Giorno Park/Anton Stadium	506 Park Blvd.	12.0	✓													✓	
Grace Hudson Museum	431 S. Main St.	0.8		✓				✓									✓
McGarvey Park	310 Dora St.	1.0		✓													
Oak Manor Park	500 Oak Manor Dr.	4.0	✓	✓	✓	✓	✓	✓		✓		✓				✓	
Observatory Park	407 Luce St.	2.5	✓														
Orchard Park	855 Orchard Ave.	0.25	✓	✓	✓												
Riverside Park	1281 E. Gobbi St.	38.0	✓	✓													
Todd Grove Park	600 Live Oak	16.2	✓	✓	✓	✓	✓	✓	✓				✓	✓	✓		✓
Ukiah Civic Center	300 Seminary Ave.	2.5	✓														✓
Ukiah Skate Park	1043 Low Gap Rd.	n/a	✓	✓				✓				✓					
Ukiah Sports Complex	905 City Well Rd.	10.3	✓	✓	✓			✓								✓	
Vinewood Park	1260 Elm St.	4.7	✓	✓	✓	✓	✓	✓			✓						
City Rail Trail	Along side the railroad track from Gobbi Street to Clara Avenue																

Source: Ukiah, 2022.

Parks and recreation services are provided through the City’s Community Services Department. The park system includes 53 acres of neighborhood and community parks. In addition, the 80-acre Low Gap

Regional Park, in the County system, is located partially within the City limits, offering additional recreation opportunities.

Observatory Park is the home of the Ukiah Latitude Observatory, one of five international latitude observatories around the world operated from 1899 to 1982. The City of Ukiah offers several events associated with this unique park. In 2014, Observatory Park was dedicated to the people of Ukiah. From that day forward a commitment was made to preserve the Ukiah Latitude Observatory and for the park to become part of Ukiah's living heritage.

#### 3.8.2.2 INFRASTRUCTURE NEEDS

The City's Softball complex is currently only accessible via Highway 101 and is therefore inaccessible to pedestrians or bicyclists. Access could be provided with an over or underpass or via a bike path along Highway 101 or via an easement across private property. Many of the City's parks have aging irrigation systems that will require replacement. Access to the Russian River is limited and there are no developed entrances or exits for kayaking or floating the river. The City has a shortage of quality soccer fields. (Personal Communication: Neil Davis)

#### 3.8.2.3 FUTURE IMPROVEMENTS AND EXPANSION

The City of Ukiah has recently acquired 700 acres of open space on the south western hills of Ukiah. The City is working on a conservation and recreation plan with hopes to open the area for recreational use in the future. The City is also exploring the possibility of establishing a new park with Russian River access on City property at the end of Norgard Lane and is looking for property on which to establish a park for the Wagenseller neighborhood. Additionally, the City is exploring the idea of building a new trail park at the old landfill site. (Personal Communication: Neil Davis)

A conceptual plan to establish an Orr Creek Greenway with a goal to provide creek restoration and a bike and pedestrian walkway from Low Gap Park to the Russian River.

### 3.8.3 Service Adequacy

The Community Services Department strives to fill gaps of recreational and quality of life opportunities that are unmet by commercial providers. The City undertakes periodic surveys and assessments to determine unmet community needs. Where possible, fee for service charges are collected to expand services. Otherwise the City attempts to cover unmet needs as well as possible within budgetary constraints. (Personal Communication: Neil Davis)

#### 3.8.3.1 CHALLENGES

The City's 87-acre Ukiah Municipal Golf Course is a challenging asset and is maintained as an enterprise funded service. The City of Ukiah contracts with Tayman Park Golf Group, Inc. (TPGG), a private contractor specializing in golf course management, to manage the operations, maintenance, and improvements at the Ukiah Valley Golf Course. Revenue at the golf course was severely impacted by pandemic, and future operations are likely to be constrained by ongoing drought, as well as demographic changes in course users. (Ukiah, 2022)

## 3.9 Public Works

The Public Works Department develops, operates, and maintains the public infrastructure of Ukiah, excepting electrical utility services and water and wastewater services. This includes maintaining streets,



storm drains, the Landfill, and the City's plant and fleet. The Department is divided into five different divisions providing public infrastructure-related services.

### 3.9.1 Service Overview

The engineering services division performs a variety of professional engineering and project management services. This includes, but is not limited to, review and inspection of development projects, floodplain management, project design and inspection, contract and construction administration, encroachment and transportation permits, technical assistance to the Traffic Engineering Committee, and related engineering and administration services. The engineering division also manages the City's stormwater program.

The street maintenance division maintains over 53 centerline miles of two-way streets within the City of Ukiah. The division maintains street lights, signs, and markings, repairs potholes, removes graffiti and cleans up debris from traffic collisions, maintains stormwater drains and creeks, sweeps the streets, and maintains other City-owned rights-of-way including weed abatement. The landfill property is also maintained on a regular basis by the street maintenance division, and the engineering division is currently working with other agencies on the final closure of the 283-acre property.

The City fleet and plant maintenance division provides maintenance to over 400 vehicles and equipment. Vehicles are serviced at regular intervals, depending on use. The division also performs maintenance and repair for machine equipment at the Water Treatment Plant and Wastewater Treatment Plant. The City mechanics ensure compliance with requirements of the California Highway Patrol, Bi-annual Terminal inspections, Occupational Safety and Health Administration Aerial Inspections, California Air Resources Board, Mendocino County Air Quality Management District, and Mendocino County Division of Environmental Health.

The Corporation Yard, located at 1320 Airport Road, is the base of operations for Public Works field crews and Electric Utility Department crews, and serves as the City Fleet and Maintenance Facility. The Street Maintenance Crew, the Water and Sewer Maintenance Crew, and the Electric Utility Maintenance Crew stage their equipment and maintenance supplies at the Corporation Yard.

(Ukiah, 2022a)(LAFCo, 2012)

#### 3.9.1.1 STAFFING

According to the 2021-2022 City of Ukiah Budget, the Public Works Department was allocated the following positions:

##### *Engineering Services Division*

- One (1) Public Works Director/City Engineer
- One (1) Senior Civil Engineer
- One (1) Associate Engineer
- One (1) Management Analyst II
- One (1) Engineering Technician I

##### *Street Maintenance Division*

- One (1) Street Sweeper Operator
- Four (4) Public Works Maintenance I
- One (1) Public Works Maintenance II

*Fleet and Plant Division*

- One (1) Fleet Maintenance Supervisor
- One (1) Lead Equipment Mechanic
- Two (2) Equipment Mechanics
- One (1) Equipment Mechanic Apprentice

*Landfill Division*

- No allocated personnel.

*Corporation Yard Division*

- No allocated personnel.

**3.9.2 Facilities and Capacity****Corporation Yard**

As referenced in previous sections, the base of operations for public works field crews is the Corporation Yard, located at 1320 Airport Road. The Street Maintenance Crew, the Water and Sewer Maintenance Crew, and the Electric Utility Maintenance Crew stage their equipment and maintenance supplies at the Corporation Yard. Given the age and existing condition of this facility, planned within the 2022-2023 CIP schedule is for the design of plans and specifications for the future renovation of this facility.

**Ukiah Landfill Closure Project**

The proposed landfill closure project is located at 3100 Vichy Springs Road and is owned and was operated by the City of Ukiah. The landfill operated from 1955 to September 2001. Closure of the Ukiah Landfill will be performed in accordance with applicable regulatory standards.

**3.9.2.1 INFRASTRUCTURE NEEDS**

Annually, the Public Works Department makes updates to the CIP schedule with review and approval by the City Council. Recent and future Capital Improvement Projects include:

**Downtown Ukiah Streetscape Project – Completed in 2021**

In late 2021, the Public Works Department, in partnership with the Electric Utility Department, Water Resources, and City Manager's Office, completed the Ukiah Downtown Streetscape Project. The project provided streetscape improvements in downtown Ukiah on State Street, Perkins Street, and Standley Street, including sidewalk widening, curb ramps and bulb outs, street lights, street furniture and tree planting. The project also included a road diet between Henry Street and Mill Street that transformed the existing four-lane cross section into a three-lane cross section with one travel lane in each direction and a two-way left-turn lane in the center with on-street parking maintained. In addition to the road diet, signal modifications were made at each of the three signalized intersections (Standley Street, Perkins Street, and Mill Street) to provide vehicle detection, improve coordination and re-orient the signal equipment to support the road diet alignment. This work also included a pavement overlay, striping, and pavement markings.

**Corporation Yard Renovation Project (Pending)**

This project is for the complete renovation of the existing Corporation Yard. The project will include demolition of all accessory buildings and construction of new structures and facilities, depending on results of a needs assessment. Planned for 2022-23 is development of plans and specifications.

**Landfill Closure (Pending)**

Specific details of landfill closure will require additional City Council review, input, and approval. Construction activity for closure of the landfill will commence once these details are approved.

**Streets and Rights-of-Way Projects (Pending)**

Several street improvement projects are planned, including:

- Dora Street Utility Improvement Project
- East Clay Street Improvement Project
- Street Striping
- Slurry Seal Project
- Main Street Reconstruction Project
- Clara Avenue Reconstruction Project
- Leslie Street Rehabilitation Project
- Perkins Street Storm Drain and Widening Project

Planned rights-of-way projects include:

- Completion of a planning study for the Orr Street Bridge and Transportation Corridor, which will eventually lead to transportation improvements for the corridor
- Gobbi/Main Streets Traffic Signal

**3.9.3 Service Adequacy**

**Street Maintenance – Prioritizing Repairs**

The Public Works department uses a strategized approach to improve and maintain over 53 centerline miles within the City of Ukiah. City staff use a Pavement Management System (computer program) that evaluates the health of local streets and identifies the right treatment for the street: reconstruction, overlay, or slurry seal. Based upon the amount of Measure Y and gas tax funds available, the weather, and the timing of other related projects in the area, the street rehabilitation project is then submitted to City Council for review and approval. Measure Y funds are not used for electric, water, or sewer utilities, or for other City projects; those projects are either funded through their associated departments or through grants.

The majority of the street network comprises residential/local streets. In order to determine maintenance needs, the City rates each of its roadways in terms of a pavement condition index (PCI). The PCI ranges from 0 to 100. A newly constructed road would have a PCI of 100, while a failed road would have a PCI of 25 or less. The average weighted PCI for the City’s network in 2021 was 53. Table 3.6 describes the pavement rating scale, while Table 3.7 shows the percentage of the City’s roadways in each category for 2021.

PCI Range	Condition	Description
70 – 100	Good to Excellent	No or little distress, with the exception of utility patches in good condition or minor to moderate hairline cracks. Typically, lightly weathered. No treatments assigned if PCI > 90.

50 – 69	At Risk	Light to moderate weathering, light load-related base failure, moderate linear cracking.
25 – 49	Poor	Moderate to severe weathering, light to moderate levels of base failure, moderate to heavy linear cracking.
0 – 25	Failed	Extensive weathering, moderate to heavy base failure, failed patches, extensive network of moderate to heavy linear cracking.
<i>Source: Department of Public Works, 2022.</i>		

Functional Class	2022 Average PCI
Arterial	50
Collector	50
Residential/Local	56
<i>Source: Department of Public Works, 2022.</i>	

### 3.9.3.1 CHALLENGES

In recent years, cities have been challenged to maintain streets due to insufficient funding. Ukiah’s street maintenance is currently funded through General funds, Measure Y funds, and grant-funding when available. Starting in 2004, State and Federal monies that formerly went to local jurisdictions for street repairs were either diverted or reduced. For example, local agencies had relied upon State Transportation Improvement Program (STIP) funding to improve local streets. Now, these funds are reserved for roads that are connected to State Highway facilities. As a result, by 2016, 67% of Ukiah’s streets were in poor or “failed” condition.

In 2016, City of Ukiah voters passed Measure Y as a way to provide additional annual funding for street maintenance. Measure Y is a 0.5% transaction and use tax. According to the 2021-2022 City of Ukiah budget, Measure Y was projected to generate \$3,822,144 for street maintenance projects.

## 3.10 Solid Waste

Through an agreement with the City of Ukiah, overseen by the Public Works Department, solid waste removal is provided by Ukiah Waste Solutions (UWS), which pays the City a franchise fee (refuse disposal fee) to provide services. As shown in the FY 2021-22 budget, the City anticipates receiving \$415,000 in refuse disposal fees or 1.3 percent of general fund revenues. The City charges fees to cover the cost of solid waste removal provided by UWS. Fees are based on the Consumer Price Index (CPI), Fuel Index, and other pass-through costs. (Ukiah, 2022a)

### 3.10.1 Service Overview

Through an agreement with the City of Ukiah, overseen by the Public Works Department, solid waste removal is provided by Ukiah Waste Solutions (UWS), which pays the City a franchise fee (refuse disposal fee) to provide services. As shown in the FY 2021-22 budget, the City anticipates receiving \$415,000 in refuse disposal fees or 1.3 percent of general fund revenues. The City charges fees to cover the cost of solid waste removal provided by UWS. Fees are based on the Consumer Price Index (CPI), Fuel Index, and other pass-through costs. (Ukiah, 2022a)

### 3.10.1.1 STAFFING

According to the FY 2021-2022 City of Ukiah budget, there were no City staff assigned or allocated for the provision of solid waste collection. UWS provides all solid waste collection services for the City of Ukiah.

## 3.10.2 Facilities and Capacity

### 3.10.2.1 SOLID WASTE

Solid waste collected by UWS is transported to the Ukiah Transfer Station and Recycling Center. This facility, located at 3151 Taylor Drive, operates as a location for the collection of municipal solid waste (garbage) as well as a number of household and commercial materials that are recycled. When loads of mixed waste are received by the facility, they are sorted to the maximum extent feasible to extract recyclables and increase diversion from landfilling. Non-recyclable materials are then transported to Eastlake Landfill located in Lake County.

(Ukiah, 2022a) (LAFCo, 2012)

### 3.10.2.2 HOUSEHOLD HAZARDOUS WASTE

Hazardous and electronic waste (e-waste) is prohibited from being landfilled and must be handled separately from trash and recyclables. This includes all paints, thinners, pesticides, motor oil, fluorescent tubes, and electronics such as televisions, monitors, and VCRs.

Certain hazardous waste and e-waste are accepted in designated areas of the Transfer station at no charge. Other hazardous waste and e-waste are accepted through the Mendocino Solid Waste Management Authority (MendoRecycle) at 3200 Taylor Drive, Ukiah.

### 3.10.2.3 INFRASTRUCTURE NEEDS

Information pending.

## 3.10.3 Service Adequacy

Information pending.

### 3.10.3.1 CHALLENGES

Information pending.

## 3.11 Stormwater

The City maintains a system of surface and underground drainage facilities, and has developed a Stormwater Management Plan (SWMP) to reduce the discharge of pollutants from urban runoff into creeks and the Russian River. The storm drainage system is maintained by the Public Works Department, and residents are charged fees that support these activities. The City maintains a system of surface and underground drainage facilities as well as three named main creeks within the City of Ukiah: Orrs Creek, Gibson Creek, and Doolin Creek. There is also an “unnamed” creek (Mendocino Creek) that flows through the City of Ukiah and joins Doolin Creek. These creeks ultimately discharge into the Russian River outside of the city limits, in the unincorporated area of Mendocino County. (LAFCo, 2012)

### 3.11.1 Service Overview

In 2006, the City adopted a Stormwater Management Plan. The purpose of the Plan is to implement and enforce a series of management practices designed to reduce the discharge of pollutants from urban runoff or municipal separate storm sewer systems to the “maximum extent practicable,” to protect water

quality, and to satisfy the applicable water quality requirements of the Clean Water Act. The plan groups BMPs under six “minimum control measures,” as follows:

- 1) Education and outreach,
- 2) Public involvement and participation,
- 3) Illicit discharge detection and elimination
- 4) Construction site stormwater runoff control,
- 5) Post-Construction stormwater management, and
- 6) Pollution prevention and good housekeeping for municipal operations.

In 2014, the City adopted the Low Impact Development (LID) Manual that is utilized by Santa Rosa and Sonoma County. The Manual provides the technical design guidelines for development projects in the implementation of permanent water quality features. (Ukiah, 2022a)(LAFCo, 2012)

#### 3.11.1.1 STAFFING

Managing the City’s stormwater collection system is the responsibilities of field crews within the Public Works Department. The Streets Division is responsible for the maintenance of City streets, creeks, storm drains, and overall maintenance of the City-owned rights-of-way. The Streets Division is a General Fund operation. It consists of five full-time permanent employees, one street sweeper and one seasonal position.

#### 3.11.2 Facilities and Capacity

The City maintains a system of surface and underground drainage facilities that drain into Orrs Creek, Gibson Creek, and Doolin Creek, and eventually to the Russian River. The capacity of the stormwater drainage system is unknown. Much of the City’s stormwater is conveyed by surface flow along the curb and gutter. There are intermittent storm drains throughout the City; however, there is no central trunk line for all of the storm drains to collect and convey stormwater to the Russian River. (LAFCo, 2012)

If recycled water needs increase in the future, the City can expand its recycling capacity and recycle additional wastewater entering the WWTP from the City’s sewer piping network. Thus, the City does not need additional sources of water for recycling purposes. Finally, the costs associated with expansion of the WWTP to include stormwater recycling would be prohibitive unless sufficient recycled water customers are identified in the future, or State regulations are enacted requiring treatment of stormwater runoff.

Nonetheless, stormwater can provide groundwater recharge benefits for the City, provided that the stormwater entering Basin aquifers does not compromise groundwater quality. Development of land typically increases impervious surfaces which can compromise stormwater quality.

In 2014, the County of Mendocino published a LID Technical Design Manual. This manual provides technical guidance for redevelopment projects that significantly impact the impervious surface on a redevelopment site, and therefore require permanent stormwater best management practices (BMPs) to offset the impact. In 2011, the City of Santa Rosa and County of Sonoma prepared a similar LID manual. The City of Ukiah adopted the latter LID Manual by Resolution No. 2014-27. (Santa Rosa, 2011)

#### 3.11.2.1 COLLECTION SYSTEM

As noted above, the City maintains a system of surface and underground drainage facilities that drain into Orrs Creek, Gibson Creek, and Doolin Creek, and eventually to the Russian River.

### 3.11.2.2 TREATMENT

The City has developed a Stormwater Management Plan to reduce the discharge of pollutants from urban runoff into creeks and the Russian River. The plan addresses several areas of concern, public education and outreach, public involvement and participation, illicit discharge detection and elimination, construction site runoff control, post-construction stormwater management, and pollution prevention. The Public Involvement and Participation Program includes development and implementation of ways to detect and eliminate illicit discharges to the storm sewer system. Construction runoff control could include silt fences and temporary stormwater detention ponds.

Post-construction management consists of preventative actions such as protecting sensitive areas (e.g., wetlands) or the use of structural best management practices such as grassed swales or porous pavement. Pollution prevention involves developing and implementing a program for preventing or reducing pollutant runoff from municipal operations. (LAFCo, 2012; page 116)

### 3.11.2.3 INFRASTRUCTURE NEEDS

Information pending.

### 3.11.3 Service Adequacy

The City maintains a system of surface and underground drainage facilities that drain into Orrs Creek, Gibson Creek, and Doolin Creek, and eventually to the Russian River. There is no central trunk line to collect and convey stormwater to the Russian River and the stormwater system capacity is unknown.

#### 3.11.3.1 CHALLENGES

Information pending.

## 3.12 [Wastewater](#)

The City wastewater enterprise provides for the collection, treatment, and disposal of wastewater for the City of Ukiah and the Ukiah Valley Sanitation District (UVSD). Due to the overlap area of the City and UVSD jurisdictional boundaries, some City residents receive wastewater services from the City, while other City residents receive wastewater services from the UVSD.

The City provides wastewater services to approximately two-thirds of City residents. The remaining one-third of City residents receive service from the UVSD. The UVSD also serves areas located north and south of the City limits. In total, half of the UVSD service units are located within the City limits.

In 1995, the City and UVSD entered into a participation agreement whereby the City agreed to operate and maintain the UVSD sewer collection system and provide UVSD wastewater treatment services at the City's Wastewater Treatment Plant (WWTP), and UVSD agreed to share the costs based on the number of Equivalent Sewer Service Units (ESSUs). ESSUs are utilized as a measure of flow volume and treatment capacity, and one ESSU is equivalent to a two-bedroom dwelling unit. (LAFCo, 2012)

Costs for operation and capital are jointly developed through the City's annual budget process, budgeted in City funds, and costs are shared by the City and UVSD based on an agreed upon apportionment. (Ukiah, 2022a)

### 3.12.1 Service Overview

The Wastewater Division is managed under the Water Resources Department and is comprised of three sections: Administration, Collection and Treatment. The Administration section is responsible for all



compliance, permitting, funding oversight, budgeting and assists the other divisions with technical assistance. The Collection section is closely coordinated with the Water Distribution section of the Water Division, as the same team of employees maintains and improves both systems. The Treatment section is responsible for the operation and maintenance of the WWTP and all discharges from the WWTP.

**Administration:**

- Ensure that Compliance with the Wastewater Collection System and WWTP meets all State requirements
- Administer the National Pollutant Discharge Elimination System (NPDES) permit for discharge to the Russian River from the WWTP
- Implement Capital Improvement Projects for system upgrades while monitoring revenues and expenditures to ensure the rates are supporting their purpose

**Operations and Maintenance:**

- Provide daily maintenance to the collection system to keep it in operation
- Identify defects in the system that need to be repaired or upgraded

**Treatment:**

- Operate and maintain the WWTP in a manner that meets the regulatory requirements for discharge
- Maintain the plant to keep it fully functioning (Ukiah, 2022a)

**3.12.1.1 STAFFING**

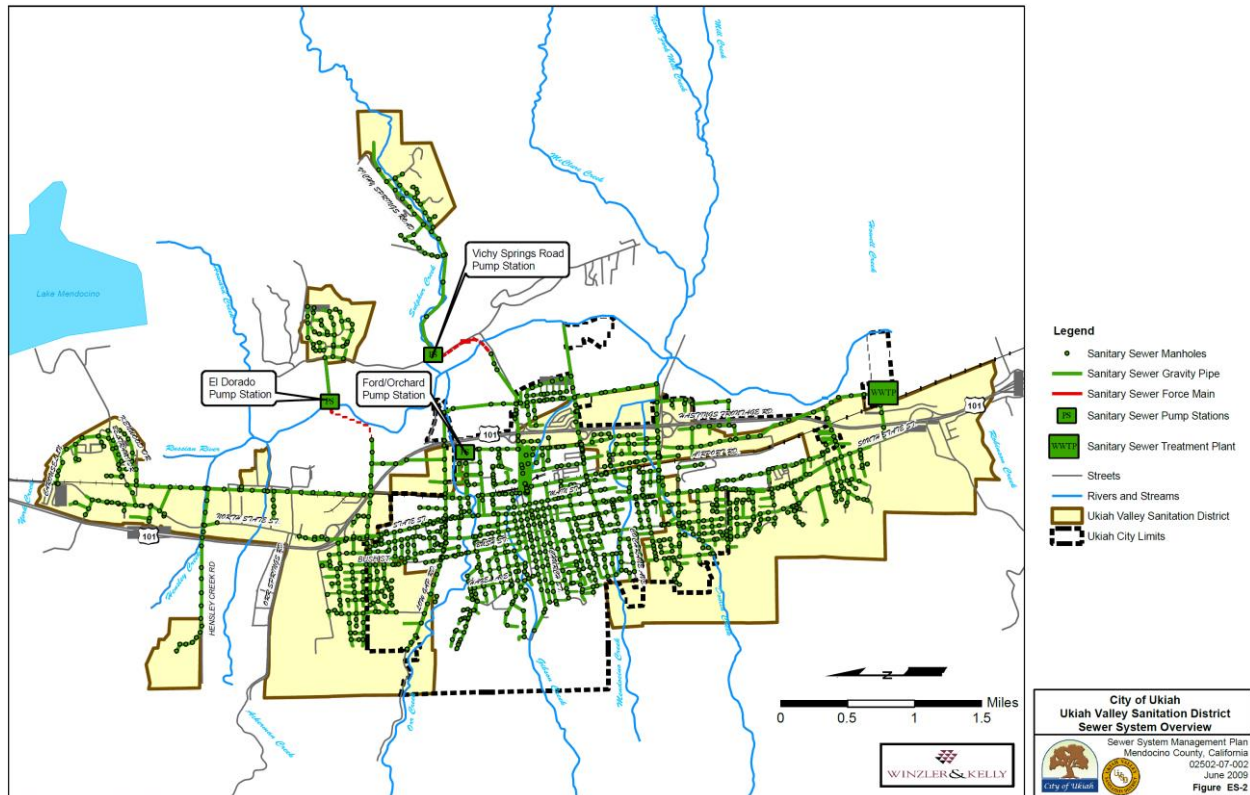
Per the 2021-2022 City of Ukiah Budget, Wastewater Services were allocated the following positions and employed approximately sixteen (16) individuals:

- Executive (.6)
- Management (1.7)
- Professional (.55)
- Administrative and Technical (13.75)  
(Ukiah, 2022a)

**3.12.1.2 OPERATIONS**

The WWTP is owned by the City and serves the City of Ukiah, as well as the UVSD. The WWTP has a current treatment capacity of 3.01 million gallons per day (MGD) of average dry weather flow and 24.5 MGD of peak wet weather flow. The WWTP includes primary, secondary, and tertiary treatment. Wastewater collection is provided by the City of Ukiah and the UVSD and conveyed to the City's WWTP, located southeast of the City. Like the electric utility, wastewater collection and treatment is an enterprise activity. Residents are charged fees for service. (LAFCo, 2012)(Ukiah, 2022a)

Figure 3-3 City of Ukiah and UVSD Entire Sewer System Map



Source: City/UVSD, 2020a.

### 3.12.1.3 JOINT AGREEMENT WITH UKIAH VALLEY SANITATION DISTRICT

Within the Ukiah Valley there are three agencies that provide wastewater treatment services: (1) City of Ukiah (City); (2) UVSD and; (3) Calpella County Water District (CWD). The City owns the collection system within a portion of its jurisdictional boundaries and a WWTP. The UVSD owns the collection system within its jurisdictional boundaries, a part of which is within the City's boundaries (known as the overlap area). The UVSD contracts via a Participation Agreement with the City of Ukiah for use of the City-owned WWTP and for operation and maintenance of the UVSD collection system. Calpella CWD owns its collection system and treatment plant. (UVSD, 2022)

In 2008, the UVSD transitioned to a five-member elected board. Prior to that, the district was represented by a three-member board of directors chosen from the City Council and Board of Supervisors. The UVSD is responsible for maintaining its portion of the network of collection pipes leading to the City of Ukiah's sewage treatment facility. The district currently encompasses lands north of the City to Mendocino College and beyond The Forks, south of Ukiah extending past State Route 253, east to El Dorado, Vichy Springs and Guideville Rancheria in the eastern valley and within limited areas of the City in the overlap area. (Mendocino County, 2011)

The UVSD does not have operations staff and contracts with the City of Ukiah for the provision of wastewater services. The City has its own staff, equipment and facilities for management and operation of wastewater services within the City's jurisdiction. Under the Participation Agreement, and subsequent

agreements, both agencies are able to operate together in a unified manner to provide wastewater services to their respective jurisdictions.

The current Participation Agreement was finalized in July of 1995. In March of 1999, an amendment was agreed to by both agencies (Amendment No. 1) and following that in December of 2004, Amendment No. 2 was adopted by both agencies. Collectively, the 1995 Agreement and Amendments 1 & 2 contain the entire Agreement between the City and the UVSD concerning the City owned WWTP and the City's operation of the sewer collection system for the City and the UVSD. The term of the Agreement is for thirty-years and allows either agency to cancel upon five-years notice.

The Participation Agreement specifies that the annual costs of the entire sewer system (WWTP and collection system) be apportioned between the City and the UVSD each year according to the ratio of ESSUs utilized between the two entities. Annual costs include treatment, maintenance, operation, administration, repair and replacement, expansion, upgrading, debt service, insurance and financial services for the system.

Under this Agreement, the UVSD is required to establish rules and regulations necessary for the orderly administration of the UVSD's collection system. These rules and regulations address the use of the sewers, the installation of sewer laterals and mains, and the discharge of wastewater into the collection system. The UVSD is also required to establish fees and charges for use of the system to include connection fees, service fees and capacity charges. Additionally, the UVSD is required to establish fees for permits and inspection sufficient to reimburse the City for its actual of performance of these services.

The City is no longer the paying and receiving agent for UVSD operation and maintenance funds. The UVSD provides monthly billing to service recipients and receives payments for the billings via a contract with the Willow CWD. The City is responsible for the initial preparation of the proposed annual budget for the entire sewer system which must receive approval from the City Council and the Board of Directors of UVSD.

(UVSD, 2022)

### 3.12.2 Facilities and Capacity

#### 3.12.2.1 COLLECTION SYSTEM

The City provides wastewater collection services to approximately two-thirds of its service area, which covers the entirety of the City's boundaries. Additionally, the City also collects wastewater from the UVSD service area, located within and just outside of the City.

Municipal wastewater in the City is generated from a combination of residential, commercial, and institutional sewer discharges. The City does not have any industrial properties that discharge high amounts of industrial wastes, such as brine. The sewage from the City is collected from roughly 490,000 feet (93 miles) of local sewer mains that range in size from 4 inches to 12 inches. The wastewater proceeds in a southerly direction and consists of three (3) lift stations. The wastewater is discharged into larger trunk sewer lines that range in size from 15 inches to 42 inches that proceed southerly to the WWTP. The trunk sewers travel about five (5) miles from the northern portion of the City to the WWTP in the southerly part of the City. (Ukiah, 2020b)

### 3.12.2.2 WASTEWATER TREATMENT FACILITY

The Wastewater Treatment Plant is located at 300 Plant Road, south of the airport, east of US 101, and west of the Russian River. The WWTP has been operational since 1958 and has been upgraded multiple times over the years.

The WWTP is owned and operated by the City, and treats wastewater collected from the City and the UVSD. The WWTP has an average dry-weather flow capacity of 3.01 million gallons per day (MGD), an average wet-weather flow capacity of 6.89 MGD, and a peak wet-weather flow capacity of 24.5 MGD. The WWTP includes primary, secondary, and tertiary treatment, as well as solids handling facilities.

Primary treatment removes floating material, oils and greases, sand and silt and organic solids heavy enough to settle in water. Secondary treatment biologically removes most of the suspended and dissolved organic material. Treatment steps are grit removal, primary sedimentation, secondary treatment (trickling filters), secondary sedimentation, final clarification (advanced waste-water treatment facility), sludge digestion (digesters), disinfection, dechlorination, and effluent discharge to the percolation ponds.

The WWTP discharges disinfected secondary effluent to three percolation/evaporation ponds located east of the plant along the Russian River. During dry weather months, wastewater flows are low enough that the full flow is stored in percolation ponds. The WWTP is permitted to discharge disinfected, tertiary wastewater to the Russian River only from October 1 through May 14 at a rate of up to 1 percent of the total Russian River flow, according to the State Water Resources Control Board (SWRCB) Discharge Permit No. CA0022888 issued on November 2018. (LAFCo, 2012; Ukiah, 2022) As of 2021, about one-third of the wastewater at the WWTP is recycled, and about two-thirds of the wastewater is discharged to percolation ponds at the WWTP. (Ukiah, 2020b)

Between 2005 and 2009, the WWTP underwent a multi-year, \$56.5M improvement project to meet Title 22 recycled water standards and to add wastewater service capacity of 2,400 ESSUs to accommodate future growth. (Ukiah, 2022; WWTP)(LAFCo, 2012)

### 3.12.2.3 SYSTEM CAPACITY

The current WWTP dry weather flow is currently roughly 2 MGD, which is significantly lower than the WWTP design dry-weather flow capacity of 3.01 MGD (Ukiah, 2022). The quantities of wastewater generated are proportional to the population and the water used in the City's service area. Estimates of the wastewater flows in the City's service area are included in Table 3.8 below. The wastewater flows were calculated assuming wastewater flow is equivalent to about 75% of the water demand, which is in accordance with typical municipal wastewater master plans.

<b>Year</b>	<b>Wastewater (AF)</b>	<b>Wastewater (MG)</b>
2020	2,671	870
2019	2,568	837
2018	2,572	838
2017	2,546	830
2016	2,326	758
<b>Average</b>	<b>2,537</b>	<b>827</b>

Since housing development and population growth are not expected to drastically change over the course

of this UWMP planning period (2045), the City anticipates that future wastewater flows can be estimated using the projected demands from the 2020 UWMP, multiplied by a return rate of 75%. Table 3.9 below shows the projected wastewater flows:

Year	Flows (AF)	Flows (MG)
2025	2,875	937
2030	2,852	929
2035	2,825	921
2040	2,796	911
2045	2,785	907
<b>Average</b>	<b>2,827</b>	<b>921</b>

As indicated in the above table, wastewater flows will only be slightly greater in 2045 than in 2020, in spite of a projected 10% growth in population by 2045 as indicated in the 2020 UWMP. This is due to increases in water use efficiency by institutional and residential users.

#### 3.12.2.4 INFRASTRUCTURE NEEDS

The City and UVSD plan for capital projects for the collection system and WWTP through the Capital Improvement Program (CIP) as part of the annual budget development process. Refer to Section 2.4.2.3 for the City's Fiscal Year 2022-23 Five-year CIP Schedule.

#### 3.12.3 Service Adequacy

The WWTP was significantly upgraded twelve years ago and remains in good working order. Based on the available capacity data in Table 3.10 below, the City has 434 ESSUs or forty-eight percent capacity remaining for growth or expansion of existing uses.

Area	UVSD	City of Ukiah	Totals
Current Usage (May 2022)	5,688	6,833	12,521
Percent of Total ESSUs	45.43%	54.57%	49.84%
New WWTP Agreement	65%	35%	100%
New WWTP Capacity	1,560	840	2,400
New WWTP ESSU's Used	618	406	1,024
New WWTP ESSU's Percent Used	39.63%	48.33%	42.68%
New WWTP ESSUs Remaining	942	434	1,376

Source: City/UVSD, 2020b.

The aging sewer collection system is the primary factor influencing the City's ability to provide wastewater services to customers.

The City and UVSD 2009 Sewer System Management Plan (SSMP) was updated in 2020 by Winzler & Kelly. The SWRCB requires the SSMP to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system in order to reduce and prevent sanitary sewer overflows (SSOs) as well as mitigate any future SSOs. The City and UVSD identified the following goals to achieve the SWRCB requirements:

1. Maintain or improve the condition of the collection system infrastructure in order to provide reliable service now and into the future.
2. Cost-effectively minimize infiltration/inflow and provide adequate sewer capacity to accommodate design storm flows.
3. Minimize the number and impact of sanitary sewer overflows.

The City and UVSD have several programs to implement these goals, such as: adopted fats, oils, and grease (FOG) ordinances, scheduled cleaning of known areas that have been the cause of overflows (hot spots), mapped FOG problem areas, and conducted closed-circuit television (CCTV) inspections of the entire collection system, including laterals.

The City and UVSD have an Operation and Maintenance (O&M) Program to maintain the collection system mapping, conduct routine preventative O&M activities, perform rehabilitation and replacement, keep contingency equipment and replacement part inventories, and provide training opportunities for staff.

The City and UVSD have ordinances, standards, and established guidance for sewer main and lateral construction, inspections, and testing.

The City has an Overflow Emergency Response Plan (OERP) to minimize any health risks or damage to private property or the environment from SSOs.

The City and UVSD continue to work to identify and implement best management practices through the SSMP, including implementing a new Computerized Maintenance Management System.

(City/UVSD, 2020a)

#### 3.12.3.1 CHALLENGES

Information pending.

### 3.13 [Water](#)

Water availability has long been an issue in the Ukiah Valley and is a likely constraint to future development in the Valley, complicated by legal, environmental, political and socioeconomic issues. Challenges include decreased water diversion, as well as difficulties and lengthy time inherent in developing new supplies in the face of increasing demand.

Surface water supplies include the Eel River, from which water is diverted into the Russian River watershed through the Potter Valley Project, Lake Mendocino, and the Russian River. Groundwater is drawn from the Ukiah Valley groundwater basin. The Ukiah Valley groundwater basin is the northernmost basin in the Russian River water system.

There are five major providers of community water services in the Ukiah Valley. The City of Ukiah serves customers within the City, while Rogina Water Company and Millview, Calpella, and Willow County Water Districts serve the unincorporated areas. All suppliers are regulated by the California Department of Health Services, and Rogina Water Company is additionally regulated by the California Public Utilities Commission. These water providers hold varying claims to water rights for current and future use.

The primary water source for water providers in the Valley is the Russian River and diversion of Eel River water with storage in Lake Mendocino. Property owners without access to the City or community systems obtain water from individual wells, springs or direct diversions of Russian River water. Some water needs



are also supplied by wells that tap groundwater aquifers that are not connected to the underflow of the Russian River.

(Mendocino County, 2011)

### 3.13.1 Service Overview

#### 3.13.1.1 STAFFING

Per the 2020-2021 City of Ukiah Budget, Water Resources were allocated the following positions and employed approximately 27 individuals:

- Executive (1.4)
- Management (2.5)
- Professional (2.1)
- Administrative and Technical (26.25)  
(Ukiah, 2022a)

#### 3.13.1.2 OPERATIONS

Water resources is a department consisting of three divisions water services, wastewater services, recycled water services:

**Water Division:** is comprised of three sections: Administration, Production and Distribution. The Administration section is responsible for all compliance, permitting, funding oversight, budgeting, and assists the other divisions with technical assistance. The Distribution section is closely coordinated with the Wastewater Collection section of the Wastewater Division, as the same team of employees maintains and improves both systems. The Production section is responsible for the operation and maintenance of the Water Treatment Plant (WTP) and all other groundwater and surface water sources.

- **Administration:** Provide technical assistance to the Water Division Teams in order to ensure their operations are efficient Implement Capital Improvement Projects for system upgrades while monitoring revenues and expenditures to ensure the rates are supporting their purpose
- **Operations and Maintenance:** Provide daily maintenance to the system to keep it in operations; Identify defects in the system that need repaired or upgraded
- **Treatment:** Operate the Water Treatment Plant in a manner that meets the regulatory requirements for providing clean, safe and reliable drinking water supply for the community; Maintain the Water Treatment Plant and groundwater wells to keep them fully functioning; Monitor the Water Distribution system to ensure it is properly functioning.

**Wastewater Division:** Comprised of three sections: Administration, Collection and Treatment. The Administration section is responsible for all compliance, permitting, funding oversight, budgeting and assists the other divisions with technical assistance. The Collection section is closely coordinated with the Water Distribution section of the Water Division, as the same team of employees maintains and improves both systems. The Treatment section is responsible for the operation and maintenance of the Wastewater Treatment Plant (WWTP) and all discharges from the WWTP. See Section 3.12 for more detail.

**Recycled Water Division:** The Recycled Water Division is a relatively new operation that evolved from the need to discharge effluent from the WWTP to a location other than the Russian River and was driven by the increased regulations that are in place for discharging treated effluent to a surface water body. There



are still a number of decisions that need to be made for the successful operation of this utility. The recycled water system is a valuable resource that augments existing water supplies in the Ukiah Valley. Recycled water use offsets existing and future water demands for irrigation and frost protection of agricultural land, benefitting the local agricultural industry, reducing demands for limited groundwater and surface water resources, and improving the reliability of the water supply over a wider range of hydrologic conditions. While a shared responsibility amongst existing staff, the Division is responsible for the following:

- Operation of the Phases 1-3 of the Recycled Water System
- Design and construction of Phase 4 of the Recycled Water System
- Maintenance of system facilities and equipment
- Manage distribution of recycled water to customers

(Ukiah, 2022a)

### 3.13.1.3 GROUNDWATER SUSTAINABILITY PLAN

A Groundwater Sustainability Plan (GSP) is a 20-year plan to ensure the sustainable use of groundwater within a groundwater basin. The Ukiah Valley Basin Groundwater Sustainability Agency (UVBGSA) is required by state law, the Sustainable Groundwater Management Act (SGMA), to develop a GSP by 2022. The goal of the GSP is to establish a standard for “sustainability” of groundwater management and use, and to determine how the basin will achieve this standard (Mendocino County, 2022). According to the City of Ukiah Director of Water and Sewer, there are minimal concerns regarding groundwater within the Ukiah Valley.

The Sustainable Groundwater Management Act (SGMA), passed by the California legislature in 2014, requires local entities to jointly assess groundwater conditions in their local areas and to develop a GSP by a specified deadline to ensure that sustainable conditions are achieved within 20 years of GSP adoption. An effective and efficient groundwater management plan is critical for the local economy and the health and welfare of the people, the environment, and all other beneficial uses and users of groundwater in a local area.

The Ukiah Valley Basin (Basin) is a medium-priority groundwater basin located in Mendocino County. The sole Groundwater Sustainability Agency (GSA) for the Basin is the UVBGSA. UVBGSA consists of the following local agencies: the County of Mendocino, the City of Ukiah, the Upper Russian River Water Agency (URRWA), and the Russian River Flood Control and Water Conservation and Improvement District (RRFC). The GSA applied for and was awarded Proposition 1 and Proposition 68 grant funds to develop the GSP and meet the SGMA-mandated schedule for submitting a GSA-approved GSP to the California Department of Water Resources (DWR) by January 31, 2022. The UVBGSA will be funded through member agency contributions during the first 5-year implementation period until a fee structure is implemented to support and fund GSA activities. Additional funding opportunities will continue to be explored, including grants. In late-2022, DWR will open Round 2 solicitations under the SGMA Grant Program, which will provide approximately \$204 million to high and medium priority subbasins to implement the GSP and its projects and management actions.

(Mendocino County, 2021)

### 3.13.1.4 URBAN WATER MANAGEMENT PLAN

The 2020 Urban Water Management Plan (UWMP) for the City of Ukiah was prepared in compliance with the Urban Water Management Planning Act, which was established in 1983 and has been codified into the California Water Code sections 10610 through 10657. The Act requires “every urban water supplier providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually, to prepare and adopt, in accordance with prescribed requirements, an Urban Water Management Plan.” These plans must be filed with the DWR every five (5) years, describing and evaluating reasonable and practical efficient water uses, reclamation, and conservation activities.

(Ukiah, 2020b)

## 3.13.2 Water Supply and Demand

### 3.13.2.1 WATER SUPPLY

The City currently uses both potable water and non-potable (recycled) water to meet the needs of its service area. The City’s potable water comes from local water sources only, including surface water from the Russian River and groundwater from the UVGB. The groundwater basin is not currently limited with water rights agreements, whereas the City has water rights agreements with the State for use of surface water from the Russian River water. The City maintains groundwater wells, a Ranney collector, surface well, and a potable water treatment plant to produce water in the City. The City supplies its water from the following sources: (1) Surface Water – Russian River, (2) Surface Water – Production in City (Pre-1914), (3) Imported (Surface) Water, and (4) Groundwater. In the near future, the City’s overall water supply reliability is expected to increase due to increases in water use efficiency and through the use of the City’s new recycled water system.

Supply Source	Supply Available (AF)	Projected Supply Use (AF)
Surface Water	16,507	1,500
Groundwater	4,677	1,250
Recycled Water	1,400	1,400
<b>Total</b>	<b>23,584</b>	<b>4,150</b>

Source: Ukiah, 2020b.

The City’s available supply through permitted rights is more than sufficient to meet the City’s needs. By maintaining the City’s wells and WTP in excellent condition, the City’s water supply capacity should be able to meet demands for all climate scenarios through 2045. The City’s UWMP does not anticipate a water supply shortage due to drought conditions through 2045. Groundwater supplies are not expected to be affected during droughts lasting up to five (5) years. Likewise, the City’s Pre-1914 surface water rights are expected to be available during drought periods.

(Ukiah, 2020b)

#### 3.13.2.1.1 Water Rights

The drought of 2020-2021 impacted agencies throughout the Russian River watershed and has continued into the 2021-2022 water year. Data from local flow monitoring stations indicate that water levels in the Russian River are close to a “Critical Drought” classification under the water rights permits given to local agencies in 1961 and 1986. Due to the drought, Sonoma Water Agency has requested temporary allowances to the conditions of its water right permits, which affects dam releases from Lake Mendocino

into the Russian River upstream of the City’s surface water intake. These conditions indicate that local agencies that rely on surface water should increase efforts to maintain and enhance groundwater and recycled water supplies, to prepare for up to five (5) years of drought. However, it should be noted that surface flows during severe droughts still exceed the City’s surface water rights.

The City maintains two water-rights permits with the SWRCB for diversions from the Russian River. The City’s Pre-1914 Appropriative Right to divert from the Russian River provides a reliable supply source, which has never been interrupted due to the seniority of this right. On the other hand, the City’s Water Rights Permit 12952 expired in 2000 and the City had previously filed an Extension of Time petition with the SWRCB. The City had requested that this permit be extended to the year 2080. The City is working on filing a petition this year related to this matter.

Nonetheless, for conservative planning purposes, it will be assumed that the City’s surface water supplies during dry years will be one-third of normal water year surface supplies. This would impact only the City’s Water Right Permit 12952 (Application 15704), since the City’s Pre-1914 Right is not curtailable by the SWRCB. This would result in the following surface water supplies during dry years:

- Surface Water (Pre-1914): 2,027 AFY
- Surface Water (Permit 12952): 4,830 AFY

This results in a total surface supply of 6,857 AFY. Since annual groundwater recharge exceeds the City’s pumping capacity, groundwater is expected to be a “drought proof” source of supply. Thus, the City’s total supply (surface + groundwater) during dry years is 11,534 AFY.

(Ukiah, 2020b)

#### 3.13.2.1.2 Water Storage

For potable water storage needs, the City maintains eight operating storage reservoirs with a combined storage capacity of 6.153 MG (Table 3.12).

<b>Reservoir</b>	<b>Storage Capacity (gallons)</b>	<b>Date</b>
Concrete Tank	2,500,000	1948
Steel Tank*	160,000	2021
Steel Tank	30,000	1996
Steel Tank	1,500,000	2005
Steel Tank	1,500,000	2005
Steel Tank	315,000	2005
Redwood Tank	13,000	1960
Concrete clearwell	135,000	1990
<b>Total</b>	<b>6,153,000</b>	

\*The City recently completed upsizing the steel tank from 100,000 gallons.

Source: Ukiah, 2020b; Ukiah 2022.

Two reservoirs provide flood protection and water supply storage for the Russian River Watershed: 1) Lake Mendocino on the East Fork Russian River near the City of Ukiah, and 2) Lake Sonoma on Dry Creek west of Healdsburg. Lake Mendocino was formed when the Coyote Dam was constructed in 1958, and Lake Sonoma was formed in 1984 after completion of the Warm Springs Dam. Both dams were

constructed by the USACE as flood control projects, but also provide both water storage and hydroelectric power.

The volume of surface flows in the Russian River within the Ukiah Valley are significantly influenced by the operations of the Potter Valley Powerhouse (PVP) and Lake Mendocino. The PVP is managed by Pacific Gas & Electric Company (PG&E). Lake Mendocino is managed by the UUSACE, San Francisco District. Sonoma Water Agency and the RRFC own storage space in Lake Mendocino. These agencies coordinate water releases from Lake Mendocino with the USACE and the National Marine Fisheries Service (NMFS).

(Ukiah, 2020b)

### 3.13.2.2 RECYCLED WATER

As of 2019, the City distributes recycled water through a 7.8-mile network of recycled water distribution mains. Per the 2015 UWMP, the City did not deliver recycled water, but had secured grant funding to expand recycled water delivery by 2020. The implementation of recycled water was broken up into a four-phase plan to deliver up to 1,400 AFY of recycled water to irrigation and industrial users. The City completed Phases 1 to 3 in September of 2019.

“Recycled” or “reclaimed” water is defined as wastewater purified through primary, secondary, tertiary (Title 22), or advanced treatment. Recycled water is acceptable for most non-potable water purposes such as agriculture, golf course and park irrigation, and industrial processes. The City of Ukiah treats roughly 2.7 MG of wastewater each day. Since 2019, a portion of this wastewater is recycled within the City’s service area. The remainder of the wastewater is treated and discharged to adjacent percolation ponds for groundwater replenishment. Recycled water is considered a reliable and droughtproof water source that reduces the City’s reliance on potable water. Recycled water will continue to be a critical part of the City’s water supply portfolio, with planned expansions under design.

The WWTP underwent a \$56.5 million upgrade in 2009 for expansion and regulation compliance purposes. This expansion also enabled the City to construct a recycled water pumping and distribution system. The City was subsequently awarded \$25,564,000 from the Clean Water State Revolving Loan Fund (CWSRF) and \$9,996,000 in grants from the Water Recycling Funding Program (WRFPP) to construct Phases 1 to 3 of the Recycled Water Project. In 2019, the City completed the first three phases of the City’s recycled water system, which provides up to 1,000 AFY of recycled water to the City and surrounding Ukiah Valley.

The project also addresses regulatory requirements that limit the City’s wastewater discharges to the Russian River. Ultimately, it also creates a more diversified and drought-resilient water supply for agricultural and irrigation uses. The new recycled water system includes nearly eight (8) miles of pipeline, a 66 MG water storage reservoir, upgraded treatment (tertiary) facilities. The system also included recycled water pipelines along Highway 101 and Oak Manor Drive. This recycled water system allows the City to serve approximately 325 MG of water to farmers, parks, and schools each year.

The City meters the recycled water flow in their system. As of 2019, the City’s recycled water distribution system provides irrigation to agricultural lots and softball fields. The Table below indicates the recent recycled water used by the City.

<b>Year</b>	<b>Recycled Water Produced or Used (AF)</b>	<b>Recycled Water Produced or Used (MG)</b>
2016	0	0

2017	0	0
2018	0	0
2019	120	39
2020	742	242
2021	982	320

Source: Ukiah, 2020b.

The current annual capacity of the City's recycled water system is approximately 1,000 AFY. The City estimates that about 1,000 AF of recycled water was used in 2021. The fourth phase of the recycled water project will supply an additional 400 AFY of recycled water to the City for agriculture and recreational purposes. Once Phase 4 of the recycled water project is complete, the City projects the following amounts of recycled water through 2045 (Table 3.14).

Year	Recycled Water Production/Use (AF)	Recycled Water Production/Use (MG)
2025	456	1,400
2030	456	1,400
2035	456	1,400
2040	456	1,400

Source: Ukiah, 2020b.

Among the amounts projected above, about 220 AF will be used at the Ukiah Valley Golf Course once Phase 4 is complete.

The expansion of the recycled water system beyond the pending capacity of 1,400 AFY would be possible if the funding for recycled water pipeline infrastructure was covered by potential recycled water users, and an agreement was in place for the use of recycled water. The City would then be able to expand the use of recycled water beyond 1,400 AFY.

A recycled water master plan has not been prepared for the City to date, and the City has not made a formal identification of potential recycled water users other than those mentioned in Phases 1 to 4 of its current recycled water project. A detailed study was conducted and noted that the system will be at capacity after Phase 4. Phase 4 construction is intended to commence in 2023. However, typical recycled water users include the following:

- Landscape Users (parks, sports fields)
- Commercial/Manufacturing Users
- Energy/Power Production

The City has large landscape municipal customers such as parks and schools located in the center of the City. Theoretically, there would be existing customers available to purchase recycled water if and/or when additional recycled water infrastructure is in place. More specifically, the City will be able to identify existing or future potential recycled water users through the following means:

- Existing water consumption records (*determine high volume users of water*)
- Existing commercial website data (*to determine potential use of recycled water*)

By using recycled water, the City has offset diversions from the Russian River and has improved water supply reliability in Lake Mendocino. The City can encourage recycled water use by restructuring its water rates and service charges for customers who use recycled water for a period of time. For example, the City is currently providing recycled water to its initial recycled water customers at no cost. The exact incentive methods for recycled water are currently in development. This may include (1) monitoring, enforcement and training for recycled water use, and (2) delivery of recycled water at a reduced rate or a rate less than that of potable water for an initial period of time.

(Ukiah, 2020b)

### 3.13.2.3 WATER CONSERVATION

In the commercial and institutional sector, water needs vary as customers range from restaurants to offices and from retail stores to schools. Office buildings and retail stores require significantly less water than restaurants and schools and are not usually the key focus of water conservation efforts.

To prevent water waste the City follows an irrigation schedule that limits the length of irrigation to avoid overspray runoff and also evapotranspiration from daytime watering. Overall water use characteristics within the City's service area reflect slightly higher than average regional water use characteristics within the North Coast Hydrologic Region and Mendocino County.

Nevertheless, the City has reduced water consumption by about 22% in the past two decades. Additionally, the City is updating its Water Shortage Contingency Plan to prohibit water waste.

Although the population of the City has mildly increased over the past two decades, overall water use within the City's service area has declined steadily. This is a result of water conservation, as water-use efficiency has outweighed the additional water users. The City can maintain its water consumption rates below its SBx7-7 target by focusing on water conservation measures.

The City should experience only mild increases in its water consumption over the long term in spite of overall population increases. This is due to "passive savings." That is, over time, homes will be equipped with water-saving fixtures and landscapes. Also, over time, residents will become more aware of water conservation and City water code policies such as limitations on landscape irrigation and car washing. This "passive savings" will offset new water demands stemming from population growth. For the sake of future water demand projections in this UWMP, "passive savings" is taken into consideration by analyzing the declines in water consumption rates. The estimated rate of decline in the water consumption rate (GPCD) is 0.5% annually. It is practical to assume that water use efficiency will continue to increase on its own over the next couple of decades.

The City acknowledges that efficient water use is the foundation of its current and future water planning and operations policies. The City implements water conservation through a combination of programs, resources, and policies, including Demand Management Measures (DMM) that have a significant impact on water use. The City actively promotes the reduction of water demand through various water conservation outreach programs.

- 1) Water Waste Prevention
- 2) Metering
- 3) Conservation Pricing
- 4) Public Education and Outreach

- 5) Programs to Assess and Manage Distribution System Real Loss
- 6) Water Conservation Program Coordination and Staffing Support

In addition to the six DMMs described above, the City implements a large landscape irrigation conservation program and a commercial, industrial, institutional water customer conservation program. The City has not historically tracked the actual water savings associated with the implementation of this conservation measure. Implementation of this conservation measure is expected to help the City maintain its water use targets by tracking water use of large industrial customers and alerting the customer to substantial changes in water use that could indicate the need for greater water use awareness within the industrial facility.

#### 3.13.2.4 WATER SUPPLY ENHANCEMENT

The City continually reviews practices that will provide its customers with adequate and reliable supplies in an environmentally and economically responsible manner. The City's water demand within its service area should remain relatively constant over the next 25 years due to minimal population growth combined with water use efficiency measures and the potential use of recycled water. Although the current water supply sources are considered adequate for existing and projected water demands, the City may add additional groundwater wells in the future to improve the reliability of the City's overall water supply. The City will also be focusing on replacement of pipelines, water meters, valves, and fire hydrants to improve water supply reliability and enhance the operations of the City's water system.

Currently, there are no plans in place for new groundwater wells within the next five years, or until the 2025 UWMP. With the formation of the UVBGS, the City will be coordinating its long-term groundwater planning with other local Ukiah Valley Basin agencies.

#### 3.13.2.5 WATER DEMAND

The City's water service area is almost fully developed, and water use needs have been well-established for nearly three decades. As such, total water demand on the City's water supply system is not subject to significant change each year. However, water use within the City's service area varies each month based on climate conditions. The full impacts of the coronavirus pandemic on the water industry are still emerging, including the effect on residential and commercial water demands. Available data for most agencies indicate that residential water demand has increased while non-residential demand has decreased.

The City records water use per service connection only and bills customers based on a single water rate structure. Water sales data is compiled by City water staff and submitted to DWR in the Electronic Annual Report.

The total water consumption by customer type since 2015 is shown on table below. As noted by the table below, single-family and multi-family residential accounts are equivalent, and are the highest consuming sectors in the City since most of the City is zoned mostly for residential accounts.

Sector	2016	2017	2018	2019	2020
Single Family Residential	710	777	783	786	817
Multi-Family Residential	710	777	783	786	817
Commercial/Institutional	652	714	723	719	748



Industrial	48	53	54	53	55
Landscape Irrigation	185	202	205	200	209
Other	25	27	26	26	27
<b>Total Water Sales</b>	<b>2,326</b>	<b>2,547</b>	<b>2,573</b>	<b>2,569</b>	<b>2,672</b>
Unaccounted for Water	232	257	317	313	359
<b>Total Water Consumption</b>	<b>2,557</b>	<b>2,803</b>	<b>2,890</b>	<b>2,881</b>	<b>3,030</b>

As indicated above, the City's unaccounted for water ranged from 232 to 359 AF, which is about 10.4 percent of the total water supply into the City's distribution system. Unaccounted for water consists of routine flushing, unmetered use, and water losses. Although water losses have cost impacts on water agencies, they cannot be prevented entirely. Instead, effort is given to controlling the quantity of water losses (to a cost-effective extent) in order to reduce the cost impact of water losses on water operations. For this reason, the City has prepared water loss audits using American Water Works Association (AWWA) software. The water audits for 2016 to 2019 are provided in the appendix of the UWMP. The 2019 Audit shows that the City's Leakage Index (the ratio of real loss to unavoidable loss) was 2.39, which is a good score for water agencies.

Although the City is in a "built-out" condition, the UWMP analyzed three scenarios, the first of which was a "normal" scenario (no expansion of the water service area) and resulted in up to 2,500 additional service connections. The other two were possible, however unlikely, growth scenarios that indicated up to 5,000 additional service connections by the year 2045. It is assumed that in each five-year increment a total of 500 or 1,000 additional service connections could be served by the City, until the year 2045. The additional service connections estimated would come from outside the City's current water service area.

The UWMP stated that the analysis did not imply any intent by the City to expand their water service area. Rather, the scenarios were analyzed only for the purpose of demonstrating resiliency of the City's water system to meet demands.

(Ukiah, 2020b)

### 3.13.2.6 REGIONAL CONTEXT

The City is a retail agency within the Ukiah Valley Groundwater Basin. The City draws water from the Russian River and the Ukiah Valley Groundwater Basin. The City shares these water sources with several agencies including: Redwood Valley County Water District, Willow County Water District, Millview County Water District, Calpella County Water District, Rogina Water Company, RRFC), and Sonoma Water Agency. The City is also a member of the Russian River Watershed Association (RRWA), which is a coalition of eleven cities, counties and special districts in the Russian River watershed that have come together to coordinate regional programs for clean water, habitat restoration, and watershed enhancement. The RRWA was formed in 2003 to create opportunities for member agencies to expand their stewardship role in the watershed. These member agencies include the cities of Cloverdale, Cotati, Healdsburg, Rohnert Park, Santa Rosa, Sebastopol, and Ukiah, as well as Mendocino and Sonoma County, Sonoma Water Agency, and the Town of Windsor.

(Ukiah, 2020b)

### 3.13.2.6.1 Emergency Interties

The City does not transfer or exchange water with its neighboring water agencies. However, the City maintains emergency agreements with both the Willow County Water District and the Millview County Water District.

Besides the two agencies above, the Redwood Valley County Water District, benefits indirectly from the City's actions. For instance, the City's relinquishing of its agreement with the RRFC allow the Redwood Valley County Water District to obtain additional surface water from the RRFC through an agreement for "surplus" water.

(Ukiah, 2020b)

In 2021, extreme drought conditions resulted in substantial water supply shortages for Mendocino County's coastal communities, and in the City of Fort Bragg and the Town of Mendocino in particular. Through Mendocino County's drought emergency coordination efforts, the City of Ukiah used a small portion of its pre-1914 water right to divert 1.4 CFS to support the interbasin hauling of water to these impacted communities.

Following the curtailments of 2021, efforts to develop a more dynamic approach to allocating water supply during severe drought resumed. The outcome of the year-long effort is an agreement that creates an alternative, voluntary, tract to the traditional water rights system. Key points of the [Upper Russian River 2022 Voluntary Water Sharing Program](#) are:

- Program is first of its kind – This regional, voluntary water-sharing program offers a chance for collaboration on water transfers and exchanges to maximize use of available water for community benefit.
- Program is preferable to curtailment – Rather than face strict, top-down curtailment orders from the State (like in 2021), this program offers water users a more flexible, bottom-up approach. The partnership allows for locally-driven decisions to be made to adapt to changing conditions.
- City of Ukiah was in the leadership role – The City has senior water rights, so in theory has the least to gain from a water sharing agreement, but we see the value in participation to protect the region as a whole and to leverage available resources for maximum benefit. • Improves information sharing and collaboration – In the past, individual water users have made siloed decisions, with incomplete information. The new program will improve tracking on supply and demand, and feed that information into a process for collaborative decision-making.
- Protects and preserves water rights legal framework- The program recognizes the existing water rights system, and allows for actions based on seniority. Senior water rights holders will have greater certainty in avoiding curtailment, while junior rights holders will have an opportunity to secure transfers from regional partners who are in a position to share.
- The entire Ukiah Valley will benefit – This partnership offers a new way to manage limited resources in the Upper Russian River watershed so that water can be transferred or exchanged based on the most urgent needs. This helps minimize the economic harm and community impact that comes from strict curtailment orders.
- Success depends on participation – This program depends on the participation of a variety of water users with both junior and senior water rights.

Implementation of the Voluntary Regional Water Sharing Program was considered at the SWRCB board meeting on June 7, 2022. After hours of positive testimony, the Water Board approved the program unanimously, and touted it as great example for other areas in the state. The Ukiah City Council approved becoming a signatory participant in the Voluntary Regional Water Sharing Program at its [June 15, 2022 City Council meeting](#).

### 3.13.3 Facilities and Capacity

#### 3.13.3.1 COLLECTION FACILITIES

The City maintains groundwater wells, a Ranney collector, surface well, and a potable water treatment plant to produce potable water in the City. The City maintains four active wells, including one new well since the 2015 UWMP (Well #9), which went online in 2017. The City's wells are summarized as follows:

Well No.	Capacity (GPM)	Location
4	1,000	Lorraine Street & Betty Street
7	700	East Gobbi Street
8	850	Oak Manor Drive
9	700	Orchard Avenue

Source: Ukiah, 2020b.

Prior to 2019, Well #4 had been offline for rehabilitation. Well #8 experienced some problems during installation and has not produced as anticipated from the beginning of its operation. It was rehabilitated in 2021 from 500 to 850 gpm as of 2022. The total pumping capacity of Wells #4, #7, and #8 are 3,548 AFY. Well #9 went online in 2017 with a pumping capacity of approximately 1,129 AFY. This brings the total groundwater pumping capacity of all 4 groundwater wells to 4,677 AFY.

Further, the City's capacity to extract its total available surface water rights is limited by its current pumping infrastructure, which currently consists of its Ranney Collector and Well #3. Well #3 draws water from an alluvial zone along the Russian River as well. The City's Ranney Collector has a capacity of 5,155 AFY and Well #3 has a capacity of 483 AFY, which results in a combined total of 5,638 AFY, and roughly double the City's current water demand level.

(Ukiah, 2020b)

#### 3.13.3.2 TREATMENT FACILITIES

The City's WTP was constructed and began operation in April 1992, and treats water collected in the Ranney Collector. The WTP is located about 300 feet away from the Ranney collector and uses the Microfloc contact clarification-filtration. Treatment processes include prechlorination, adsorption, clarification, mixed media gravity filtration, and disinfection. Filter backwash water generated from the water treatment plant processes is discharged to two 216,000-gallon clarification reservoirs for recycling. Treated water is pumped to a 1.5 MG clearwell / reservoir for post chlorination. From the clearwell, the water is pumped into the distribution system by vertical turbine high service pumps. Operation of the treatment plant is controlled through the use of a pressure transducer in the City's new 1.5 MG reservoir.

The most-recent improvements to the WTP included an additional Microfloc contact clarification-filtration unit for reliability and redundancy, new chlorine scrubber, new sodium hydroxide tank and dispensing system, new water distribution SCADA system, and high service pumps.

(Ukiah, 2020b)

### 3.13.3.3 DISTRIBUTION FACILITIES

The City distributes water to residential, commercial, and other customers through approximately 5,030 service connections using a 62-mile network of distribution mains. The water system consists of four pressure zones that provide modified pressure to customers. Zone 1 is the main zone and serves 97 percent of the City's water system. Zone 1 is served by gravity from the two largest storage tanks. Smaller pressure zones are supplied by booster pump stations.

### 3.13.3.4 RECYCLED WATER SYSTEM

The new recycled water system includes nearly eight miles of pipeline, a 66 MG water storage reservoir, and upgraded treatment (tertiary) facilities. The system also included recycled water pipelines along US 101 and Oak Manor Drive. The recycled water system allows the City to serve approximately 325 MG of water to farmers, parks, and schools each year. The fourth phase will commence construction in 2023, which will expand the recycled water system by 400 AFY to serve the Ukiah Valley Golf Course, Ukiah High School, an agricultural field, adjacent parks, and softball fields. See Section 3.13.2.2 for more information.

### 3.13.3.5 CURRENT INFRASTRUCTURE NEEDS

The City plans for capital projects for the distribution system and WTP through the Capital Improvement Program (CIP) as part of the annual budget development process. Refer to Section 2.4.2.3 for the City's Fiscal Year 2022-23 Five-year CIP Schedule.

## 3.13.4 Service Adequacy

The City's potable water comes from local water sources only, including surface water from the Russian River and groundwater from the Ukiah Valley Groundwater Basin. The City's total annual potable water supply available through permitted rights is 21,184 AF. The City's total annual potable water supply available from surface and groundwater sources during dry years is 11,534 AF. In addition, the City's total non-potable water supply currently available for agriculture and recreational purposes is 1,000 AF. The City also maintains eight operating storage reservoirs with a combined potable water storage capacity of 6.153 MG.

The City maintains four groundwater wells with an annual total pumping capacity of 4,677 AF, a Ranney Collector with an annual capacity of 5,155 AF, a surface water well with an annual capacity of 483 AF, and a water treatment plant to produce potable water for City customers. The City's capacity to extract its total available surface water rights is limited by its current pumping infrastructure consisting of its Ranney Collector and Well #3, which draw water from an alluvial zone along the Russian River.

The City's total annual water consumption ranges between 2,800 to 3,000 AF, based on 2017 - 2020 water demand data. The City has sufficient water available to meet current demand and for considerable growth.

The City's single-family and multi-family residential accounts are the highest water consuming sectors. The City has reduced water consumption by about twenty-two percent in the past two decades due to water-use efficiency, and this trend is expected to continue with prolonged drought and necessary water conservation efforts.

The City's WTP was built about 20 years ago and remains in good working order. The recycled water system was recently completed in 2019. It is common to have unaccounted for water in water distribution

systems. The City's 2019 water audit showed that the City's Leakage Index (the ratio of real loss to unavoidable loss) was 2.39, which is a good score for water agencies.

#### 3.13.4.1 CHALLENGES

If water quality becomes an issue for water supply reliability in the future, the City will evaluate the need for upgrades to its current treatment system or construction of a new water treatment facility.

### 3.14 Determinations

#### 3.14.1 MSR Review Factors

##### 3.14.1.1 GROWTH

Growth and population projections for the affected area

1. The City of Ukiah has land use authority over its jurisdictional boundary and makes land-use decisions based on the City's General Plan, which is currently being updated.
2. Areas adjacent to the City limits are under the jurisdiction of the County of Mendocino and are regulated through the County's General Plan and Zoning Code.
3. During the 2020 Census, the population for the City was 16,607. Based on the California Department of Finance, as of January 1, 2022, the population for the City of Ukiah was 16,228.
4. Population growth projections specific to the City are unavailable. The California Department of Finance estimates that Mendocino County as a whole will grow by six percent by 2040, or an average rate of 0.3% annually.

##### 3.14.1.2 DISADVANTAGED UNINCORPORATED COMMUNITIES

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

5. A DUC is an unincorporated geographic area with 12 or more registered voters with a median household income (MHI) that is less than 80% of the State MHI of \$80,440 or \$64,000.
6. According to the CALAFCO Statewide DUC Mapping Tool, the following four DUCs have been identified adjacent to or near the City limits: DUC #1: Ukiah SXSU, DUC #2: Norgard/Airport South, DUC #3: Empire Gardens, DUC #4: The Forks.
7. According to the City of Ukiah 2040 General Plan Update Land Use Element, the following five DUCs have been identified adjacent to or near the City limits: 1) Ukiah SXSU, 2) Norgard Lane, 3) Empire Gardens, 4) Talmage, 5) The Forks.
8. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GC §56375(8)(A) and LAFCo Policy.

##### 3.14.1.3 CAPACITY OF FACILITIES AND ADEQUACY OF SERVICES

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence

9. The City provides wastewater services to approximately two-thirds of City residents. The remaining one-third of City residents receive service from the UVSD. The UVSD also serves areas located north and south of the City limits. In total, half of the UVSD service units are located within the City limits.
10. The City's WWTP was significantly upgraded twelve years ago and remains in good working order. The current WWTP dry weather flow is currently roughly 2 MGD, which is significantly lower than the WWTP design dry-weather flow capacity of 3.01 MGD. Based on the available capacity data, the City has 434 ESSUs or forty-eight percent capacity remaining for growth or expansion of existing uses.
11. The aging sewer collection system is the primary factor influencing the City's ability to provide wastewater services to customers, which is addressed through the 2020 Sewer System Management Plan to reduce and prevent sanitary sewer overflows.

12. The City's total annual potable water supply available through permitted rights is 21,184 AF. The City's total annual potable water supply available from surface and groundwater sources during dry years is 11,534 AF. In addition, the City's total non-potable water supply currently available for agriculture and recreational purposes is 1,000 AF. The City also maintains eight operating storage reservoirs with a combined potable water storage capacity of 6.153 MG.
13. The City maintains four groundwater wells with an annual total pumping capacity of 4,677 AF, a Ranney Collector with an annual capacity of 5,155 AF, a surface water well with an annual capacity of 483 AF, and a water treatment plant to produce potable water for City customers. The City's capacity to extract its total available surface water rights is limited by its current pumping infrastructure consisting of its Ranney Collector and Well #3, which draw water from an alluvial zone along the Russian River.
14. The City's total annual water consumption ranges between 2,800 to 3,000 AF, based on 2017 - 2020 water demand data. The City has sufficient water available to meet current demand and for considerable growth.
15. The City's WTP was built about 20 years ago and remains in good working order. The recycled water system was recently completed in 2019. It is common to have unaccounted for water in water distribution systems. The City's 2019 water audit showed that the City's Leakage Index (the ratio of real loss to unavoidable loss) was 2.39, which is a good score for water agencies.
16. The City has agreed to provide municipal water outside the City limits to a single parcel, located in the Brush Street Triangle area, to serve up to 151 units of affordable housing through a LAFCo approved Out-of-Agency Services Agreement (LAFCo Resolution No. 2004-01).
17. There are currently no water or wastewater capacity issues or infrastructure needs for the City that need to be addressed within the timeframe of this MSR.
18. The District reports that the current paid staffing level is not adequate to deliver services. Based on the International City Managers Association's recommendation of 0.98 firefighters per 1,000 residents, the Fire District should have at least 33 firefighters. The Ukiah Valley Fire Authority currently has 22 career firefighters and 15 volunteer firefighters.
19. The City rates each of its roadways in terms of a pavement condition index (PCI) In order to determine maintenance needs. The average weighted PCI for the City's network in 2021 was 53 or considered at risk (light to moderate weathering, light load-related base failure, moderate linear cracking). This is an improvement from 2016 when 67% of Ukiah's streets were in poor or "failed" condition.
20. The Electric Utility has sufficient capacity to meet power needs of the City, and should there be an anticipated shortage, the City has the ability to purchase additional power.
21. The Mendocino County Animal Shelters can house approximately 60 dogs and 60 cats at 100% occupancy. The Ukiah animal shelter has been operating near capacity for a number of years, and there are no plans to expand the animal shelter even though the Ukiah and Fort Bragg facilities generally operate at or near capacity.
22. The City maintains a system of surface and underground drainage facilities that drain into Orrs Creek, Gibson Creek, and Doolin Creek, and eventually to the Russian River. There is no central trunk line to collect and convey stormwater to the Russian River and the stormwater system capacity is unknown.

#### 3.14.1.4 FINANCIAL ABILITY OF AGENCY

Financial ability of agencies to provide services
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23. The City prepares and adopts an annual budget prior to the beginning of each fiscal year (July 1), which serves as a financial planning tool and an expense control system. The City also has annually audited financial statements prepared by a Certified Public Accountant (CPA) which serves as financial assurance for the use of public funds. The City's financial documents are posted on their website.
24. According to the audited financial information from Fiscal Years 2016-17 through 2020-21, certain City programs operated at a net loss, or revenue shortfall, during the five years studied; however, the overall governmental activities operated at a net income, or revenue gain, each year. Over the five fiscal years studied, the City's financial performance for governmental activities shows an increase in net position of \$29,166,237 or 61-percent, which signals a strengthening in financial position.
25. According to the audited financial information from Fiscal Years 2016-17 through 2020-21, several (six out of eleven) City enterprise programs and the overall business-type activities in FY 2016-17 and FY 2020-21 operated at a net loss, or revenue shortfall, during the five years studied. In addition, multiple enterprise programs operated at a net loss consistently (three out of five years) over the study period. Also, during the five years studied, several (seven out of eleven) City enterprise programs and the overall business-type activities in FY 2017-18, FY 2018-19, FY 2019-20 operated at a net income, or revenue gain. Over the five fiscal years studied, the City's financial performance for business-type activities shows an increase in net position of \$35,630,532 or 30-percent, which signals a strengthening in financial position.
26. The City maintains a Five-year Capital Improvement Plan (CIP) that prioritizes current and future major capital asset projects and identifies estimated costs and potential funding sources during the annual budget development process.

#### 3.14.1.5 SHARED SERVICES AND FACILITIES

Status of, and opportunities for, shared facilities
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27. The City works cooperatively with many other service providers to deliver services more effectively or efficiently by sharing public facilities, resources, and/or service delivery responsibility when feasible.
28. In 2017, the City and the Ukiah Valley Fire District (UVFD) entered into a joint powers agreement for combined fire services, known as the Ukiah Valley Fire Authority. Since then, the Fire Authority has been jointly managing, equipping, maintaining, and operating all-risk fire, medical, and emergency services in the City and Fire District boundaries.
29. In 2021, the UVFD annexed the Ukiah City limits to provide fire services, equalize the tax structure, and improve level of service for all residents within the previous service areas. The two agencies continue to coordinate service provision under the Ukiah Valley Fire Authority.
30. The Ukiah Valley Sanitation District boundaries include portions of Ukiah. The Willow County Water District serves customers in the City by agreement with the City. On the northern side of the City, the Millview County Water District serves a number of customers, including the Ukiah Valley High School, the Russian River Cemetery, and a number of residences.
31. The City provides wastewater services through an interconnected system of sewer collection and shared WWTP capacity that is operated and maintained under agreements with the City and the Ukiah Valley Sanitation District.
32. Due to prolonged and extreme drought conditions, in recent years multiple local water agencies have struggled with very limited to critically low local water supply to serve coastal and inland communities

resulting in interagency collaboration and mutual aid agreements for emergency short-term shared facilities and water resources.

#### 3.14.1.6 ACCOUNTABILITY, STRUCTURE AND OPERATIONAL EFFICIENCIES

Accountability for community service needs, including governmental structure and operational efficiencies

33. The City is governed by a City Council comprised of five seats elected to serve staggered 4-year terms.
34. Regularly scheduled meetings for the City Council are held on first and third Wednesdays of each month at the Civic Center Council Chambers (300 Seminary Avenue) beginning at 6 p.m. All meetings are open to the public and are publicly posted a minimum of 72 hours prior to the meeting in accordance with the Brown Act. Meetings are currently being held via a hybrid model with both an in-person and virtual option for attendance and public participation.
35. The City Council conducts business and takes action by approving motions and adopting resolutions and ordinances by a majority vote of a sufficient quorum. The City Council has adopted policies and procedures related to elected officials including conflict of interest and reimbursement, finances, and personnel. The City Council members file a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to Government Code §87203 of the Political Reform Act and receive two hours of training on public service ethics laws and principles at least once every two years pursuant to AB 1234. The City Council considers proposed increases to rates and fees at a properly noticed public hearing and subject to mailing a notice of hearing for protests to all property owners pursuant to Proposition 218. The City complies with local government ethics laws and regulations and operates with accountability and transparency.
36. The City has a website at <https://www.cityofukiah.com>, which is a helpful communication tool to enhance government transparency and accountability. The City's website is user-friendly, well organized, regularly maintained, and provides extensive information on City departments, services, programs, policies, finances, and public meetings including agendas and minutes dating back to 2015.
37. The public can submit written or provide verbal comments or complaints in person or by phone at the City's Civic Center during business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m., via the website, or at the City Council meetings during the general public comment period.
38. The interconnected sewer collection systems, shared WWTP capacity, and overlapping service areas suggest efficiencies could be gained by a reorganization with the Ukiah Valley Sanitation District.
39. The current provision of water service in the Ukiah Valley involves many public agencies, complex interagency service arrangements and relationships, and represents a significant opportunity to achieve both greater organizational and operational efficiencies.

#### 3.14.1.7 OTHER SERVICE DELIVERY MATTERS

Any other matter related to effective or efficient service delivery, as required by commission policy

40. There are no other matters related to service delivery required by Mendocino LAFCo Policy.

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## 5 ACRONYMS

AB	Assembly Bill
ADA	American with Disabilities Act
ADU	Accessory Dwelling Unit
ARC	Airport Reference Code
AWWA	American Water Works Association
BMP	Best Management Practices
CAD	Computer Aided Dispatch
CALFIRE	California Department of Forestry and Fire Protection
CALTRANS	California Department of Transportation
CDGB	Community Development Block Grant
CHP	California Highway Patrol
CIP	Capital Improvement Plan
CPI	Consumer Price Index
CSO	Community Service Officer
CWSRF	Clean Water State Revolving Loan Fund
DA	District Attorney
DMM	Demand Management Measures
DOF	Department of Finance
DUC	Disadvantaged Unincorporated Community
DWR	California Department of Water Resources
DZC	Downtown Zoning Code
ECC	Emergency Command Center
EH	Environmental Health
EIR	Environmental Impact Report
EMT	Emergency Medical Technician
FAA	Federal Aviation Administration
FAIR	California Fair Access to Insurance Requirement
FAR	Floor Area Ratios
FEC	Fire Executive Council
FTE	Full time equivalent
FY	Fiscal Year
GPS	Global Positioning System
GREAT	Gang Resistance Education and Training
GSA	Groundwater Sustainability Agency
GSP	Groundwater Sustainability Plan
ISO	Insurance Service Office
JPA	Joint Powers Authority
kW	Kilowatt
LID	Low Impact Development
LMHP	Lake Mendocino Hydroelectric Plant
LPR	License Plate Reader
MCALUC	Mendocino County Airport Land Use Commission
MCDOT	Mendocino County Department of Transportation

MCIWPC	Mendocino County Inland Water and Power Commission
MCOG	Mendocino Council of Governments
MCSO	Mendocino County Sherrif Office
MCTF	Major Crimes Task Force
MCWD	Millview County Water District
MGD	Million gallons per day
MSR	Municipal Service Review
MSWMA	Mendocino Solid Waste Management Authority
MTA	Mendocino Transit Authority
NCPA	Northern California Power Agency
NFPA	National Fire Protection Association
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
PG&E	Pacific Gas and Electric
PSAP	Public Safety Answering Point
PVP	Potter Valley Project
RHNA	Regional Housing Needs Allocation
RNAV	Area Navigation
RRFC	Russian River Flood Control District
RRWA	Russian River Watershed Association
SB	Senate Bill
SGMA	Sustainable Groundwater Management Act
SOI	Sphere of Influence
SRO	School Resource Officer
STIP	State Transportation Improvement Program
SWA	Sonoma Water Agency
SWMP	Stormwater Management Plan
SWRCB	State Water Resources Control Board
UKI	Ukiah Municipal
UKIALUCP	Ukiah Municipal Airport Land Use Compatibility Plan
UPD	Ukiah Police Department
URRWA	Upper Russian River Water Agency
USACE	United States Army Corps of Engineers
UUSD	Ukiah Unified School District
UVAP	Ukiah Valley Area Plan
UVFA	Ukiah Valley Fire Authority
UVFD	Ukiah Valley Fire District
UVBGS	Ukiah Valley Basin Groundwater Sustainability Agency
UVSD	Ukiah Valley Sanitation District
UWS	Ukiah Waste Solutions
UWMP	Urban Water Management Plan
VOR	Very High Frequency Omni-Directional
WCWD	Willow County Water District
WRFP	Water Recycling Funding Program



WTP	Water Treatment Plant
WUI	Wildland Urban Interface
WWTF	Wastewater Treatment Facility
WWTP	Wastewater Treatment Plant

## 6 ACKNOWLEDGEMENTS

### 6.1 Report Preparation

This Municipal Service Review was prepared by Hinman & Associates Consulting, Inc., contracted staff for Mendocino LAFCo.

Uma Hinman, Executive Officer  
 Larkyn Feiler, Analyst  
 Kristen Meadows, Commission Clerk

Additionally, technical writing support was provided by Jessica Hankins, an independent contractor under Hinman & Associates Consulting, Inc.

### 6.2 Assistance and Support

This Municipal Service Review could not have been completed without the assistance and support from the following organizations and individuals.

City of Ukiah	Sage Sangiacomo, City Manager Shannon Riley, Deputy City Manager Craig Schlatter, Community Development Director Jesse Davis, Chief Planning Manager Daniel Buffalo, Finance Director Sean White, Water and Sewer Director
County of Mendocino	Russ Ford, Senior Planner/Cartographer

## 7 APPENDICES

### 7.1 Appendix A – Open Government Resources

The purpose of this appendix is to provide a brief list of some educational resources for local agencies interested in learning more about the broad scope of public interest laws geared towards government transparency and accountability. This appendix is not intended to be a comprehensive reference list or to substitute legal advice from a qualified attorney. Feel free to contact the Mendocino LAFCo office at (707) 463-4470 to make suggestions of additional resources that could be added to this appendix.

The websites listed below provide information regarding the following open government laws: (1) **Public Records Act** (Government Code §6250 et seq.), (2) **Political Reform Act** – Conflict-of-Interest regulations (Government Code §81000 et seq.), (3) **Ethics Principles and Training** (AB 1234 and Government Code §53235), (4) **Brown Act** – Open Meeting regulations (Government Code §54950 et seq.), and (5) **Online Compliance** regulations (Section 508 of the US Rehabilitation Act and Government Code §11135).

- Refer to the State of California Attorney General website for information regarding public access to governmental information and processes at the following link: <https://oag.ca.gov/government>.
- Refer to the State of California Attorney General website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <https://oag.ca.gov/ethics>.
- The Fair Political Practices Commission (FPPC) is primarily responsible for administering and enforcing the Political Reform Act. The website for the Fair Political Practices Commission is available at the following link: <http://www.fppc.ca.gov/>.
- Refer to the California Department of Rehabilitation website for information regarding Section 508 of the US Rehabilitation Act and other laws that address digital accessibility at the following link: <http://www.dor.ca.gov/DisabilityAccessInfo/What-are-the-Laws-that-Cover-Digital-Accessibility.html>.
- Refer to the Institute for Local Government (ILG) website to download the Good Governance Checklist form at the following link: [www.ca-ilg.org/post/good-governance-checklist-good-and-better-practices](http://www.ca-ilg.org/post/good-governance-checklist-good-and-better-practices).
- Refer to the Institute for Local Government (ILG) website to download the Ethics Law Principles for Public Servants pamphlet at the following link: [www.ca-ilg.org/node/3369](http://www.ca-ilg.org/node/3369).
- Refer to the Institute for Local Government (ILG) website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <http://www.ca-ilg.org/ethics-education-ab-1234-training>.

Refer to the California Special Districts Association (CSDA) website for information regarding online and website compliance webinars at the following link: <http://www.csda.net/tag/webinars/>.

## 7.2 Appendix B – Website Compliance Handout

Refer to the next page.

# Appendix B

## California Website Compliance Checklist

Use this checklist to keep your district's website compliant with State and Federal requirements.

### Public Records Act

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SB 929

**Our district has created and maintains a website**

Passed in 2018, all independent special districts must have a website that includes contact information (and all other requirements) by Jan. 2020

SB 272

**Our Enterprise System Catalog is posted on our website**

All local agencies must publish a catalog listing all software that meets specific requirements—free tool at [getstreamline.com/sb272](http://getstreamline.com/sb272)

AB 2853 (optional):

**We post public records to our website**

This bill allows you to refer PRA requests to your site, if the content is displayed there, potentially saving time, money, and trees

### The Brown Act

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AB 392:

**Agendas are posted to our website at least 72 hours in advance of regular meetings, 24 hours in advance of special meetings**

This 2011 update to the Act, originally created in 1953, added the online posting requirement

AB 2257:

**A link to the most recent agenda is on our home page, and agendas are searchable, machine-readable and platform independent**

Required by Jan. 2019—text-based PDFs meet this requirement, Microsoft Word docs do not

### State Controller Reports

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Financial Transaction Report:

**A link to the Controller's "By the Numbers" website is posted on our website**

Report must be submitted within seven months after the close of the fiscal year—you can add the report to your site annually, but posting a link is easier

Compensation Report:

**A link to the Controller's PublicPay website is posted in a conspicuous location on our website**

Report must be submitted by April 30 of each year—you can also add the report to your site annually, but posting a link is easier

### Healthcare District Websites

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AB 2019:

**If we're a healthcare district, we maintain a website that includes all items above, plus additional requirements**

Including budget, board members, Municipal Service Review, grant policy and recipients, and audits

### Open Data

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AB 169:

**Anything posted on our website that we call "open data" meets the requirements for open data**

Defined as "retrievable, downloadable, indexable, and electronically searchable; platform independent and machine readable" among other things

### Section 508 ADA Compliance

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CA gov code 7405:

**State governmental entities shall comply with the accessibility requirements of Section 508 of the federal Rehabilitation Act of 1973**

Requirements were updated in 2018—if you aren't sure, you can test your site for accessibility at [achecker.ca](http://achecker.ca)



California Special Districts Association  
CSDA  
Districts Stronger Together



STREAMLINE  
Website compliance made easy

# The Brown Act: new agenda requirements

Tips for complying with AB 2257 by January, 2019

## Placement:

**What it says:** An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda.

**What that means:** Add a link to the **current agenda directly to your homepage**. It cannot be in a menu item or otherwise require more than a single click to open the agenda.

## Exception:

**What it says:** A link to the agenda management platform may be added to the home page instead of a link directly to the current agenda, if the agency uses an integrated agenda management platform that meets specified requirements, including, among others, that the current agenda is the first agenda available at the top of the integrated agenda management platform.

**What that means:** If you use an agenda management system, you may add a link to that system directly to your homepage (again, not in a menu item), if the format of the agenda meets the requirements below, and if the current agenda is the first at the top of the list.

## Format:

**What it says:** [agenda must be] Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications. Platform independent and machine readable. Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

**What that means:** You cannot add Word Docs or scanned (image-based) PDFs of your agenda to your website—Word Docs are not platform independent (the visitor must have Word to read the file), and scanned PDFs are not searchable. Instead, **keep your agenda separate from the packet** and follow these steps:

1. From Word or other document system: Export agenda to PDF
2. Add that agenda to your website (or to your agenda management system), and include a link to that agenda on your homepage
3. Then, you can print the agenda, add it to your pile of documents for the packet, and scan that to PDF - just keep the packet separate from the agenda (only the agenda must meet AB 2257)
4. Keep the link on the homepage until the next agenda is available, then update the link

Questions? Contact [sloane@getstreamline.com](mailto:sloane@getstreamline.com) or [dillong@csga.net](mailto:dillong@csga.net)

### 7.3 Appendix C - Vacant and Underutilized Parcel List

Refer to the next page.



**TABLE 4.3: VACANT AND UNDERUTILIZED INVENTORY**

*Amended 2-14-2022*

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
<b>Very-Low/Low Vacant Parcels</b>												
4	00230155	763-S Oak St	Vacant	C1	C	0.88	38,332	31	77	Very-Low/Low	C	Undeveloped but approved for an entitlement for Ukiah Senior Apartments (31 units) project in Feb 2018. Expected to be developed within 1-2 years. Removed 2/14/22. Construction of Senior Apartments completed.
2	00237027	None Assigned. Corner of Clara & N Orchard	Vacant	C1	C	0.67	29,185	15	37	Very-Low/Low	None	Undeveloped. Realistic development capacity- 22,806 sf available to build up to 15 multi-family units. Due to need for housing and citywide build-out, expected to be developed within planning period.
3	17903025	700 E Perkins St	Vacant	C1	C	1.24	54,014	25	62	Very-Low/Low	None	Undeveloped. Realistic development capacity- 37,800 sf available for up to 25 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
4	17903028	730 E Perkins St	Vacant	C1	C	0.58	25,264	16	40	Very-Low/Low	None	Undeveloped. Realistic development capacity- up to 16 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
5	17906104**	705 E Perkins St	Vacant	C1	C	0.52	22,651	14	35	Very-Low/Low	None	Minor improvements including parking lot. Realistic development capacity for up to 14 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
<b>Very-Low/Low Vacant Parcels Subtotal</b>						<del>3.89</del> 3.01	<del>169,446</del> 131,114	<del>101</del> 70	<del>251</del> 174			
<b>Moderate/Above-Moderate Vacant Parcels</b>												
6	00111126	None Assigned. Corner of	Vacant	R1	LDR	0.16	6,969	2	5	Mod/Above-Mod	None	Undeveloped and surrounded by single family dwellings (SFDs). Realistic development capacity-

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
		Dora & N Spring										based on lot restrictions site could be developed with up to 2 units. Due to need for housing and citywide build-out, expected to be developed within planning period. Removed 2/14/22. This lot is developed with an SFD and ADU. Address change submitted in Feb, 2020 from 657 N Spring St to 655 Dora Ave A and 655 Dora Ave B
7	00114239*	179 Park Pl	Vacant	R1	LDR	0.41	17,859	2	5	Mod/Above-Mod	None	Mostly undeveloped but some topographical lot restrictions. Surrounded by SFDs. Realistic development capacity of up to 2 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
8	00114244	169 Park Pl	Vacant	R1	LDR	0.27	11,761	2	5	Mod/Above-Mod	None	Undeveloped. Surrounded by SFDs. Could build up to 2 units. Due to need for housing and citywide build-out, expected to be developed within planning period. Removed 2/14/22. Developed with SFD.
9	00114245	169 Park Pl	Vacant	R1	LDR	0.24	10,454	2	5	Mod/Above-Mod	None	Undeveloped. Some lot restrictions including road access. Realistically could build 2 units- SFD and accessory dwelling unit (ADU). Due to need for housing and citywide build-out, expected to be developed within planning period.
10	00121404	None Assigned. Near S Barnes St & W Clay St	Vacant	R1	LDR	0.54	23,522	3	7	Mod/Above-Mod	D; None	Undeveloped. Lot restrictions and zoning restrict number of units that can be realistically developed to 3. Could increase density if merging with parcel 00121409. Due to need for housing and citywide build-out, expected to be developed within planning period.
11	00125323	None Assigned. Oak Park Ave Between W Clay St	Vacant	R1	LDR	0.47	20,473	3	7	Mod/Above-Mod	D; None	Undeveloped and surrounded by SFDs. Realistic development capacity for up to 3 units. Due to need for housing and citywide build-out, expected to be developed within planning period.

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
		& Jones St										
12	00142036	274 Mendocino Pl	Vacant	R1	LDR	0.46	20,037	2	5	Mod/Above-Med	D; Slope	Undeveloped. Although larger lot, topographical restrictions limit to realistic maximum of 2 units. Due to need for housing and citywide build-out, expected to be developed within planning period. Removed 2/19/20. One legal lot of record with APN 001-420-37 (divided by tax line).
13	00211480	None Assigned. Behind existing homes on Oak St.	Vacant	R1	LDR	0.15	8,464	2	5	Mod/Above-Mod	None	Undeveloped. Needs road access but realistically could develop 2 units- an SFD and ADU. Due to need for housing and citywide build-out, expected to be developed within planning period.
14	00301059	1010 Helen Ave	Vacant	R1	LDR	0.15	6,534	2	5	Mod/Above-Med	D; None	Undeveloped; surrounded by SFDs. Due to lot restrictions, maximum development capacity of 1 SFD and 1 ADU. Due to need for housing and citywide build-out, expected to be developed within planning period. Removed 2/14/22. Developed with landscaping and accessory structures associated with adjacent residence.
15	00302124	None Assigned. Cochrane Ave Between 410 & 420	Vacant	R1	LDR	0.14	6,098	1	2	Mod/Above-Mod	D; None	Undeveloped. Due to setback limitations realistic development capacity is 1 unit. Due to need for housing and citywide build-out, expected to be developed within planning period.
16	00311056	None Assigned. At the terminus	Vacant	R1	LDR	0.29	12,632	2	5	Mod/Above-Mod	D; Slope	Undeveloped. Existing slope constraints allow a realistic development maximum of 2 units. Due to need for housing and

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
		of Redwood Ave										citywide build-out, expected to be developed within planning period.
17	00311079	1080 Helen Ave	Vacant	R1	LDR	0.50	21,780	3	7	Mod/Above-Mod	D; None	Undeveloped flag lot; surrounded by SFDs. Due to lot limitations realistic development capacity is 3 units maximum. Due to need for housing and citywide build-out, expected to be developed within planning period.
18	00352055	None Assigned. Off of S Dora St Near Washington behind homes	Vacant	R1	LDR	0.16	6,969	2	5	Mod/Above-Mod	D; None	Undeveloped; surrounded by SFDs. Due to lot size, setbacks, and access limitations, realistic development capacity is up to 2 units. Expected to be developed within the planning period.
19	00352056	None Assigned. Off of S Dora St near Washington behind homes	Vacant	R1	LDR	0.15	6,534	2	2	Mod/Above-Mod	D; None	Undeveloped; similar to parcel 00352055 and same owner. Due to lot size, setbacks, and access limitations, realistic development capacity is up to 2 units. Expected to be developed within the planning period.
20	00354065	None Assigned. On Cresta near Wabash. Adjacent To 191 Cresta Dr	Vacant	R1	LDR	0.21	9,147	2	5	Mod/Above-Mod	D Slope	Undeveloped. Lot size limitations and setbacks set realistic development capacity at not more than 2 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
21	00354066	191 Cresta Dr	Vacant	R1	LDR	0.20	8,712	2	5	Mod/Above-Mod	None	Undeveloped. Lot size limitations and setbacks set realistic development capacity at not more than 2 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
22	00357217	None Assigned. Cooper	Vacant	R1	LDR	0.19	8,276	2	5	Mod/Above-Mod	C	Undeveloped. Lot size limitations and setbacks set realistic development capacity at not more

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
		Ln near Betty St										than 2 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
23	00357218	None Assigned. Cooper Ln near Betty St	Vacant	R1	LDR	0.21	9,221	2	5	Mod/Above-Mod	None	Undeveloped. Lot size limitations and setbacks set realistic development capacity at not more than 2 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
24	00309045	21 Betty St	Vacant	R2	MDR	0.13	5,662	1	2	Mod/Above-Mod	C; Limited access	Undeveloped. Parcel has some access and lot size limitations and realistically could accommodate one SFD. Due to need for housing and citywide build-out, expected to be developed within planning period.
25	00211432	670 N State St	Vacant	C1	C	0.31	13,503	9	22	Mod/Above-Mod	None	Undeveloped, surrounded by residential development. Realistically could accommodate up to 9 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
26	00214611	528 N State St	Vacant	C1	C	0.31	13,815	9	22	Mod/Above-Mod	None	Undeveloped, surrounded by residential development. Realistically could accommodate up to 9 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
27	00230153	638 S State St	Vacant	C1	C	0.26	11,325	3	7	Mod/Above-Mod	C	Undeveloped but given lot limitations and setbacks only 4,550 sf could be realistically developed, setting maximum capacity at 3 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
28	00204047	None Assigned. On Low Gap Rd in between	Vacant	C2	C	0.21	9,147	6	15	Mod/Above-Mod	None	Undeveloped, narrow lot sets realistic development capacity at up to 6 units. Due to need for housing and citywide build-out, expected to

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
		N State St & Mazzoni St										be developed within planning period.
29	00228110 ±	190 Cleveland Ln	Vacant	C2	C	0.19	8,403	6	15	Mod/Above-Mod	None	<i>Undeveloped. Existing lot limitations sets realistic development capacity at not more than 6 units. Due to need for housing and citywide build-out, expected to be developed within planning period. Removed 2/14/22. Developed with SFD and ADU.</i>
30	00313065	1137 S Dora St	Vacant	CN	C	0.41	17,859	6	15	Mod/Above-Mod	D; None	<i>Undeveloped; but existing lot size limitations and setbacks removes 300 sf and zoning limits density. Realistic development capacity is not more than 6 units. Due to need for housing and citywide build-out, expected to be developed within planning period. Removed 2/14/22. Parking lot was developed for medical facilities. Not likely to be developed with residential.</i>
31	00226307	None Assigned. Corner of W Clay St & S Oak St	Vacant	GU	C	0.10	3,257	2	5	Mod/Above-Mod	C	Undeveloped; surrounded by commercial development. Zoning allows up to 28 du/acre but lot and setback limitations limit realistic development capacity to 2 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
32	00350014	None Assigned. Access from Helen Ave and Foothill Ct	Vacant	R1	LDR	7.56	329,313	12	30	Mod/Above-Mod	Slope	Existing slope constraints allow for 299,000 sf (6 ac) of lot to be developed. Although General Plan allows up to 6 units per acre, given other residential development in this district, as well as existing lot limitations and constraints, realistic development capacity has been calculated at roughly 2 du/acre setting realistic development capacity at 12 units. Due to need for housing and citywide build-out, expected to be developed within planning period.

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
33	00104002 ***	None Assigned. Access off of W Stanley St	Vacant	R1H	LDR	36.97	1,610,413	2	5	Mod/Above-Mod	Slope; infrastructure	Undeveloped but constrained by steep slopes. Although General Plan allows up to 6 units per acre, given other residential development in this district, as well as existing lot limitations and constraints, realistic development capacity has been calculated at roughly 2 du/acre with a 5 acre lot; 2 units are possible on this parcel and are expected to be developed within the planning period given need for housing and citywide build-out.
34	00104065 ***	500 Lookout Drive	Vacant	R1H	LDR	6.29	273,992	2	5	Mod/Above-Mod	Slope; infrastructure	Undeveloped but constrained by steep slopes. Although General Plan allows up to 6 units per acre, given other residential development in this district, as well as existing lot limitations and constraints, realistic development capacity has been calculated at roughly 2 du/acre with 5 acre lots; a maximum of 2 units is possible on this parcel and is expected to be developed within the planning period given need for housing and citywide build-out.
35	00104082 ***	360 S Highland Ave	Vacant	R1H	LDR	29.63	1,290,682	12	30	Mod/Above-Mod	Slope; infrastructure	Undeveloped but constrained by steep slopes. Although General Plan allows up to 6 units per acre, given other residential development in this district, as well as existing lot limitations and constraints, realistic development capacity has been calculated at roughly 2 du/acre with 5 acre lots; a maximum of 12 units is possible on this parcel and is expected to be developed within the planning period given need for housing and citywide build-out.
36	00104084 ***	None Assigned. Access from Highland Ave	Vacant	R1H	LDR	10.08	439,084	4	10	Mod/Above-Mod	Slope; infrastructure	Undeveloped but constrained by steep slopes. Although General Plan allows up to 6 units per acre, given other residential development in this district, as well as existing lot limitations and constraints, realistic



Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
												development capacity has been calculated at roughly 2 du/acre with 5 acre lots; a maximum of 4 units is possible on this parcel and is expected to be developed within the planning period given need for housing and citywide build-out.
37	00104088 ***	None Assigned. Access from Highland Ave	Vacant	R1H	LDR	8.45	368,081	4	10	Mod/Above-Mod	Slope; infrastructure	Undeveloped but constrained by steep slopes. Although General Plan allows up to 6 units per acre, given other residential development in this district, as well as existing lot limitations and constraints, realistic development capacity has been calculated at roughly 2 du/acre with 5 acre lots; a maximum of 4 units is possible on this parcel and is expected to be developed within the planning period given need for housing and citywide build-out.
38	00104092	335 Janix Dr	Vacant	R1H	LDR	4.77	207,781	8	20	Mod/Above-Mod	Slope; infrastructure	Undeveloped but constrained by steep slopes. Although General Plan allows up to 6 units per acre, given other residential development in this district, as well as existing lot limitations and constraints, realistic development capacity has been calculated at roughly 2 du/acre; a maximum of 8 units is possible on this parcel and is expected to be developed within the planning period given need for housing and citywide build-out.
39	00104093 ***	335 Janix Dr	Vacant	R1H	LDR	4.86	211,701	2	5	Mod/Above-Mod	Slope; infrastructure	Undeveloped but constrained by steep slopes. Although General Plan allows up to 6 units per acre, given other residential development in this district, as well as existing lot limitations and constraints, realistic development capacity has been calculated at roughly 2 du/acre with 5 acre lots; a maximum of 2 units is possible on this parcel and is expected to be developed within the

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
												planning period given need for housing and citywide build-out.
<b>Moderate/Above-Moderate Vacant Parcels Subtotal</b>						<del>115.43</del> 113.79	<del>5,000,748</del> 4,929,155	<del>124</del> 104	<del>308</del> 258			
<b>Very-Low/Low Underutilized Parcels</b>												
40	00304079 ; 00304077 *; 00304078 *;	210 E Gobbi St	Underutilized	C1;C2	C	2.4	22,098	36	90	Very-Low/Low	B2	Underutilized; existing community garden on-site. Application for \$500,000 in Ukiah Housing Trust Fund received in 2018 for 40 low income housing units but due to airport constraints, realistic development potential is 36 units. This site consists of three parcels suitable for development. Two of the parcels, 00304077 and 00304078, were listed in the prior planning period. The third parcel, 00304079, was not listed. However, realistically all three parcels will be developed at one time and this will also maximize development potential on the site. Program 2h to allow by right housing development on these parcels has been added. Due to need for housing and citywide build-out, expected to be developed within planning period. <i>All three parcels were included in the rezone and establishment of the East Gobbi Housing Overlay Zone "HOZ" that was adopted by City Council in March, 2021, as a part of Housing Element Implementation Task 2h to create by right housing. However, as of 2/14/22 no development proposals have been submitted.</i>
41	00357407 **	817 Waugh Ln	Underutilized	R3	HDR	1.66	72,309	24	60	Very-Low/Low	C	Underutilized with existing SFD and minor outbuildings. Existing topographical and lot limitations, plus airport constraints, set realistic development capacity at up to 24

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
												units. Due to need for housing and citywide build-out, expected to be developed within planning period.
<b>Very-Low/Low Underutilized Parcels Subtotal</b>						<b>4.06</b>	<b>94,407</b>	<b>60</b>	<b>150</b>			
<b>Mod/Above-Mod Underutilized Parcels</b>												
42	00104061	None Assigned. Parcel off of Hillview Ave	Underutilized	R1	LDR	3.23	140,698	14	35	Mod/Above-Mod	D; None	Partially developed with residential and/or commercial. Due to existing lot limitations, approximately 30% of the lot has been removed for potential development capacity. Lot area for development is expected to be 87,000 sf and would accommodate up to 14 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
43	00125129	438 Mcpeak St	Underutilized	R1	LDR	0.18	7,840	1	2	Mod/Above-Mod	D; None	Partially developed with residential and/or commercial. Existing lot limitations and development set future realistic development capacity at 1 unit. Due to need for housing and citywide build-out, expected to be developed within planning period.
44	00126618	611 W Clay St	Underutilized	R1	LDR	0.29	12,632	2	5	Mod/Above-Mod	D; None	Partially developed with residential and/or commercial. Given existing development on site, realistic development capacity is 1 SFD and 1 ADU (2 units). Due to need for housing and citywide build-out, expected to be developed within planning period.
45	00142034	275 Mendocino Pl	Underutilized	R1	LDR	0.98	42,688	6	15	Mod/Above-Mod	D; Slope	Partially developed with residential and/or commercial. Given existing topographical, development, and lot limitations including slope constraints, realistic development capacity anticipated at no more than 6 units. Due to need for

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
												housing and citywide build-out, expected to be developed within planning period.
46	00142041	145 Mendocino PI	Underutilized	R1	LDR	0.84	36,590	5	12	Mod/Above-Mod	D; Slope	Partially developed with residential and/or commercial. Given existing topographical, development, and lot limitations including slope constraints, realistic development capacity anticipated at no more than 5 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
47	00113052	1217 W Standley Ave	Underutilized	R1H	LDR	1.18	51,400	1	2.5	Mod/Above-Mod	Slope	Partially developed with residential and/or commercial. Given existing development on site plus slope limitations, realistic development capacity is 1 SFD and 1 ADU (2 units). Due to need for housing and citywide build-out, expected to be developed within planning period.
48	00212404	217 Ford St	Underutilized	R2	MDR	0.22	9,583	3	7	Mod/Above-Mod	None	Partially developed with residential and/or commercial. Given existing development on site plus topographical limitations, realistic development capacity is no more than 3 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
49	00213309	308 Clara Ave	Underutilized	R2	MDR	0.22	9,582	3	7	Mod/Above-Mod	None	Partially developed with residential and/or commercial. Given existing development on site plus topographical limitations, realistic development capacity is no more than 3 units. Due to need for housing and citywide build-out, expected to be developed within planning period.
50	00215305	221 Norton St	Underutilized	R3	HDR	0.46	20,037	2	5	Mod/Above-Mod	None	Partially developed with residential and/or commercial. Given existing development on site plus slope limitations, realistic development capacity is 1 SFD and 1 ADU (2

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
												units). Due to need for housing and citywide build-out, expected to be developed within planning period.
51	00208004	170 Low Gap Rd	Underutilized	C1	C	0.17	7,405	4	10	Mod/Above-Mod	None	Partially developed with residential and/or commercial but parcel is largely undeveloped/vacant. Realistic development capacity is up to 4 units and expected to be developed within the planning period.
52	00211436	678 N State St	Underutilized	C1	C	0.22	9,583	1	2	Mod/Above-Mod	None	Partially developed with residential and/or commercial. Given existing development on site plus lot limitations, realistic development capacity is 1 unit. Due to need for housing and citywide build-out, expected to be developed within planning period.
<b>Moderate/Above-Moderate Underutilized Parcels Subtotal</b>						<b>7.77</b>	<b>197,757</b>	<b>41</b>	<b>100.5</b>			
<b>Very-Low/Low Vacant Parcels Subtotal</b>						<b>3.89</b>	<b>169,446</b>	<b>104</b>	<b>174</b>			
<b>Moderate/Above-Moderate Vacant Parcels Subtotal</b>						<b>415.43</b>	<b>5,000,748</b>	<b>124</b>	<b>104</b>	<b>308</b>	<b>258</b>	
<b>Very-Low/Low Underutilized Parcels Subtotal</b>						<b>4.06</b>	<b>94,407</b>	<b>60</b>	<b>150</b>			
<b>Moderate/Above-Moderate Underutilized Parcels Subtotal</b>						<b>7.77</b>	<b>197,757</b>	<b>41</b>	<b>100.5</b>			
<b>Totals Very-Low/Low Vacant + Underutilized Parcels</b>						<b>7.95</b>	<b>263,853</b>	<b>164</b>	<b>111</b>	<b>404</b>	<b>274.5</b>	
<b>Totals Moderate/Above-Moderate Vacant + Underutilized Parcels</b>						<b>423.2</b>	<b>5,19,8475</b>	<b>145</b>	<b>145</b>	<b>408.5</b>	<b>358.5</b>	

Map ID	APN	Location	Existing Use	Zoning	General Plan	Acres	Square feet	Realistic Development Potential (units)	Population	Income Group	Constraints	Notes
		<p><b>LEGEND:</b>  <b>Zoning:</b> R1- Single Family Residential; R1h-Single Family Residential, Hillside Combining District; R-2- Medium Family Residential; R-3- High Density Residential; C1- Community Commercial; CN-Neighborhood Commercial; C2-Heavy Commercial; GU-General Urban; DC- Downtown Core; UC-Urban Center.  <b>General Plan:</b> LDR- Low Density Residential; MDR- Medium Density Residential; HDR- High Density Residential; C-Commercial.  <b>Constraints</b> (Airport Influence Zones): B2-Extended Approach/Departure Zone; C-Common Traffic Pattern; D-Other Airport Environs.  *= Identified in both 2009-2014 and 2014-2019 HE cycles  ** = Neither of these sites were identified in the prior planning period.  ***= R1H regulations require a 5 acre lot for parcels with 30-50% slopes.  NOTE: All parcels have access to infrastructure and utilities unless otherwise noted  NOTE for 2022 update: This table has not been updated to reflect the Ukiah Municipal Airport Land Use Compatibility Plan (UKIALUCP), adopted by the Mendocino County Airport Land Use Commission on May 20, 2021 and by the Ukiah City Council on June 16, 2021. Additionally, it has not been updated to reflect the zoning code amendments adopted by City Council (Ordinance 1216) on 9/1/2021 under HE Program 2h including by-right housing development with objective design and development standards, increasing residential density in the C-N zone, and by-right housing for select parcels.</p>										





*Photo credit: Jendi Coursey*

# Ukiah Valley Sanitation District

## 2022 – Draft Municipal Service Review

Prepared For:

**Mendocino LAFCo**

200 South School Street

Ukiah, California 95482

<http://www.mendolafco.org/>

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# 1 INTRODUCTION

## 1.1 Local Agency Formation Commission

Local Agency Formation Commissions (LAFCo) are quasi-legislative, independent local agencies that were established by State legislation in 1963 to oversee the logical and orderly formation and development of local government agencies including cities and special districts. There is one LAFCo for each county in California.

LAFCo is responsible for implementing the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000 (California Government Code Section 56000 et. seq.) in order to promote orderly growth, prevent urban sprawl, preserve agricultural and open space lands, and oversee efficient provision of municipal services.

LAFCo has the authority to establish and reorganize cities and special districts, change their boundaries and authorized services, allow the extension of public services, perform municipal service reviews, and establish spheres of influence. Some of LAFCo's duties include regulating boundary changes through annexations or detachments and forming, consolidating, or dissolving local agencies.

## 1.2 Mendocino LAFCo

The CKH Act provides for flexibility in addressing State regulations to allow for adaptation to local needs. Mendocino LAFCo has adopted policies, procedures and principles that guide its operations. These policies and procedures can be found on Mendocino LAFCo's website at the following location: <http://www.mendolafco.org/policies.html>.

Mendocino LAFCo has a public Commission with seven regular Commissioners and four alternate Commissioners. The Commission is composed of two members of the Mendocino County Board of Supervisors, two City Council members, two Special District Board of Directors members, and one Public Member-At-Large. The Commission also includes one alternate member for each represented category.

## 1.3 Municipal Service Review

The CKH Act (GC §56430) requires LAFCo to prepare a Municipal Service Review (MSR) for all local agencies within its jurisdiction. MSRs are required prior to or in conjunction with the establishment or update of a Sphere of Influence (SOI).

An MSR is a comprehensive analysis of the services provided by a local government agency to evaluate the capabilities of that agency to meet the public service needs of their current and future service area. An MSR must address the following seven factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.

6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

MSRs include written statements or determinations with respect to each of the seven mandated areas of evaluation outlined above. These determinations provide the basis for LAFCo to consider the appropriateness of a service provider's existing and future service area boundary.

#### 1.4 Sphere Of Influence

The CKH Act requires LAFCo to adopt a Sphere of Influence (SOI) for all local agencies within its jurisdiction. A SOI is "a plan for the probable physical boundary and service area of a local agency or municipality as determined by the Commission" (GC §56076).

When reviewing an SOI for a municipal service provider, LAFCo will consider the following five factors:

1. The present and planned land uses in the area, including agricultural and open space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

Sphere of Influence Updates include written statements or determinations with respect to each of the five mandated areas of evaluation outlined above. These determinations provide the basis for LAFCo to consider the appropriateness of establishing or modifying a service provider's SOI or probable future boundary.

#### 1.5 Mendocino LAFCo Policies

In addition to making the necessary determinations for establishing or modifying a SOI consistent with the CKH Act, the appropriateness of an agency's SOI is also based on an evaluation of consistency with local LAFCo policies.

The following Sphere of Influence policies are from the Mendocino LAFCo Policies and Procedures Manual, adopted November 5, 2018.

##### **10.1.1 Legislative Authority and Intent**

A sphere of influence is the probable 20-year growth boundary for a jurisdiction's physical development. The Commission shall use spheres of influence to:

- a) promote orderly growth and development within and adjacent to communities;

- b) promote cooperative planning efforts among cities, the County, and special districts to address concerns regarding land use and development standards, premature conversion of agriculture and open space lands, and efficient provision of public services;
- c) guide future local government reorganization that encourages efficiency, economy, and orderly changes in local government; and
- d) assist property owners in anticipating the availability of public services in planning for the use of their property.

#### **10.1.2 Definitions**

The Commission incorporates the following definitions:

- a) an “establishment” refers to the initial development and determination of a sphere of influence by the Commission;
- b) an “amendment” refers to a limited change to an established sphere of influence typically initiated by a landowner, resident, or agency; and
- c) an “update” refers to a comprehensive change to an established sphere of influence typically initiated by the Commission.

#### **10.1.3 Sphere Updates**

In updating spheres of influence, the Commission’s general policies are as follows:

- a) The Commission will review all spheres of influences every five years for each governmental agency providing municipal services. Municipal services include water, wastewater, police, and fire protection services.
- b) Sphere of influence changes initiated by any agency providing a municipal service shall generally require either an updated or new service review unless LAFCo determines that a prior service review is adequate.
- c) Spheres of influence of districts not providing municipal services including, but not limited to, ambulance, recreation, hospital, resource conservation, cemetery, and pest control shall be updated as necessary.

#### **10.1.4 Reduced Spheres**

The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission shall, however, consider removal of land from an agency’s sphere of influence if either of the following two conditions apply:

- a) the land is outside the affected agency’s jurisdictional boundary but has been within the sphere of influence for 10 or more years; or
- b) the land is inside the affected agency’s jurisdictional boundary but is not expected to be developed for urban uses or require urban-type services within the next 10 years.

### **10.1.5 Zero Spheres**

LAFCo may adopt a “zero” sphere of influence encompassing no territory for an agency. This occurs if LAFCo determines that the public service functions of the agency are either nonexistent, no longer needed, or should be reallocated to some other agency (e.g., mergers, consolidations). The local agency which has been assigned a zero sphere should ultimately be dissolved.

### **10.1.6 Service Specific Spheres**

If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a “service specific” sphere of influence may be designated.

### **10.1.7 Agriculture and Open Space Lands**

Territory not in need of urban services, including open space, agriculture, recreational, rural lands, or residential rural areas shall not be assigned to an agency’s sphere of influence unless the area’s exclusion would impede the planned, orderly and efficient development of the area. In addition, LAFCo may adopt a sphere of influence that excludes territory currently within that agency’s boundaries. This may occur when LAFCo determines that the territory consists of agricultural lands, open space lands, or agricultural preserves whose preservation would be jeopardized by inclusion within an agency’s sphere. Exclusion of these areas from an agency’s sphere of influence indicates that detachment is appropriate.

### **10.1.8 Annexations Are Not Mandatory**

Before territory can be annexed to a city or district, it must be within the agency’s sphere of influence (G.G. §56375.5). However, territory within an agency’s sphere will not necessarily be annexed. A sphere is only one of several factors that are considered by LAFCo when evaluating changes of organization or reorganization.

### **10.1.9 Islands or Corridors**

Sphere of influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.

### **10.1.10 Overlapping Spheres**

LAFCo encourages the reduction of overlapping spheres of influence to avoid unnecessary and inefficient duplication of services or facilities. In deciding which of two or more equally capable agencies shall include an area within its sphere of influence, LAFCo shall consider the agencies’ service and financial capabilities, social and economic interdependencies, topographic factors, and the effect that eventual service extension will have on adjacent agencies. Where an area could be assigned to the sphere of influence of more than one agency, the following hierarchy typically applies:

- a) Inclusion within a city’s sphere
- b) Inclusion within a multi-purpose district’s sphere
- c) Inclusion within a single-purpose district’s sphere

Territory placed within a city’s sphere indicates that the city is the most logical provider of urban services. LAFCo encourages annexation of developing territory (i.e., area not currently receiving services) that is currently within a city’s sphere to that city rather than to one or more single-purpose special districts. LAFCo discourages the formation of special districts within a city’s sphere. To promote efficient and



coordinated planning among the county's various agencies, districts that provide the same type of service shall not have overlapping spheres.

#### **10.1.11 Memorandum of Agreements (For City Sphere Amendments and Updates)**

Prior to submitting an application to LAFCo for a new city sphere of influence or a city sphere of influence update, the city shall meet with the County to discuss the proposed new boundaries of the sphere and explore methods to reach agreement on development standards and planning and zoning requirements as contained in GC §56425. If an agreement is reached between the city and County the agreement shall be forwarded to LAFCo. The Commission shall consider and adopt a sphere of influence for the city consistent with the policies adopted by LAFCo and the County, and LAFCo shall give great weight to the agreement to the extent that it is consistent with LAFCo policies in its final determination of the city sphere.

#### **10.1.12 Areas of Interest**

LAFCo may, at its discretion, designate a geographic area beyond the sphere of influence as an Area of Interest to any local agency. (Resolution No. 2018-19-01)

- a) An Area of Interest is a geographic area beyond the sphere of influence in which land use decisions or other governmental actions of one local agency (the "Acting Agency") impact directly or indirectly upon another local agency (the "Interested Agency"). For example, approval of a housing project developed to urban densities on septic tanks outside the city limits of a city and its sphere of influence may result in the city being forced subsequently to extend sewer services to the area to deal with septic failures and improve city roads that provide access to the development. The city in such a situation would be the Interested Agency with appropriate reason to request special consideration from the Acting Agency in considering projects adjacent to the city.
- b) When LAFCo receives notice of a proposal from another agency relating to the Area of Concern, LAFCo will notify the Interested Agency and will consider its comments.
- c) LAFCo will encourage Acting and Interested Agencies to establish Joint Powers Agreements or other commitments as appropriate.

(LAFCo, 2018)

### **1.6 [Senate Bill 215](#)**

Senate Bill 215 (Wiggins) requires LAFCo to consider regional transportation plans and sustainable community strategies developed pursuant to SB 375 before making boundary decisions. Senate Bill 375 (Sustainable Communities and Climate Protection Act) requires each metropolitan planning organization (MPO) to address regional greenhouse gas (GHG) emission reduction targets for passenger vehicles in their Regional Transportation Plan (RTP) by integrating planning for transportation, land-use, and housing in a sustainable communities strategy.

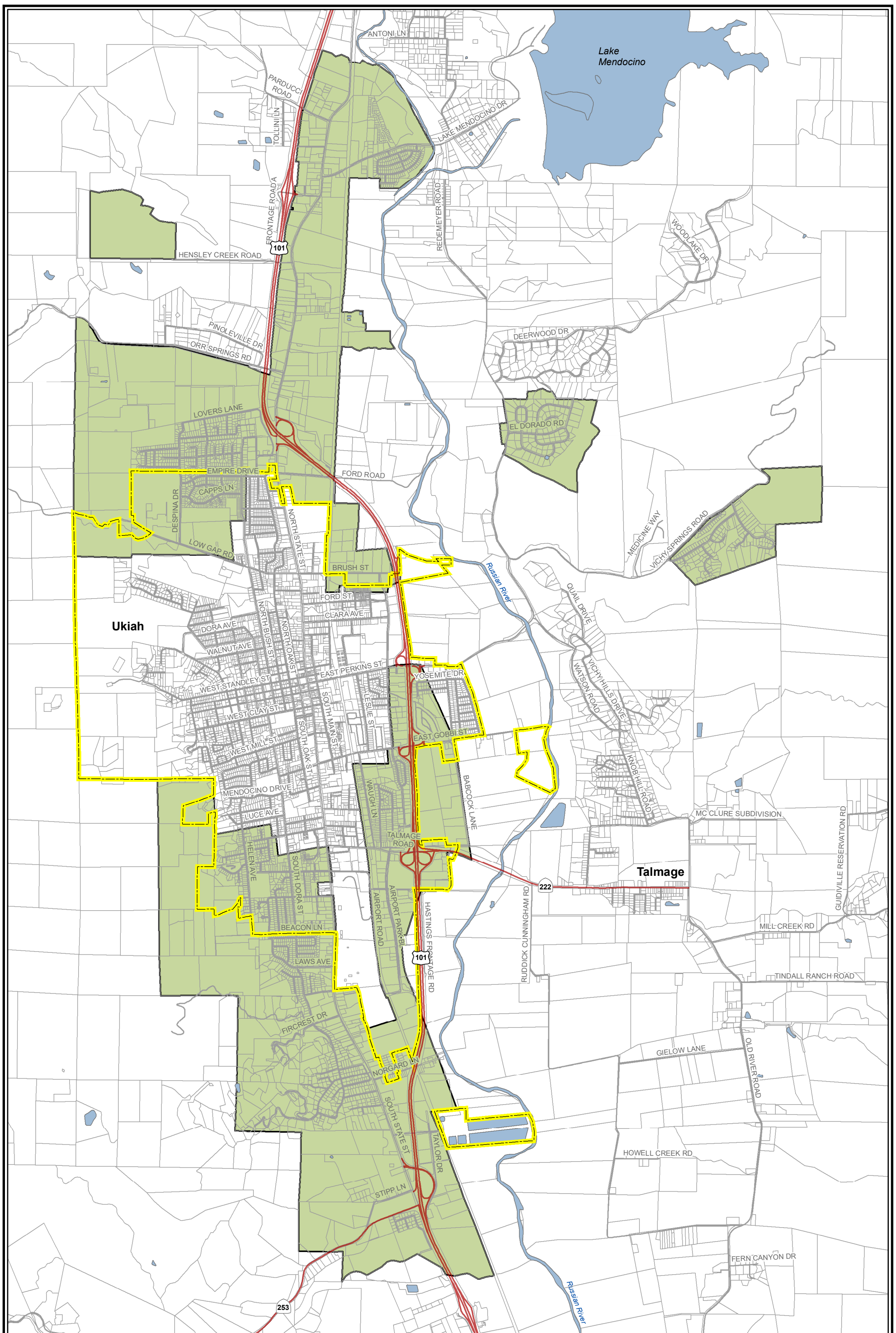
Mendocino County is not located within an MPO boundary and therefore is not subject to the provisions of SB 375. However, the Mendocino Council of Governments (MCOG) supports and coordinates the local planning efforts of Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits to address regional housing and transportation needs and helps provide a framework for sustainable regional growth patterns through the 2018 Mendocino County Regional Housing Needs Allocation (RNHA) Plan and Vision Mendocino 2030 Blueprint Plan. MCOG is also responsible for allocating regional

transportation funding to transportation improvement projects consistent with the 2017 RTP for Mendocino County.

Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits are the local agencies primarily responsible for planning regional growth patterns through adoption and implementation of general plan and zoning regulations. While Mendocino County is not subject to the provisions of SB 375, LAFCo will review applicable regional transportation and growth plans when considering a change of organization or reorganization application.

DRAFT

Figure 1-1 Ukiah Valley Sanitation District Jurisdictional Boundaries



## Ukiah Valley Sanitation District

Source: This map was created by the Mendocino County Information Services GIS Program, June 2, 2022.

Note: This map is not a survey product and should not be used to determine legal boundaries.

- Ukiah Valley Sanitation District
- City of Ukiah
- Parcels
- Highways
- Roads

1,000 500 0 1,000



## 2 AGENCY OVERVIEW

Table 2.1 UVSD Profile	
<b>Agency Name:</b>	Ukiah Valley Sanitation District
<b>Office Location:</b>	151 Laws Avenue, Suite B, Ukiah, CA 95482
<b>Mailing Address:</b>	Same as above
<b>Phone Number:</b>	707-462-4429
<b>Website:</b>	<a href="https://www.uvsd.org/">https://www.uvsd.org/</a>
<b>General Email:</b>	<a href="mailto:aa@uvsd.org">aa@uvsd.org</a>
<b>Date of Formation:</b>	July 6, 1954
<b>Agency Type:</b>	Independent Special District, Single-Service Provider
<b>Enabling Legislation</b>	Sanitary District Law: Health and Safety Code §6400 et seq.
<b>Board Meeting Schedule:</b>	Regular meetings are held on the second Wednesday of every month at 6:00 p.m.

### 2.1 History

#### 2.1.1 Formation

Ukiah Valley Sanitation District (District/UVSD) was formed on July 6, 1954, as a dependent district, by the Mendocino County Board of Supervisors (BOS Resolution No. 1267) to provide sewer service to unincorporated areas adjacent to the City of Ukiah (City) and the greater Ukiah Valley Area.

The District transitioned to an independent sanitation district with five board members, elected at-large, on April 3, 2008 ([UVSD Resolution No. 08-04](#)).

#### 2.1.2 Boundary

The UVSD is located in the southern and inland portion of Mendocino County and is situated around the City of Ukiah and serves areas both west and east of Highway 101. The District encompasses approximately 6.62 square miles (4,240 acres) and includes portions of the City of Ukiah and unincorporated areas within the greater Ukiah Valley area (see Figure 1-1).

The Ukiah Valley is a south-west trending valley located in the upper Russian River watershed and is approximately nine miles in length by three miles in width. The Valley represents the largest population center in Mendocino County and includes the City of Ukiah, which is the County seat, and the unincorporated communities of Calpella, The Forks, and Talmage (including the City of Ten Thousand Buddhas).

The District boundaries include areas of urban density and commercial development surrounding the City and also includes high density areas within the northern and southern portions of the City boundaries. Additionally, the District includes two non-contiguous islands consisting of residential subdivisions in the eastern hills, east of the Russian River: El Dorado Estates and Vichy Springs Estates. The District also serves the non-contiguous Mendocino Community College campus.

The District boundaries include the Pinoleville Pomo Nation (a Federally recognized Tribe) Tribal lands located north of the City of Ukiah and the Guidiville Rancheria in the Talmage area.

2.1.2.1.1 Boundary Change History

Since its formation in 1954, the District has undergone 16 boundary changes adding a total of approximately 1,305 acres (see Table 2.2).

Year	File Name	Acreage	LAFCo Resolution No.
1968	Talmage/Hastings Road Annexation	1.6	67-11
1978	Parducci/El Dorado Estates Annexation	139	77-2
1980	Johnson Lewis Road Annexation	8	--
1980	Johnson Annexation	2.27	80-05
1983	Vichy Springs Annexation	192	83-3
1988	Georgia Pacific Resin Annexation	12	87-3
1987	El Dorado Parcel Annexation	3	87-8
1989	Forrester Properties Inc. Annexation	7.27	89-3
1989	Vincent Annexation	2.32	89-2
1989	Forrester Annexation	2.32	89-3
1989	Cox/Mayfield Annexation	??	89-10
1990	Carousel Carpet Mills Annexation	570	89-11
1997	Agwood Annexation	13.6	L97-01
1998	Guidiville Indian Rancheria	42	L97-02
2005	Nicoll Subdivision Annexation	6.8	2005-01
2006	Westfork Annexation	32.73	L98-01

In some cases, City of Ukiah annexations were processed without concurrent District detachments, which has resulted in areas of overlap between the agencies in the north, east and south of the City. These areas are unofficially referred to as the “overlap areas”.

In 2014, the City of Ukiah made application to LAFCo to detach 1,304 parcels (approximately 992.5 acres) of overlapping territory from the District (Figure 1-1). The area proposed for detachment represents roughly half of the District’s customers and approximately 23.4 percent of the total jurisdictional area of the District. LAFCo deemed the application incomplete in 2014 and at the City’s request placed the application on hold. The application was re-initiated in 2020 and again deemed incomplete and placed on hold by the City pending the completion of its Sphere of Influence (SOI) update.

The agencies are currently working together to address the areas of overlap, other areas of common interest surrounding the City, and ultimately a plan for a more consolidated provision of sewer services in the Ukiah Valley (UVSD, 2022).

2.1.3 Services

The UVSD maintains various agreements with the City of Ukiah to cooperatively provide wastewater collection and treatment services to the City and the surrounding area through a combined sewer system consisting of multiple interconnecting components.

Both the District and the City separately own sewage collection systems that ultimately drain into a common Wastewater Treatment Plant (WWTP) that is jointly funded but owned and operated by the City.



The UVSD owns a system for the collection and transmission of wastewater within the District, including approximately 46 miles of sewer mains, laterals, Trunk Line and related facilities. The Trunk Line is the main sewer line into which all sewer mains flow and transports wastewater to the City WWTP.

Treatment of the combined wastewater is through the City's WWTP, which is operated and managed under an agreement with the City of Ukiah and is jointly funded by the two agencies (City/UVSD, 2020).

Since its formation, the District and the City have entered into various agreements and amendments for the allocation of costs associated with the operation, maintenance, and rehabilitation of the sewer collection system and WWTP. On July 19, 1995 (amended on March 24, 1999 and again on December 15, 2004), the District and City entered into a Participation Agreement whereby the City owns and operates the combined City/UVSD sewer system as one system with the combined treatment and collection costs apportioned between the City and UVSD based on the ratio of City to UVSD Equivalent Sewer Service Units (ESSUs) for a period of thirty years (City/UVSD, 2004). The City also provides the effluent disposal services.

The District and the City entered into a new Operating Agreement in 2018. The Agreement identifies the methodology for allocation of the sewer collection and treatment services within the respective service areas and how costs will be fairly shared and allocated between the two entities based on ESSUs (City/UVSD, 2018b).

Under the 2018 Operating Agreement, the City provides the following services:

- 1) Billing/collection of sewer service and connection fees, and disbursement of funds collected on behalf of the District for payment to the City for District's allocated share of certain sewer system operations, maintenance, capital improvement and financing costs, and accounting;
- 2) Operations and maintenance of the City and District wastewater collection facilities, including the Trunk Line; and
- 3) Operations and maintenance of the City's WWTP.

However, in 2021, following the 2018 Settlement Agreement, the UVSD entered into a contract with Willow County Water District to provide the billing/collection services listed under item 1 above (UVSD, 2021b). The City retains the services identified under items 2 and 3 above.

#### 2.1.3.1 ACTIVE AND LATENT POWERS

Latent powers are those services, functions or powers authorized by the principal act under which the District is formed, but that are not being exercised or authorized by LAFCo. Sanitation district law (Government Code (GC) §6400-6982) identifies the following potential powers: sewer, solid waste, stormwater, and recycled water ([GC §6512](#)).

The UVSD is a single service provider delivering sewer collection services.

## 2.2 Government Structure

### 2.2.1 Governing Body

The Board of Directors is the legislative body for the District and is responsible for establishing policy, adopting and amending the annual budget, enacting ordinances, adopting resolutions, and appointing committees. In 2008, the Ukiah Valley Sanitation District (UVSD) transitioned to a five-member elected board (BOS Resolution No. 08-03). Prior to that, the District was represented by an appointed three-

member board of directors chosen from the City Council (1 member) and Board of Supervisors (2 members). (Mendocino County, 2011)

Board directors are elected at-large to serve staggered four-year terms. In 2018, the County of Mendocino Board and Elections Office District approved the District’s request to consolidate elections, which were moved to align with the General Election cycle, and automatically extending the current terms of sitting Directors by one year ([UVSD Resolution 2018-01](#)). Board elections will now be held in even numbered years starting in 2024.

The District maintains public notices regarding Board Director vacancies at its office and its website. In order to be elected to the Board, candidates must be registered voters residing within the District boundaries. If there are insufficient candidates for election of Board vacancies, or if the number of filed candidates is equal to the number of Board vacancies, then District Board members may be appointed in lieu of election by the County Board of Supervisors per Elections Code §10515. (County of Mendocino, 2019)

Government Code §1780-1782 governs the process for appointment of Board of Director seats vacated prior to the scheduled term expiration date. The District Board of Directors has 60 days to appoint an interested and qualified individual to a vacant seat if proper notice requirements have been met. If the District cannot fill the seat within the 60-day period, the Mendocino County Board of Supervisors may appoint a director to the District Board during a 30-day period following the initial 60-day period. If the vacant seat is not filled during the total 90-day period, the vacant seat remains empty until the next election. The District has not had difficulty filling board vacancies in recent years.

The District Board of Directors elects officers annually at the last meeting in December and for one year appointments. Officers include a Chair and Vice-Chair elected and served by Board members.

The current District Board of Directors is shown in Table 2.3 below.

<b>Name</b>	<b>Office/Position</b>	<b>First Year of Service</b>	<b>Term Expiration</b>	<b>Serving Consecutive Terms</b>
Ernie Wipf	Chair	2017	2022	No
Julie Bawcom	Vice-Chair	2017	2022	No
Theresa McNerlin	Director	2004	2024	Yes
Darwin Dick	Director	2021	2024	No
Candace Horsely	Director	2019	2022	Yes

### 2.2.2 Public Meetings

Regularly scheduled meetings for the Board of Directors are held on the second Wednesday of the month at 6:00 p.m. at the District Board Room located at 151 Laws Avenue in Ukiah. During the COVID-19 pandemic, meetings have been held via Zoom for Board members and the public; staff and the board continue to meet via a hybrid model of in-person and remotely following current health order protocols.



In accordance with the Brown Act, all District Board meetings are open to the public and are publicly posted a minimum of 72 hours prior to regular meetings, or a minimum of 24 hours prior to special meetings. Meeting notices are posted outside the District office and the UVSD website: <https://www.uvsd.org/agendas.html>. Agendas are also distributed by email upon request.

The City's website is a communication vehicle for board meeting agendas, meeting minutes, videos of meetings, and information on the District's services and programs. Minutes are kept for all public Board meetings and are adopted at a subsequent meeting. Since 2017, meetings are recorded and posted on YouTube; links are available on the UVSD website: <https://www.uvsd.org/recordings.html>.

### 2.2.3 Standing Committees

The District Board Standard Operating Procedures (SOP) identifies three standing committees of two members each: the Finance Committee, the Governance Committee, and the Planning and Technical Committee. However, the Board voted to disband both the Finance and Governance and Planning and Technical Committees in early 2022, instead adding a provision for the future establishment of standing committees by amendment to the policy.

The board establishes ad hoc committees as needed, such as budget development and financial planning.

### 2.2.4 Public Outreach

The District's website ([www.uvsd.org](http://www.uvsd.org)) is a useful communication tool to enhance government transparency and accountability. The website contains contact information and agendas and minutes from District Board meetings from October 2017 to current.

The District's website would be enhanced by posting the current Board members and their contact information.

### 2.2.5 Complaints

The public can submit written or provide verbal comments or complaints via the District website; in person or by phone at the District office during business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m.; or at the District Board of Directors meetings during the general public comment period. The District occasionally receives questions and complaints regarding specific service connections, which are immediately relayed to the City of Ukiah, which manages operations of the two systems. The District is not aware of any outstanding complaints as of the writing of this document.

### 2.2.6 Transparency and Accountability

The District maintains adopted Standard Operating Procedures (SOP), which includes policies related to general, personnel, operations, board of directors, board meetings, and financial matters. Included are policies addressing the Board of Directors officers, meeting conduct, conflicts of interest, decisions, rules of order, and responsibilities. This is in addition to general operating policies and procedures for the District, financial policies, and personnel policies that define the obligations, rights, privileges, benefits, and prohibitions placed upon all District employees.

The Political Reform Act requires all state and local government agencies to adopt and promulgate a Conflict of Interest Code pursuant to GC §81000 et seq. The Political Reform Act also requires persons who hold office to disclose their investments, interests in real property, and incomes by filing a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to GC §87203.

The District complies with the above requirements and adopted an updated Conflict of Interest Code in 1998 and again in 2008 to include the General Manager (UVSD, 2019).

According to Assembly Bill (AB) 1234, if a local agency provides compensation or reimbursement of expenses to local government officials, then all local officials are required to receive two hours of training on public service ethics laws and principles at least once every two years and establish a written policy on reimbursements pursuant to GC §53235. Although the District does not compensate its Board members, its directors and staff attend Brown Act/Ethics trainings regularly (UVSD, 2019).

Refer to Appendix A for a brief list of educational resources regarding open government laws and Appendix B for a website compliance handout.

Senate Bill (SB) 929 requires all special districts to establish and maintain a website with specific information and accessibility requirements; a website compliance handout is provided in Appendix B.

## 2.3 [Operational Efficiency](#)

### 2.3.1 Management and Staffing

The District has no part-time or full-time employees of its own. All management, administrative support, and maintenance and operations staffing is provided via contracts for professional services.

In May 2020, the District entered into a Master Service Agreement with Willow County Water District to provide administrative services, including billing and collection functions to the UVSD office (UVSD, 2021b).

Further, on October 1, 2020, the UVSD entered into an Agreement for Professional Services with [Urban Futures, Inc.](#), for Interim District Manager and Financial Consulting Services (UVSD, 2020). The role of the District Manager is to oversee the daily operations of the District to ensure that the Board's policies, programs, and priorities are implemented. The District Manager is the Executive Director of the District and for the Board of Directors. The responsibilities and specific duties of the District Manager include the following:

- Management and control of operations and works of the District, subject to the approval of the Board of Directors.
- Attendance at all meetings of the District's Board and other meetings as the Board determines necessary.
- The appointment, supervision, training, evaluation, discipline, and dismissal of the District's employees, consistent with the employee relations system established by the Board of Directors.
- Promotes a motivating work climate for District employees.
- Maintain cordial relations with all persons entitled to the services of the District, and attempts to resolve all public and employee complaints.
- Implement the expressed policies of the Board of Directors.
- Prepare and manage the District's budget, conduct studies, and make oral and written presentations to the Board of Directors.

(UVSD, 2019)

General government services provided under the direction of the District Manager include administration, finance, and planning. Financial activities include accounting, purchasing, collections, and assisting with

the annual audit process. Administrative activities include preparing for public meetings, providing customer service and other outreach opportunities, and maintaining the District's official records such as meeting minutes, ordinances, resolutions, legal documents, and legal opinions.

In addition, the District contracts with auditors, accountants, financial consultants, and legal counsel on an annual basis. The District contracts with Clifton Larson Allen Wealth Advisors (CLA) to provide accounting services and contracts with Hildebrand Consulting to annually perform 3rd party calculations for the District-City allocation of joint sewer system expenses and debt service true up. Additionally, the District contracts with a professional to provide financial and operational support to the District. For financial audits, the District currently contracts with Van Lant & Fankhanel, LLP. For General Counsel services, the District contracts with Best Best & Krieger, and for IT services, the District contracts with Respectech.

As needed, the District also enters into contracts with engineers, construction contractors, construction monitors, and others. (UVSD, 2019)

The District has a contract with a professional to provide technical staff services, including capacity to serve letters, maintaining current tracking of Equivalent Sewer Service Strength Units (ESSSU) availability (see Section 2.4 for description), and other technical operating aspects of the sewer system. (Fox, 2022)

### 2.3.2 Agency Performance

A component of monitoring agency performance is routinely evaluating staff productivity; however, the District contracts with other entities to provide all of its staffing. The District's accountants, general counsel, and contracted Interim District Manager routinely monitor and evaluate agency operations. (UVSD, 2019)

All contracts are reviewed by the Board and/or management staff annually or as may be appropriate. The contract with Willow County Water District is reviewed annually and, if any increase in fees is proposed, the contract is considered by the Board for approval. The contract with Urban Futures, Inc. (UFI) may be terminated at any time with a 30-day notice clause.

During the annual budget development process, the board reviews goals and objectives from the prior fiscal year and establishes goals and objectives for the upcoming fiscal year. Review and adoption of annual budgets and audits are held during open public meetings.

In the regular performance of duty, the Interim District Manager identifies areas of improvement and takes corrective action when feasible and appropriate or informs the board when further direction is needed.

District contract staff also learns about new opportunities to achieve operational efficiencies by attending regional and service-specific meetings and communicating with colleagues regarding industry standards, best management practices, changing regulations, and service delivery models implemented by other local agencies.

The District monitors and evaluates agency operations through Interim General Manager reports, regulatory reporting and review of District databases and records.

### 2.3.3 Shared Service Delivery and Collaboration

#### 2.3.3.1 REGIONAL AND SERVICE-SPECIFIC PARTICIPATION

The District participates in the following regional and service-specific associations and organizations:

- [Upper Russian River Water Agency](#)
- [California Special Districts Association](#)
- [Special District Risk Management Authority](#)

#### 2.3.3.2 INTERAGENCY COLLABORATION

The District maintains a number of agreements with the City of Ukiah for the joint operation and funding of wastewater collection, treatment and disposal through the City-owned and operated WWTP (Table 2.X). Additionally, the District contracts with the Willow County Water District (WCWD) for administrative and billing/collections services, as well as use of offices and board room.

See Table 2.4 for a summary of interagency agreements the District maintains.

Year	Agreement Name	Participating Agencies
2022	Master Services Agreement Amendment 3	Willow County Water District
2021	Budget Approval Agreement	City of Ukiah
2021	Master Services Agreement Amendment 2	Willow County Water District
2020	City-District 2020 Refinancing Agreement	City of Ukiah
2020	Master Services Agreement Amendment 1	Willow County Water District
2019	Master Services Agreement	Willow County Water District
2018	Settlement Agreement	City of Ukiah
2018	Operating Agreement	City of Ukiah
2006	Financing Agreement	City of Ukiah
2004	Participation Agreement Amendment 2	City of Ukiah
1999	Participation Agreement Amendment 1	City of Ukiah
1995	Participation Agreement	City of Ukiah

The current Participation Agreement with the City of Ukiah was finalized in July of 1995. In March of 1999, an amendment was agreed to by both agencies (Amendment No. 1) and following that in December of 2004, Amendment No. 2 was adopted by both agencies. Collectively, the 1995 Agreement and Amendments 1 & 2 contain the entire Agreement between the City and the District concerning the City-owned WWTP and the City’s operation of the sewer system on behalf of both agencies. The term of the Agreement was for thirty years allowing either agency to cancel upon five years notice.

The Participation Agreement specifies that the annual costs of the entire sewer system (WWTP and collection system) be apportioned between the City and the District each year according to the ratio of Equivalent Sewer Service Units (ESSUs) utilized between the two entities. Annual costs include treatment, maintenance, operation, administration, repair and replacement, expansion, upgrading, debt service, insurance and financial services for the system.

Under this Agreement, the District is required to establish rules and regulations necessary for the orderly administration of the District’s collection system. These rules and regulations are to include the use of the

sewers, the installation of sewer laterals and mains and the discharge of wastewater into the collection system. The District is also required to establish fees and charges for use of the system to include connection fees, service fees and capacity charges. Additionally, the District is required to establish fees for permits and inspection sufficient to reimburse the City for its actual performance of these services.

The District also participates in the Special District Risk Management Association (SDRMA) for the purpose of pooled insurance for providing liability, workers compensation for its facilities, operations, and board members.

#### 2.3.3.3 CONTRACT OR JPA SERVICES

The District has no staff of its own and maintains contracts for management, administrative and billing/collections services, and financial services, which are described in detail in Section 2.3.1.

Additionally, in October 2020, the UVSD became a member of the Upper Russian River Water Agency (URRWA) Joint Powers Authority (JPA) ([UVSD Resolution No. 2020-05](#)). The purpose of the URRWA JPA is to provide economies of scale, provide a method of jointly addressing sewer and water issues, and fostering coordination on these issues. The intent of the JPA is to work towards the consolidation of Ukiah Valley's water, which was expanded to consider the regional consolidation of water and wastewater service providers with the inclusion of the UVSD. The board now consists of a single board member from Willow County Water District (CWD), Calpella CWD, Redwood Valley CWD, Millview CWD, and the UVSD. The JPA is a collaboration of member agencies formed with the purpose of working together for the voluntary consolidation of Ukiah Valley's water and wastewater service providers. While the City of Ukiah is not a member of the JPA, the water districts within URRWA, similar to UVSD, have recently been communicating with the City to discuss the regional provision of water services in the Ukiah Valley.

#### 2.3.3.4 ADJACENT PROVIDERS

Two other agencies in the Ukiah Valley provide sewer services: the City of Ukiah and the Calpella County Water District.

As discussed above, the UVSD and City wastewater system is interconnected: while both provide collection services, the City's WWTP is the sole point of treatment and disposal for the combined wastewater system.

The Calpella CWD is the only other provider of wastewater services in the Ukiah Valley and operates its own collection system and WWTP north of the District boundaries. The Calpella CWD currently provides wastewater services to approximately 103 customers, all of which are in Calpella CWD boundaries. The Calpella wastewater system was upgraded in 2004 and has additional treatment capacity that can accommodate up to 1,000 residents, approximately 300 more than the current population. All staffing and administrative services of the Calpella CWD have been provided by Willow CWD under contract since 1993. (LAFCo, 2016)

#### 2.3.3.5 SHARED SERVICES AND FACILITIES

The District has leveraged opportunities to produce economies of scale and/or improve buying power in order to reduce costs to the ratepayers. The District currently has contracts in place to facilitate these types of opportunities, most notably, consolidating administrative functions with Willow CWD. (UVSD, 2019). At this time, the District believes that District-only operating costs are well managed and opportunities to achieve economies of scale and reduce costs have been realized. Given that the majority

of the District's costs are related to the shared sewer operating and capital costs with the City of Ukiah, the District has turned its focus on working in partnership with the City to develop a jointly agreed upon path to further improve the efficiency of sewer service delivery in Ukiah Valley.

## 2.3.4 Governmental Structure and Community Needs

### 2.3.4.1 ENHANCED SERVICE DELIVERY OPTIONS

The County of Mendocino provides law enforcement, code enforcement, transportation, and stormwater collection services within the District. Firefighting and prevention services are provided by the Ukiah Valley Fire Authority (UVFA), a JPA between the Ukiah Valley Fire District and City of Ukiah, and the Redwood Valley-Calpella Fire Protection District north of the District. Water services in the Ukiah Valley are provided by the City of Ukiah, Willow CWD, Calpella CWD, Millview CWD, and the privately-held Rogina Water Company. Ambulance service in the Ukiah Valley area is provided by Medstar Ambulance and the UVFA.

Additional opportunities for the District to achieve organizational or operational efficiencies are primarily related to consolidation of services with the City of Ukiah. The interconnected systems and contracts with other agencies and consultants for management, staffing and operations suggest efficiencies could be gained by reorganization with the City.

### 2.3.4.2 GOVERNMENT RESTRUCTURE OPTIONS

Government restructure options should be pursued if there are potential benefits in terms of reduced costs, greater efficiency, better accountability or representation, or other advantages to the public.

There is a substantial area of jurisdictional overlap between the District and City of Ukiah that equates to approximately 50% of the District's customers and 23% of its geographical area. The existing City limits is substantially built-out, and future proposals for City annexation or expansion have the potential to extend into areas already served by special districts and the County, or within the jurisdictional boundary of these agencies for undeveloped properties.

Significant wastewater service efficiencies have already been realized through the partnership agreement between the District and the City and associated functional consolidation for wastewater services. It is likely that further efficiencies or cost savings for wastewater service in the Ukiah Valley could only be accomplished upon a future reorganization effort between these agencies.

The City and the Sanitation District have been working through an ad hoc committee assigned for the purpose to develop an interim agreement for service provision in the areas adjacent to the City, and ultimately, the long-term plan for the provision of wastewater services in the region. The mutual agreement identifies the applicant and future annexation thresholds for reorganization of the UVSD into either a subsidiary district or merger with the City, among other things.

The mutually developed points of the agreement are roughly as follows (paraphrased):

- The City will be the applicant for any Out of Area Service Agreement and the District will bear the costs for the application process to LAFCo.
- The City will not pursue detachment of District territory from the City now or in the future.
- The District will support City annexations and will work cooperatively with the City on General Plan and SOI Updates.



- Consistent with statutes, the District will support merger or reorganizing as a subsidiary district of the City upon reaching the threshold of 70% or more of District registered voters and 70% of District area is annexed into the City.
- The District will support the City's pursuit of legislation to eliminate the statutory threshold for 70% of area of land.  
(City/UVSD, 2022)

As the City of Ukiah expands in accordance with the annexation plan developed for and in conjunction with its 2040 General Plan Update, the area served by the District will concurrently decrease. The interrelated nature of the sewer collection, treatment and disposal systems support a merger or reorganization of the District. This concept has gathered momentum as a result of the substantial groundwork of the City/UVSD ad hoc committee established for the purpose of the collaborative development of a long-term plan for the interim and long-term provision of sewer services in the Ukiah Valley.

## 2.4 Finances

The District provides wastewater collection services and receives wastewater treatment and disposal services from the City of Ukiah (City) via participation and operating agreements (refer to Section 2.1.3 for more information).

The District and the City have a longstanding joint venture for shared operation of the City-owned WWTP that treats the combined sewage from the District and City sewer collection systems, based on the number of Equivalent Sewer Service Units (ESSUs). There are several agreements between the agencies that constitute the arrangement regarding the allocation of cost for the combined sewer system operation, as briefly listed below (see also Table 2.4).

- 1995 Participation Agreement
- 2018 Operating Agreement
- 2018 Settlement Agreement
- 2020 Refinance Agreement
- 2020 Joint Sewer Rate Study Professional Services Agreement
- Annual Budget Approval Agreement

The UVSD Board of Directors and Ukiah City Council adopt an annual Wastewater Enterprise Joint Budget for the combined City/District sewer system operation, including shared expenses and capital projects. For Fiscal Year (FY) 2021-22, a total budgeted estimate of \$5,166,465 for the Wastewater Enterprise was projected to be shared at a rate of 49.48% District and 50.52% City, and included \$4,524,050 in direct operating budgeted costs, defined as costs of Personnel and Operations, and an Operating Indirect Rate (OIR) on such costs of 14.20% (\$642,415). The joint budget also included total direct costs of \$2,730,000 for Capital Outlay funded at the same share of cost of 49.48% District and 50.52% City, and a Capital Indirect Rate (CIR) of 9% for costs less than \$200,000, and a negotiated rate for projects over \$200,000 based on an estimate of required indirect costs to complete the capital project.

The District and the City have retained Hildebrand Consulting, LLC to provide consulting services related to the share of cost between the agencies for the combined City/District sewer system operation. Since wastewater flow meters are problematic, the share of cost is allocated based on each agency's



proportionate share of winter water usage (monthly average of January through March) from multiple water providers in the valley from the prior fiscal year, and the relative strength of sewage discharge to the wastewater treatment plant, based on the relative number of Equivalent Sewer Service Strength Units (ESSSUs). Not to be confused with ESSUs, an ESSSU is defined the average winter water usage of a residential dwelling unit at residential strength (City/UVSD, 2020b). The term ESSU was established in the Operating Agreement for the purpose of defining the number Capacity Project units used by each service provider ((City/UVSD, 2020b).

The relative number of ESSSUs varies slightly every year due to the ever-changing volume of water usage and number of customers in the overall service area but remains close to a 50-50 share of cost. The water usage data needed to determine the ESSSU percentages for the share of cost becomes available after the annual joint budget is adopted. Therefore, often an Annual ESSSU Reconciliation Memo is prepared by the consultant resulting in amendments to the annual joint budget and re-adoption by the agencies.

Additional components of the Wastewater Enterprise Joint Budget are as follows.

- The District and City are each responsible for the administrative and other overhead costs allocated directly to the wastewater activities of their respective agencies.
- The District makes fixed monthly payments to the City of 1/12<sup>th</sup> of the District's share of the agreed upon operating budget (Personnel, Operations, and Indirect Rate) by the 1<sup>st</sup> of every month.
- The budgeted share of cost (operating, capital, and debt service) between the agencies can change based on updated ESSSU percentages and result in true-up payments after the fact.
- Every quarter, the City and District review the actual costs incurred and reconcile differences between actual costs incurred, budget costs, and over/under payments made by either agency within 90 days after the end of the fiscal year.
- The share of debt service between the City and District is based on two components. A constant calculation for the "Capacity" portion of 25.8414% of the existing debt is allocated 65% to the District and 35% to the City. Second is a variable calculation for the "Upgrade/Rehabilitation" portion of the remaining 74.1586% of the existing debt is allocated based on the ESSSU percentages or split.
- The agencies negotiate the rate of City indirect administrative and overhead costs for District-only activities or projects (e.g. a main line replacement of a District asset) performed by the City or City contractor on the District's behalf.
- Any portion of capital projects paid by the District are capitalized on its books as intangible assets and depreciated.

(City/UVSD, 2021) (Fox, 2022)

The financial arrangement between the agencies for the combined sewer system operation is based on terms and conditions contained in multiple legal agreements. This complex structure represents the historically complicated nature of the relationship between the agencies involved and emphasizes the need for a more simplified service delivery structure for public wastewater in the Ukiah Valley area. It is recommended that the District and City prepare a summary of the key points of agreement between the agencies related to finances in a single document to improve broad-based understanding and overall public transparency.

## 2.4.1 Current Fiscal Health

### 2.4.1.1 FINANCIAL SUMMARY

This section includes District financial information for FYs 2016-17, 2017-18, 2018-19, 2019-20, and 2020-21 and long-term financial considerations.

The District maintains a single Waste Water Fund (V&F, 2021). The District prepares and adopts an annual District Expense Budget prior to the beginning of each fiscal year (July 1), which serves as a financial planning tool and an expense control system. Expenses cannot exceed the authorized budgeted amounts unless the budget is amended by the Board of Directors by resolution during the fiscal year. The District also has annually audited financial statements prepared by a Certified Public Accountant (CPA) which serves as financial assurance for the use of public funds.

Proprietary or Enterprise funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenue of proprietary funds are charges to customers for services. Operating expenses for proprietary funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses. (V&F, 2021)

Year-end revenue over expenses (net position) is an important measure of an agency's financial performance during a fiscal year. When an agency operates at a net income, annual revenue exceeds annual expenses producing a surplus. When an agency operates at a net loss, annual expenses exceed annual revenue producing a deficit. When an agency operates at a net neutral, annual revenue equals annual expenses producing a balance.

When year-end revenue over expenses for multiple years is compared, it shows the financial planning and policy of an agency, such as structural surplus/deficit budgeting practices or a balanced budget. Under normal operating circumstances, the financial approach of prior years can be useful in projecting the long-term financial standing of an agency. This comparison may serve as a valuable indicator for upcoming decision-points, such as whether there is sufficient annual revenue generated to continue the current level of service or whether a rate increase is necessary to maintain or expand the level of service.

The following table (Table 2.5) provides year-end audit (not budget) financial information for the District. This table summarizes the Statement of Revenues, Expenses, and Changes in Fund Net Position prepared by Van Lant & Frankhanel, LLP, a firm of CPAs that the City also contracts with for independent audited financial statements. The table below represents the short-term financial standing of the District based on reporting annual income, expenses, and profits/losses using the full accrual basis of accounting, which is an accounting method where revenue or expenses are recorded when a transaction occurs rather than when payment is received or made.

The financial information in the table below also includes depreciation expense, which is a method of spreading the cost of a capital asset over its estimated useful life, as opposed to recognizing the full cost of a capital asset as an expenditure at the date of acquisition. The District's annual financial report defines capital assets, including collection lines and nonstructural improvements, as assets with a cost of more than \$5,000 and an estimated useful life of more than two years. (V&F, 2021)

Figure 2-4 shows the most recent Statement of Net Position, which represents the long-term financial standing, or net position, of the District based on reporting the difference between the District’s assets and liabilities.

	<b>FY 16-17</b>	<b>FY 17-18</b>	<b>FY 18-19</b>	<b>FY 19-20</b>	<b>FY 20-21</b>
Beginning Net Position	\$11,214,561	\$10,330,481	\$9,536,155	\$13,928,342	\$15,104,346
Prior Period Adjustments	\$0	\$0	\$0	\$0	\$0
Ending Net Position	\$10,330,481	\$9,536,155	\$13,928,342	\$15,104,346	\$17,354,693
<b>Operating Revenues</b>					
Charges for Services	\$5,443,828	\$5,477,965	\$5,242,705	\$5,595,914	\$5,282,116
Connection Fees	\$131,221	\$1,272,087	\$186,898	\$1,521,579	\$760,817
<u>Total Operating Revenues</u>	\$5,575,049	\$6,750,052	\$5,429,603	\$7,117,493	\$6,042,933
<b>Operating Expenses</b>					
Salaries and Benefits	\$87,825	\$34,950	\$30,972	\$35,714	\$0
Services and Supplies	\$172,413	\$487,110	\$171,343	\$379,903	\$377,947
Operating Expense Allocation (City)	\$4,109,145	\$4,340,467	\$4,082,822	\$4,225,298	\$2,190,756
Legal Expenses	\$1,497,036	\$2,016,316	\$1,095,162	\$290,240	\$0 <sup>1</sup>
Depreciation and Amortization	\$333,529	\$333,529	\$333,529	\$488,018	\$787,162
<u>Total Operating Expenses</u>	\$6,199,948	\$7,212,372	\$5,713,828	\$5,419,173	\$3,355,865
<b>Operating Income (Loss)</b>	<b>(\$624,899)</b>	<b>(\$462,320)</b>	<b>(\$284,225)</b>	<b>\$1,698,320</b>	<b>\$2,687,068</b>
<b>Nonoperating Revenue (Expenses)</b>					
Taxes and Assessments	\$53,122	\$46,396	\$57,734	\$59,373	\$56,618
Interest Income	\$45,894	\$54,822	\$88,760	\$210,256	\$102,642
Intergovernmental Revenues	\$3,300	\$8,250	\$5,390	\$360	\$0
Other Revenue (Expenses)	\$114,057	\$20,441	\$24,182	\$0	(\$5,207)
Settlement Revenue	\$0	\$0	\$4,984,310	\$0	\$0
Interest Expense	(\$475,554)	(\$461,915)	(\$483,964)	(\$500,407)	\$0
Bond Issuance Expense	\$0	\$0	\$0	(\$291,898)	\$0
Interest Expense and Bond Expense	\$0	\$0	\$0	\$0	(\$590,774) <sup>2</sup>
<u>Total Nonoperating Revenue (Expenses)</u>	<u>(\$259,181)</u>	<u>(\$332,006)</u>	<u>\$4,676,412</u>	<u>(\$522,316)</u>	<u>(\$436,721)</u>
<b>Change In Net Position from Prior FY</b>	<b>(\$884,080)</b>	<b>(\$794,326)</b>	<b>\$4,392,187</b>	<b>\$1,176,004</b>	<b>\$2,250,347</b>
Notes:					
<sup>1</sup> In FY 2020-21 the District discontinued breaking out the legal expenses as a separate line item. From this point forward, they are included in Services and Supplies.					
<sup>2</sup> The Interest Expense and Bond Expense line item is almost entirely interest. The only other expense included is an annual trustee fee of \$1,200 for the bonds.					

Source: V&F, 2019a; 2019b; 2020a; 2020b; 2021.

#### 2.4.1.2 AUDIT COMPARISON

According to the audited financial information in the table above, the District operated at a net loss, or revenue shortfall, in FY 2016-17 and FY 2017-18, and operated at a net income, or revenue gain, in FY 2018-19, FY 2019-20, and FY 2020-21. Over the five fiscal years studied, the District has experienced an overall increase in net position, which signals a strengthening in financial position. The District has transitioned from a deficit to a surplus budget model in this time period. The District has adequate finances to meet current and future demands for public services within the next five years.

Net income is a key measure of fiscal health and indicates that an agency does not need to utilize reserve funds to balance the budget or meet current operating costs. Net income or revenue gain also indicates that an agency maintains a sufficient fund balance to protect against unexpected costs and/or build reserves to fund capital improvements and equipment maintenance.

The District's financial performance was not consistent during the five years studied for multiple reasons, as described further below.

The changes in Legal Expenses (FY 2016-17 through FY 2019-20) and Settlement Revenue (FY 2018-19) were related to a multi-year lawsuit between the District and City that was settled in October 2018. The District initiated the lawsuit against the City in October 2013 alleging the City overcharged the District for services provided in accordance with the operating agreement and amendments beginning in 1967 (V&F, 2019b). A Settlement Agreement was entered into, effective October 1, 2018, whereby the City agreed to transfer funds and pay to the District a monetary sum in combination totaling \$7,500,000. The total settlement amount was used to pay down the District's share of outstanding debt service and the remaining was recorded in the District's audited financial statements in FY 2018-19, although the actual receipt of a portion of the settlement revenue was transferred from the City to the District over time. Additionally, the District and the City contemporaneously executed the *Operating Agreement for the Combined Sewer System Serving the Ukiah Valley Sanitation District and the City of Ukiah* ("Operating Agreement").

During the lawsuit, the District experienced fiscal years where a deficit occurred due to extraordinary legal costs (legal expenses totaled over \$5.6 million in FY 2015-16 through FY 2018-19, and the District had substantial cash reserves to handle these deficits). Since then, legal expenses have dropped significantly (\$290,240 in FY 2019-20, \$40,727 in FY 2020-21, and estimated \$31,741 in FY 2021-22).

The change in Operating Expense Allocation (City) between FY 2019-20 and FY 2020-21 from \$4,225,298 to \$2,190,756 was related to the prepayment of the City of Ukiah's 2006 Installment Sale Agreement, of which the District was apportioned an allocable share of payments. The 2006 Installment Sale Agreement financed upgrades and rehabilitation of the WWTP. As set forth in the Operating Agreement, 25.84% of bond proceeds was apportioned to upgrades ("Capacity Component"), and 74.16% was apportioned to rehabilitation ("Rehabilitation Component").

The City and District agreed that the debt service related to the Capacity Component would be split 65% to the District and 35% to the City (with the assumption that development would more likely occur in the District rather than the City). The Rehabilitation Component would be allocated to the District and City according to an Allocation Methodology each year, as described in the Operating Agreement—the same methodology used to determine the allocation of Operating Expenses each year (i.e., calculating each party's estimated volume and strength of wastewater from an average residential dwelling). When

allocating expenses to the District each year, the Rehabilitation Component was passed on as Operating Expenses while the Capacity Component was accounted for as a long-term liability on the District's financial statements (see footnotes in the District's financial statements over the last five years). In 2020, the District and City each issued bonds to pay off its allocated share of debt service of the 2006 Installment Sale Agreement. The refinancing bonds issued by the District are now fully accounted for as a long-term liability, therefore reducing the Rehabilitation Component of Operating Expenses.

Through the refinancing process, the District internally discussed the fact that it was paying for capital improvements to the WWTP but had no ownership in the WWTP asset. However, the District does own a Right to Use the WWTP, and the District determined that it should capture that right as an intangible asset on its financial statements. The change in depreciation and amortization between FY 2019-20 and FY 2020-21 from \$488,018 to \$787,162 was related to the Right to Use asset (the WWTP) that was placed into service on the District's audited financial statements on February 28, 2020 to be amortized over 40 years. Assuming no new significant assets to be added, depreciation and amortization expenses are expected to be consistent going forward. (Fox, 2022)

The addition of Bond Expense for FY 2019-20 of \$291,898 was related to refinancing of the City's 2006 Bonds as further described below.

On March 2, 2006, the District and City entered into a financing agreement related to the City's 2006 Water and Wastewater Revenue Bonds, Series A (City's 2006 Bonds), issued in the original principal amount of \$75,060,000, for the dual purpose of performing an Upgrade/Rehabilitation Project and an increased Capacity Project for the City's WWTP. Under the financing agreement, the District was required to pay for 65% of the portion of the bonds related to the Capacity Project, which was 25.8414% of the bonds in the amount of \$12,607,761. (V&F, 2020b)

On February 24, 2020, the District and City entered into a Refinancing Agreement to facilitate refunding of the City's 2006 Bonds. As a result of this agreement, the District and City simultaneously and individually refinanced their respective portions of the City's 2006 Bonds. The District issued its Ukiah Valley Sanitation District Wastewater Revenue Refunding Bonds, Series 2020 (District's 2020 Bonds) in the amount of \$25,005,000 through a loan from BBVA, a Private Placement Bank, which will result in net savings to the District over the life of the loan of \$4,308,902. The proceeds of the District's 2020 Bonds, combined with a \$2.5 million cash contribution from the District, were used to fully prepay the District's allocable share of the City's 2006 Bonds. (V&F, 2020b) (UVSD, 2019)

In regard to capital assets of the City/District combined sewer system, the City retains title, management, and control of the WWTP, including any additions or changes made to it (V&F, 2021). The District pays a portion towards the WWTP facility and owns capacity, which is an intangible asset that depreciates or amortizes over time (Fox, 2022). In conjunction with the issuance of the District's 2020 Bonds, the District recorded an intangible asset in the amount of \$17,571,680 for its right to use a portion of the City's WWTP Upgrade/Rehabilitation Project (V&F, 2020b).

The change in Connection Fees is highly variable from year to year and based on the number and type of new sewer system connections in a given year.

### 2.4.1.3 ENTERPRISE ACTIVITIES

The Wastewater Enterprise is accounted for and reported as Proprietary Funds, or business-type activities, instead of governmental activities. Enterprise or proprietary services are financed and operated in a manner similar to private business enterprises where the intent is for the costs (including depreciation) to provide the public service are recovered through service rates or supported by user charges paid by customers based on the amount of the service used.

The District has two fees for wastewater service, including Connection Fees and Monthly Usage Fees. Connection Fees were established by the District Board on July 21, 2011 through adoption of Ordinance No. 35. Sewer Service Charges or Monthly Usage Fees were established by the District Board on June 30, 2011 through adoption of Ordinance No. 36.

The connection fee helps to offset the initial and enduring cost of the sewer system. Once paid the landowner has a "share" in the system. One share, known as an Equivalent Sewer Service Unit (ESSU), is equal to the expected usage demand that a two-bedroom house will provide on the system. At present, the purchase price of one share is \$12,240.00. A larger house with more bedrooms will pay a multiple of that price, for example the connection fee for a 3-bedroom house will be 1.10 times \$12,240, a four bedroom 1.20 times \$12,240.00. Commercial and industrial connections may pay many multiples of one ESSU; certain kinds of operations will pay millions of dollars for the right to connect. Purchase of the necessary shares provides the property owner the right to connect to the system for the indicated usage and will obligate the purchaser/user to pay a "monthly usage fee" which will include a proportionate share of District bond obligations.

Once connected, the property owner is additionally obligated to pay a monthly usage fee which includes a fixed minimum amount (presently \$53.47/month), which includes an allotment of 3.4 units (2,543 gallons) of wastewater flow into the sewer. In Fiscal Year 2012-13, an additional charge of \$4.45 per unit (748 gallons) was assessed for usage exceeding that amount. In Fiscal Year 2013-14, the unit fee increased to \$5.50 per unit. The wastewater flow into the collection system is estimated by examining the property's water bill and determining the average water consumption for the months of January, February, and March. The monthly fee is computed based on this average and applied for each month of the year. The fee pays for the operations and maintenance of the sewer system, including payments for loans for building or upgrading the system. Figure 2-2 below shows the District's current Usage Fee Rate Schedule.



Figure 2-1 UVSD Current Usage Fee Rate Schedule

Use	Current	Effective Dates for Sewer Rates			
		7/1/2011	7/1/2012	7/1/2013	7/1/2014
Residential Dwelling Units Including Multi-family units of Apartment Complexes and Mobile-home Parks					
Fixed Minimum Charge for each Dwelling Unit: <b>includes up to 3.4 units of water consumption</b>	\$47.18	\$53.47	\$53.47	\$53.47	\$53.47
Consumption Rate per One Unit of Water 1 unit = 100 cubic feet = 748 gallons. Applies when water consumption is greater than 3.4 units	\$1.85	\$3.40	\$4.45	\$5.50	\$6.60
Commercial and Industrial Rates: Based on consumption, but in no case will the sewer bill be lower than the fixed minimum charge for Residential Dwellings. <b>No credit for the first 3.4 units of water use is provided.</b>					
Commercial Low Strength	\$7.40	\$7.91	\$8.46	\$9.06	\$9.69
Commercial Moderate Strength	\$7.91	\$8.46	\$9.05	\$9.68	\$10.36
Commercial Medium Strength	\$13.99	\$14.96	\$16.00	\$17.12	\$18.32
Commercial High Strength	\$18.02	\$19.26	\$20.61	\$22.05	\$23.60
Commercial Special Circumstances	Determined on a case-by-case basis considering all aspects of the impact on the system and all other information deemed pertinent				
Industrial	Determined on a case-by-case basis considering all aspects of the impact on the system and all other information deemed pertinent				

Source: UVSD, 2021c.

As a requirement of the 2020 loan refinance process, the District and the City collaborated in contracting with Hildebrand Consulting, LLC and The Reed Group, Inc. to prepare the 2020 Joint Sewer Rate Study completed on April 24, 2020. The rate increase proposed by the joint rate study has not been considered by the District Board through a Proposition 218 Public Hearing process to date due to financial hardships on customers from the COVID-19 pandemic. Additionally, it was determined by the District that since the District has sufficient reserves and projected sufficient Net Revenues to meet the Rate Covenant of its 2020 Refunding Bonds, it would not be necessary to increase rates in the near term. The Interim District Manager recommends the District commission another rate study in FY 2023-24 or FY 2024-25.

2.4.1.4 TAXES

The District receives a portion of Mendocino County property taxes. The total amount of taxes and assessments received by the District between FY 2016-17 and FY 2020-21 ranged from a high of \$59,373 and a low of \$46,396. The taxes are levied as of July 1, and installments are collected in December and April. The District also receives unsecured, SB 813, supplemental, prior years and HOPTR taxes which are allocated at various times throughout each year. Mendocino County collects and administers the taxes. The District records these amounts as non-operating revenues at the time of the levy. (V&F, 2021)

2.4.1.5 GANN LIMIT

Local agencies that receive taxes are subject to certain spending limits (Gann Limit or Proposition 4). Annual appropriations that are subject to spending limits may not exceed an appropriations limit based on a calculated limit for fiscal year 1978-1979, adjusted annually for population and cost of living increases. On or before July 1<sup>st</sup> of each year the board is required to adopt its appropriation limit and



make other necessary determinations for the following fiscal year pursuant to Article XIII B of the California Constitution and Government Code Section 7900 et seq. [61113(b)].

Not all appropriations are subject to this limit. The limit only applies to tax revenues. The limit does not apply to proceeds from user charges, user fees or other such assessments provided that these revenue sources do not exceed the costs reasonably borne in providing the product or service for which the fee or assessment is imposed. The limit does not apply to a district which existed on January 1, 1978 and which did not as of 1977-1978 fiscal year levy an ad valorem tax on property in excess of 12½ cents per hundred dollars of assessed value.

No Gann Limit is identified for the District. (Mendocino, 2022)

**2.4.2 Long Term Financial Considerations**

**2.4.2.1 RESERVES**

As part of the refinancing process, the District established a Debt Service Reserve Fund for the 2006 Refunding Bonds of approximately \$502,000, or 25% of maximum annual debt service. This is reflected as Restricted Cash on the District’s financial statements. Additionally, the District established a Rate Stabilization Fund, within the meaning of the Indenture, which is funded with cash reserves in an amount equal to one year’s debt service, or approximately \$2 million, and is accounted for as part of the District’s Cash and Investments. The District does not currently have a formal reserve policy, but is planning on adopting one in Fiscal Year 2022-23.

**2.4.2.2 OUTSTANDING DEBT**

The District’s 2020 Refunding Bonds, described at the end of Section 2.4.1.2, carry an interest rate of 2.42%. The semiannual payments began on September 1, 2020, with principal payments ranging from \$689,000 to \$986,000, and will mature on March 1, 2035. The District is required to have Adjusted Net Revenues for the specified period equal to at least 120% of the debt service. The District has no other outstanding loans or debt obligations.

Figure 2-3 shows the District’s long-term debt activity and schedule of bond payment requirements to maturity as of FY 2021-22 under the District’s 2020 Refunding Bonds. The District will be obligated through 2035 for current debt payments.

**Figure 2-2 Long-term Debt Activity for FY 2021-22**

<u>Year Ending June 30.</u>	<u>Bonds Payable</u>		
	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2022	\$ 1,430,000	\$ 563,074	\$ 1,993,074
2023	1,466,000	528,250	1,994,250
2024	1,504,000	492,543	1,996,543
2025	1,541,000	455,928	1,996,928
2026	1,580,000	418,406	1,998,406
2027-2031	8,504,000	1,495,572	9,999,572
2032-2035	7,600,000	419,447	8,019,447
Total	<u>\$ 23,625,000</u>	<u>\$ 4,373,220</u>	<u>\$ 27,998,220</u>

Source: V&F, 2021

### 2.4.2.3 CAPITAL IMPROVEMENT PLAN

The District is responsible for prioritizing and budgeting for long-term District-only capital needs in addition to ongoing operations and maintenance costs for District-only facilities and infrastructure. The District does not have a Capital Improvement Plan (CIP). The District defines capital improvement priorities on an as-needed basis and in the annual District budget process.

For Fiscal Year 2022-23, the District identified a capital project need known as Connect Sewer North State Street, which is intended to make the sewer system more available and efficient. There is currently no known deferred maintenance in the District collection system. (Fox, 2022)

The City is responsible for maintaining and furnishing personnel for the operation of the sewer treatment plant and provides inspection services and maintenance for the sewer trunk and collection lines in the combined sewer system. (V&F, 2021)

The District and City work together annually to review capital project needs according to the Operating Agreement and through the Joint Budget Agreement process for purposes of shared funding. The District has adequate funds to finance its share of planned capital improvements and equipment purchases for the combined sewer system. (UVSD, 2019)

Figure 2-3 FY 2020-21 Statement of Net Position

<b>ASSETS</b>	
Current Assets:	
Cash and Investments	\$ 8,818,741
Accounts Receivable	867,203
Interest Receivable	50,898
Restricted Cash	502,015
Due from City of Ukiah	1,000,000
Prepaid Expenses	3,210
Total Current Assets	<u>11,242,067</u>
Noncurrent Assets:	
Due from City of Ukiah	1,000,000
Capital Assets:	
Depreciable, Net	28,991,201
Total Noncurrent Assets	<u>29,991,201</u>
Total Assets	<u>41,233,268</u>
<b>LIABILITIES</b>	
Current Liabilities:	
Accounts Payable	43,100
Accrued Interest	190,575
Customer Deposits Payable	19,900
Bonds Payable - Due in One Year	1,430,000
Total Current Liabilities	<u>1,683,575</u>
Long-Term Liabilities:	
Bonds Payable - Due in More Than One Year	22,195,000
Total Long-Term Liabilities	<u>22,195,000</u>
Total Liabilities	<u>23,878,575</u>
<b>NET POSITION</b>	
Net Investment in Capital Assets	5,366,201
Unrestricted	11,988,492
Total Net Position	<u>\$ 17,354,693</u>

Source: V&F, 2021.

## 2.5 Growth

### 2.5.1 Present and Planned Land Use and Development

The Ukiah Valley is located approximately 30 miles east and inland from the Pacific Ocean. The Valley runs north to south for approximately nine miles, with a maximum width of about three miles. With an average elevation of approximately 630 feet, the hills surrounding the Valley range up to about 3,000 feet. The Russian River enters the Valley at the north end and runs south along the eastern Valley floor. Soils are composed of fertile alluvium, and many pear orchards and vineyards flourish along the east side of the river. Residential and commercial land uses predominate on the west side of the river. The railroad right-of-way and Highway 101 also parallel the river through the Valley. Existing land uses in the Ukiah Valley include residential, commercial, industrial, and agricultural uses. Unincorporated communities include Calpella, The Forks, Vichy Springs and Talmage, while the City of Ukiah is the sole incorporated community in the Valley.

The UVSD boundaries include an unincorporated community known as The Forks in the northern part of the District. Additionally, the District includes three non-contiguous residential areas and Vichy Springs as an island east of the contiguous boundaries. Calpella is located north of the existing boundaries. (See Figure 1-1.) The Forks and Vichy Springs are unincorporated and are governed by Mendocino's land use authority, while the City of Ukiah represents its own jurisdictional land use authority. The UVSD boundaries include an area of approximately 6.62-square miles, and the resident population is approximately 9,400.

Development in the vicinity of The Forks is of a mixed nature, including commercial uses on North State Street near the intersection with Lake Mendocino Drive, residential uses (single-family homes and mobile homes), and light industrial activities. The North State Street corridor south of The Forks has historically been developed with heavier industrial uses interspersed with commercial uses; however, the area may be entering a period of transition with shifts away from timber related uses. Mendocino Community College, Pinoleville Indian Reservation, and urban residential uses are located west of US 101.

Southeast of Ukiah is the community of Talmage. Situated around the intersection of Talmage Road (State Route 222) and Eastside Road, the area has slowly developed with urban uses (mostly commercial activities and rural residential lots) replacing historical agricultural uses. Talmage is also home to the City of Ten Thousand Buddhas, which encompasses the site originally occupied by the State Hospital.

(PMC, 2008; Mendocino, 2011)

The District boundaries include an area of overlap with the City of Ukiah's jurisdictional limits consisting of 1,304 parcels and an estimated population of 3,500. The City of Ukiah is the Mendocino County seat and the largest incorporated city in Mendocino County. Ukiah serves as the economic hub for Mendocino County and much of neighboring Lake County due to its accessible location on the US Route 101 corridor. (USCB, 2021; Ukiah, 2019)

Development patterns in the Ukiah Valley are anticipated to generally follow historical zoning and development patterns, maintaining a north-south pattern following the major transportation corridors. The area within the City limits is approaching build-out and a relatively significant level of urban development has occurred north and south of the City limits, areas that are within the UVSD boundaries. The Ukiah Valley Area Plan (UVAP) adopted by Mendocino County in 2011 for the unincorporated areas generally maintains the development patterns of the Valley, allowing expansion of The Forks Rural

Community, and along the U.S. 101 corridor, as well as limited growth in the eastern hills. (Mendocino, 2011)

Relevant Ukiah Valley Area Plan policies pertaining to growth and land use development are identified in Appendix C.

The policies reflect a compelling desire on the part of the community for strong collaboration between the City and County in land use planning and government operations in the Ukiah Valley, both for community continuity and cost sharing purposes. These policies also promote development in already-impacted areas such as the main transportation corridors as well as a mix of uses with strong supporting infrastructure for those uses.

#### 2.5.1.1 LAND USE

The Ukiah Valley contains the unincorporated communities of Calpella, The Forks, Talmage, as well as the City of Ukiah. Existing land uses include residential, commercial, industrial, and agricultural uses.

The 1995 City of Ukiah General Plan, although serving as the City's municipal general plan, was designed as an early area plan for the Ukiah Valley. This effort established a large Planning Area, as well as goals, policies and programs that reflected an area-wide approach. (Ukiah, 2020b; pg 24) The City has initiated an update to refine the Plan, address emerging trends and recent State laws, consider new issues, and remove completed implementation measures. The City General Plan Update is being developed by City staff with direction from the City Council and input from the Planning Commission and the community. Completion is expected by 2023.

In 2011, Mendocino County adopted the Ukiah Valley Area Plan (UVAP), a comprehensive and long range inter-jurisdictional planning document that defines how the Ukiah Valley will develop in the future. (Ukiah, 2020b; pg 24)

In the UVAP, the County supplements its General Plan inland land use classifications, adding several special land use classifications associated with specific parcels within the UVAP planning area. The following new land use classifications are specific to the UVAP planning area:

- Mixed Use North State Street (MUNS)
- Mixed Use Brush Street Triangle (MUBST)
- Mixed Use General (MU-2)

Generally, mixed use and compact development patterns allows greater efficiency and economy in providing public services, conserves agriculture and resource lands, preserves the rural character desired by many of the County's residents, and can provide more affordable housing. Within the UVAP, Land Use policies encourage higher population, building and land use density and intensity along appropriately classified roads with existing capacity.

(Ukiah, 2020b)

The following land use classifications established in the County General Plan also apply without modification to lands in the Ukiah Valley Area Plan:

- SR – Suburban Residential (all densities)
- RC – Rural Community
- RR – Rural Residential (all densities)

- RMR – Remote Residential (all densities)
- C – Commercial
- AG – Agricultural
- RL – Range Lands
- I – Industrial
- PS – Public Services
- PL – Public Lands
- OS – Open Space
- MU – Mixed Use MUNS – Mixed Use North State Street
- MUBST – Mixed Use Brush Street Triangle
- MU-2 – Mixed Use General

See Figure 2-5 for the County’s land use map of the Ukiah Valley.

The UVAP goals and policies direct that higher density residential uses be located within the City of Ukiah’s sphere of influence, areas designated Rural Communities, and within the City itself, in order to concentrate development in areas with adequate services and access and limit impacts to resource lands. Development potential can be maximized through comprehensive and coordinated planning of areas which are currently undeveloped or underdeveloped.

Mendocino County has identified housing, mixed-use development, and agriculture as especially important to the area. The UVAP supports affordable worker housing by designating more properties for mixed uses and allowing for higher density development in more locations and configurations, with much of the density around community areas and the City of Ukiah for multiple family and mixed uses. The UVAP also provides for mixed use development patterns to allow greater efficiency and economy in providing public services, conserves agriculture and resource lands, preserves the rural character desired by many of the County’s residents, and adds more affordable housing.

The UVAP also protects agriculture, which is a major part of Mendocino County’s economy. Many types of agriculture exist in the Ukiah Valley, including vineyards, orchards, forage crops, specialty crops, and livestock. Farms are both full time and part time operations. Agricultural production in some areas is threatened both by pressures of urban development and by creation of small residential lots in the midst of agricultural lands.

(Mendocino, 2011)

Figure 2-4 UVAP Land Use Map PLACEHOLDER

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2.5.1.2 DEVELOPMENT

Because the District boundaries include areas within both the City of Ukiah and unincorporated areas of the County, land use jurisdiction is a combination of the two agencies.

The Mendocino County General Plan Development Element allows for higher density development on parcels that receive water and/or sewer services.

Existing development in Ukiah Valley consists of a mixture of uses, including agricultural, residential, commercial, and light industrial. Within the UVSD boundaries are high density residential communities, county governmental buildings including a county courthouse and jail, Mendocino Community College, Dharma Realm Buddhist University, industrial and commercial complexes, hotels, multi-family residential complexes, multiple mobile home parks, Ukiah Municipal Airport, US 101 and State Route 253.

The availability of municipal wastewater and water services are constraints to future development in the Valley, complicated by legal, environmental, political and socioeconomic issues. Challenges include inadequate percolation rates in low-lying areas near the Russian River, development at densities not suitable for on-site septic systems, and industrial and large-scale commercial development requiring municipal treatment of wastewater.

Non-environmental constraints to development include a limited amount of developable land and regulatory requirements mandated by state government. While neither factor prevents development, it does increase time and cost of land use projects.

(Mendocino, 2011)

2.5.1.2.1 City of Ukiah Proposed Annexations

Annexation efforts for the City of Ukiah have been discussed over the last three decades and addressed in multiple planning documents. Themes within these documents include collaboration between cities on regional housing and the need for preservation of open space and agricultural lands. Consistent with direction received from Council, an adopted Annexation Policy, and relevant City and County planning documents, the City of Ukiah intends to pursue annexation of land within the next 10-20 years. The areas currently proposed by the City for annexation (Table 2.6) are nearly all located within the District boundaries as well as some overlap of the boundaries of Willow County Water District and Millview County Water District.

Table 2.6 City of Ukiah Annexation Proposals			
Annexation Area	LAFCo File No.	Approx. Acreage	Status
City-Owned Properties	A-2021-01	437	Submitted 2020
Western Hills Area	A-2022-02	707	Submitted 2022
Brush Street/Masonite Area	P-2020-02	473	Tentatively proposed for 2023
Total		1,617	

Source: LAFCo, 2022

In considering reorganization proposals, applicable statutes and local LAFCo policies require the commission to consider the impacts to impacted agencies, particularly their ability to remain viable and continue to provide adequate services to their remaining customers.

The mosaic of special districts in the Ukiah Valley presents a unique challenge; as the City naturally grows and requires additional space for housing and commercial development, resulting expansion will impact adjacent wastewater and water service providers. The City and UVSD have established an ad hoc committee to discuss the issue with the intent of developing an agreement for how to best to coordinate the provision of wastewater services as the City expands. Further, recent discussions between the City and water districts in the Ukiah Valley are a positive step towards planning for the efficient provision of services and logical expansion of the City to serve future population growth.

### 2.5.2 Existing Population and Projected Growth

The UVSD boundaries include small portions of seven census tracts that have a combined population estimated at 32,947 in the 2020 census (USCB, 2021). Table 2.7 shows the population estimates of the identified census tracts in comparison to the population of the City of Ukiah and Mendocino County to portray the estimated population of the Ukiah Valley and surrounding foothills. However, because the census tracts are so much larger than the UVSD boundaries, it is not an accurate reflection the District’s population.

Area	2020 Population Estimates
Census Tract 109	4,983
Census Tract 113	6,010
Census Tract 114	4,434
Census Tract 115.01	3,390
Census Tract 115.02	3,596
Census Tract 116	6,298
Census Tract 117	4,236
Combined Census Tract Population	32,947
City of Ukiah	16,607
City Overlap Area (estimated)	4,566
Mendocino County (estimated)	91,601

*Sources: USCB, 2021; DOF, 2021.*

Similarly, population growth projections specific to Ukiah are unavailable. As of January 1, 2022, the US Census estimates a population for the City of Ukiah was 16,607. (DOF, 2022)

Another means to estimate population within an area not specifically limited to a single census tract is through the number of service connections or similar measure of service provision. Approximately 64% of the UVSD customers are residential while 36% are commercial customers. Equivalent Sewer Service Units (ESSUs) are utilized as a measure of flow volume and treatment capacity. One ESSU is equivalent to a two-bedroom dwelling unit.

The population of the UVSD can be estimated by the number of service units. Since approximately half the ESSUs are within the Ukiah City limits, the persons per household data taken from the 2020 census can be used to estimate the population. Table 2.8 shows the estimated population and persons per household for Ukiah and for the unincorporated area of the County. Based on the current number of ESSUs (5,688), 64% of which are residential representing an estimated 3,640 households, and using the

current values for persons per household in Table 2.8, the estimated population of the UVSD is 9,400. (City/UVSD, 2020b)

Table 2.8 Population, Housing and Persons Per Household Estimates—2020			
Jurisdiction	Total Population	Total Households	Persons Per Household
Ukiah	16,607	5,698	2.67
Remaining County	74,994	28,466	2.48
County Total	91,601	34,164	

Source: USCB, 2021

The California Department of Finance estimates that Mendocino County as a whole will grow by 6% by 2040, or an average rate of 0.3% annually (Ukiah, 2020b). As of January, 2022, similar to the State of California, a slight population decline was noted for the City of Ukiah (-0.9%) and the County of Mendocino (-0.7%).

Population growth rate estimates vary depending on the source. Based on Department of Finance population projections, Mendocino County will increase by approximately 486 people by 2030, and then begin to decline, as shown in the table below.

Table 2.9 Mendocino County Population Projections						
Area	2022	2025	2030	2035	2040	2045
Mendocino County	88,353	88,746	89,232	89,106	88,205	86,956

Source: DOF, 2021.

Overall, Ukiah has a population that is decreasing in age. The median age, based on 2017 American Community Survey estimates, is 34.8 years old, down from 35.9 in 2010. Much of this change is due to an increased percentage of young adults between 25 and 35 in the City, indicating that young families are moving to Ukiah. This is a substantial divergence from Countywide trends, which suggest, on average, an older and increasingly aging population. In 2010, the median age in the County was 41.5 years old, which increased to 42.4 years old in 2017. Ukiah also has a high percentage of working age residents between 25 and 54, which combine to make up nearly 42% of the population.

Assuming a District service population of approximately 8,800, based on this growth rate the District can expect a population increase of about 150 people within the next five years. However, according to the DOF data, after the year 2030, the population will begin declining at a very slow rate.

## 2.6 Disadvantaged Unincorporated Communities

Senate Bill (SB) 244, which became effective in January 2012, requires LAFCo to evaluate any Disadvantaged Unincorporated Communities (DUCs), including the location and characteristics of any such communities, when preparing an MSR that addresses agencies that provide water, wastewater, or structural fire protection services. A DUC is an unincorporated geographic area with 12 or more registered voters with a median household income (MHI) that is less than 80% of the State MHI of \$80,440 or \$64,000 (USCB, 2019c). This State legislation is intended to ensure that the needs of these communities are met when considering service extensions and/or annexations in unincorporated areas.

### 2.6.1 CALAFCO DUC Mapping

Four DUCs are identified per the [CALAFCO Statewide DUC Mapping Tool](#), which is based on the American Community Survey 5-Year Data (2015-2019) and updated March 2022. The mapping parameters meet the definition of DUCs per SB244 and utilizes a threshold of 50 registered voters to identify communities. The following DUCs are located within the UVSD service area (Figure 2-6) (CALAFCO, 2022).

- DUC #1: Ukiah SXSX
- DUC #2: Norgard/Airport South
- DUC #3: Empire Gardens
- DUC #4: The Forks

Additionally, refined studies by the City of Ukiah and County of Mendocino identified five distinct DUCs in the area surrounding the City, including the four noted above. The areas are located in the City's proposed SOI and DUCS 1-4 are located within the UVSD boundaries. In DUCs 1-3, the District currently provides wastewater services to the areas. DUC 4 is within the District boundaries but is not currently provided wastewater service. DUC 5 is the community of Talmage, which is located east of the District boundaries, and is also considered underserved for wastewater services.

Following is a description of the DUCs located in and around the City of Ukiah and District boundaries:

DUC #1 – Ukiah SXSX: is located adjacent to the southwestern boundary of the City of Ukiah. This area spans from Beacon Lane to Gobalet Lane and includes ±XYZ parcels totaling ±XYZ acres with approximately ±XYZ residential units. The community is associated with Block Group 2, Census Tract 113, which has a MHI of approximately \$44,229.

The UVSD provides wastewater service to this community. Based on the most recent data available from the District, there does not appear to be wastewater deficiencies in this community.

DUC #2 – Norgard/Airport South: This Norgard/Airport South DUC is located adjacent to the southern boundary of the City of Ukiah in unincorporated Mendocino County along Pomo Lane and Townsend Lane to the north of Norgard Lane. The community is primarily associated with Block Group 3, Census Tract 116, which has a MHI of approximately \$31,344.

The DUC is located within the UVSD boundaries; no wastewater service deficiencies are noted for this area.

DUC #3 – Empire Gardens: The Empire Gardens DUC is located adjacent to the northern boundary of the City of Ukiah in unincorporated Mendocino County. The community is associated with Block Group 1, Census Tract 113, which has a MHI of approximately \$47,833.

The DUC is located within the UVSD boundaries; no wastewater service deficiencies are noted for this area.

DUC #4 - The Forks: The Forks DUC is located due north of Ukiah and one mile west of Lake Mendocino adjacent to Highway 101. Existing residential land uses located in The Forks DUC consist of approximately 314 housing units within an area of 75 acres, leading to an average density of 4.2 dwelling units per acre. The current Mendocino County zoning in The Forks area is Suburban Residential (SR). Surrounding land uses consist mainly of low-density residential uses. The Census tract where The Forks DUC is located contains median household incomes of \$53,735 or lower.

The Forks region is within the UVSD boundaries. However, given the extent of area covered by the UVSD and the pace of development in those areas since 2012, it is unknown if there are sufficient ESSUs available to serve the area. The County of Mendocino has identified the Forks DUC as underserved for wastewater.

DUC #5 – Talmage: The Talmage DUC is situated one mile southwest of Ukiah along Talmage Road and bounded by Mill Creek to the south. Existing residential land uses located in Talmage DUC consist of approximately 136 housing units within an area of 49 acres, leading to an average density of 2.8 dwelling units per acre. It is safe to assume that at least 12 registered voters reside in the 136 units. The current Mendocino County zoning in Talmage DUC is Suburban Residential (SR), Multi-Family Residential (R3), and Inland Limited Commercial (C1). Surrounding land uses consist mainly of agricultural and low-density residential uses. The Census tract where Talmage DUC is located contains median household incomes of \$53,735 or lower.

Talmage is located well east of the UVSD boundaries. Wastewater disposal in Talmage DUC is addressed by private septic systems; there is currently no wastewater service provider available to the community. Due to high production wells in the area, sensitivity to potential groundwater contamination from private septic leach fields and minimal lot sizes, the area was identified by the County as undeserved for wastewater.

Figure 2-5 Disadvantaged Communities PLACEHOLDER

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## 3 MUNICIPAL SERVICES

A Municipal Service Review (MSR) is a comprehensive analysis of the services provided by a local government agency to evaluate the capabilities of that agency to meet the public service needs of their current and future service area. The MSR determinations inform the SOI Update process and assist LAFCo in considering the appropriateness of a public service provider's existing and future service area boundary. The information and analysis presented in Chapters 2 and 3 of this document form the basis for the MSR determinations provided under Section 3.7.

### 3.1 Service Overview

#### 3.1.1 Services

The Ukiah Valley Sanitation District is a single-service provider, providing wastewater collection services to its customers.

The District maintains a Participation Agreement and Operating Agreement with the City of Ukiah for the provision of wastewater operations and maintenance, including operations and maintenance of the District's collection system and the City's WWTP at which District sewerage is treated and disposed. The Participation Agreement provides that the annual costs of the entire sewer system (the WWTP and collection systems) are apportioned between the City and District according to the ratio of Equivalent Sewer Service Units (ESSUs) each entity uses during the year. Annual costs include operating and capital costs for the system.

The Operating Agreement was entered into on October 3, 2018 as a result of a Settlement Agreement between the City and District to amend the terms of the Participation Agreement. Where they conflict, the Operating Agreement controls. (City/UVSD, 2018b)

Other municipal services are provided to District residents by other public agencies or non-profit organizations through agreements and Joint Powers Authority (JPA) and by private businesses through service contracts. This MSR only reviews services provided by the District, including commonalities with the City of Ukiah due to the interconnectedness of the agencies' provision of wastewater services.

#### 3.1.2 Service Areas

The District's jurisdictional boundaries cover 6.62 square miles, or approximately 4,240 acres, in and surrounding the City of Ukiah (see Figure 1-1). The District boundaries encompass areas both within the City of Ukiah and within the surrounding unincorporated Mendocino County. Carousel Lane represents the approximate northern limit of the service area just west of Lake Mendocino, and Robinson Creek bounds the southern end. The District service area trends north to south generally oriented along the railroad tracks, but also includes some non-contiguous territory in the unincorporated communities of Vichy Springs, El Dorado Road, Hensley Creek Road, The Forks, Guidiville Rancheria, and Mendocino Community College.

A common area between the City of Ukiah and the District service areas, known as the "overlap area", represents roughly half of the District's customers and one-third of City residents. The overlap area is a result of City annexations without concurrent detachment from the District. In 2014, the City applied to LAFCo to detach the overlap area from the District boundaries. The application has been on hold pending completion of the City's SOI Update. (UVSD, 2019)



### 3.1.3 Out of Agency Services

The District also provides a number of services to parcels outside its jurisdictional boundaries. Out of Agency Services are provided to seven parcels in the East Gobbi Street area, a residential parcel on Ford Road and the City's Landfill off Vichy Springs Road.

## 3.2 Wastewater

### 3.2.1 Service Overview

The District's facilities consist of a sewer collection system (Trunk Line, laterals, mains, and related facilities) that is part of a combined sewer system operating in conjunction with the City of Ukiah's sewer collection and treatment facilities (as shown in Figure 3-1). The Operating Agreement with the City of Ukiah designates the City as the responsible entity to operate and maintain the combined public collection system, treatment plant, and disposal system (City/UVSD, 2018b).

The District is responsible for general management and administrative functions within District boundaries, which is achieved through contracts. All administrative services and management functions are contracted, the District has no staff of its own. See Section 2.3 for more information about management and staffing.

Although all system maintenance and operations are managed by the City, the District helps fund and develop the capital improvement plan (CIP) through the annual City of Ukiah and UVSD Budget Agreement process (City/UVSD, 2021). The City maintains a CIP for all public infrastructure in the City limits, including the sewer system (see 2022 City of Ukiah MSR/SOI for more information).

### 3.2.2 Wastewater Treatment and Disposal Services

Under the terms of the Operating Agreement with the City of Ukiah, all wastewater treatment and disposal for the combined sewer collection system is provided by the City at its WWTP on Plant Road near the southern end of the District boundaries. Through the Participation Agreement, the District has Right to Use capacity (ESSUs) within the WWTP, which was jointly funded by the two agencies.

The City of Ukiah owns the WWTP that treats the combined sewage from the City's and District's sewer collection systems. The WWTP complex of approximately 60 acres is located on the south end of the Ukiah Valley, east of Highway 101, approximately 2500 feet south of the Ukiah Airport; sited on the west bank of the Russian River. It is largely surrounded by agricultural land to the north, south and east across the River. Immediately west of the WWTP are a variety of commercial and industrial land uses between the Northwest Pacific Railroad lines and State Street. Access to the WWTP is from State Street via Plant Road.

The WWTP became operational in 1958 after being constructed for the then-population of 9,000. Since that time, the population has grown to approximately 22,500 residents within both the City and District service areas. An extensive upgrade of the WWTP in 2009 was jointly funded by the City and District, with the District receiving Right to Use capacity at the facility. The \$56.5 million improvement project brought the WWTP into compliance with permit requirements and is sized to meet future growth demand. The City and UVSD entered into a Financing Agreement to share costs of the upgrades (City/UVSD, 2020a). See Financial Section 2.4.2 for discussion of service bonds, etc.

The WWTP has a dry weather capacity of 3.01 million gallons per day (MGD), and a peak wet-weather capacity of 24.5 MGD (Ukiah, 2021). Wastewater is processed through a tertiary treatment system, with primary treatment removing floating material, oils and greases, sand and silt and organic solids heavy

enough to settle in water; secondary treatment biologically removing most of the suspended and dissolved organic material, and tertiary treatment including final clarification through sludge digestion, disinfection, and dichlorination (Ukiah, 2022b). Effluent is then discharged to the percolation ponds. Roughly 2.7 million gallons (MG) of wastewater each day is treated through the WWTP (Ukiah, 2021).

See the *2022 City of Ukiah Municipal Service Review* for more detailed information about the WWTP. (LAFCo, 2022)

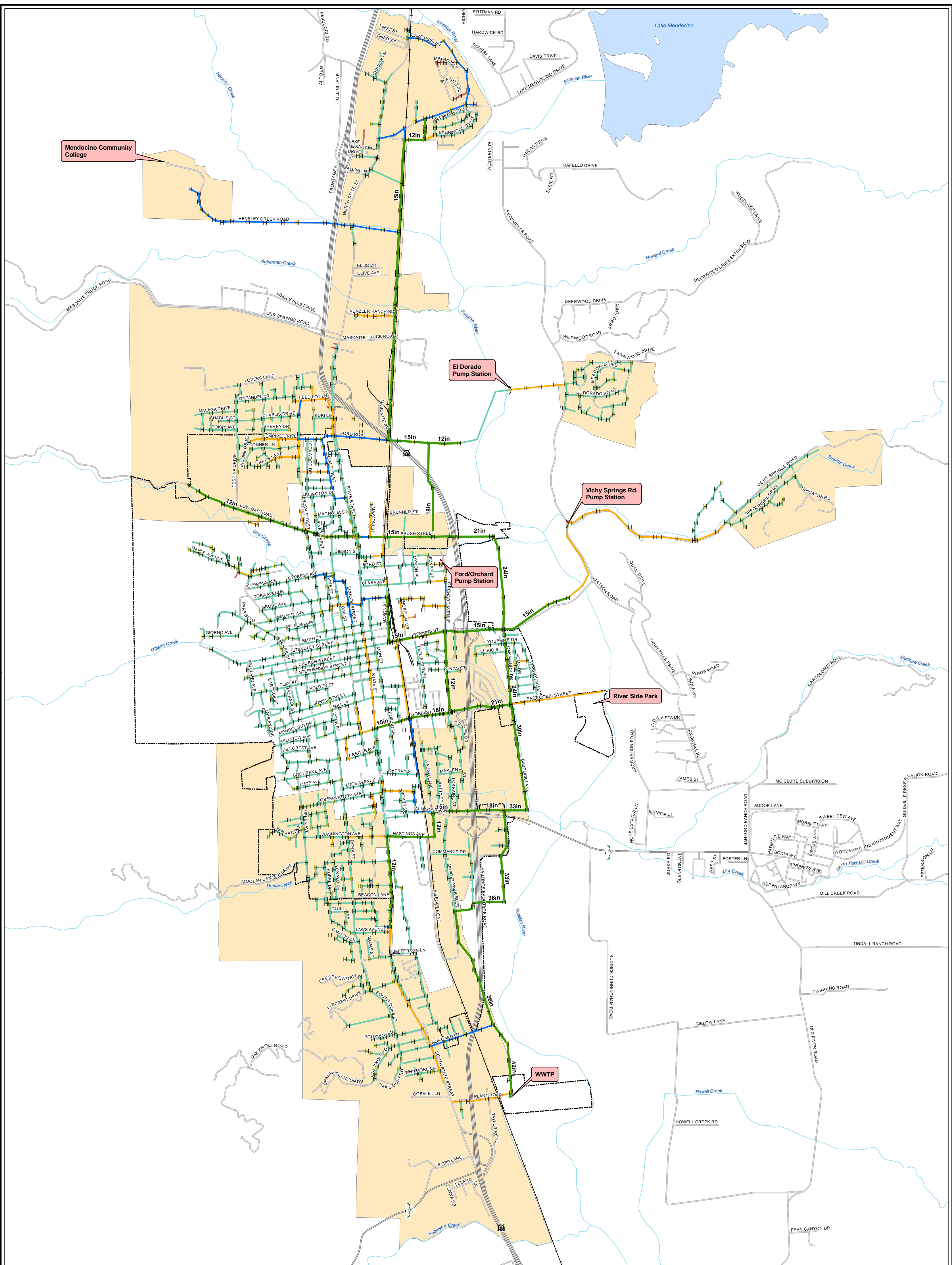
### 3.2.3 Collection System

The District owns a portion of the overall sewer collection system, which consists of approximately 46 miles of sewer collection pipelines and two pump stations: El Dorado Estates and Vichy Springs Estates. The City has approximately 44 miles of sewer collection pipelines and one pump station within its corporate limits. The pipelines vary in size from 6- to 42-inches. (Winzler & Kelly, 2009)

Both jurisdictions deliver collected wastewater to the WWTP located in the southern part of Ukiah. Figure ES-2 shows an overview of the City and District collection systems, including the WWTP. The District's facilities are generally satellite facilities to the City's collection system. The City, through the Participation and Operating Agreements, maintains all collection system facilities using maintenance staff from its Public Works Department. (Winzler & Kelly, 2009)



Figure 3-1 Ukiah Valley Sewer Collection System



### Ukiah Valley Wastewater Collection System

Source: This map was prepared for the Local Area Formation Commission (LAFCO) by the Mendocino County Department of Information Services GIS Lab September, 2009. Sewer Line, Lift Station and Manhole data provided by the City of Ukiah.

Note: This map is not a survey product and should not be used to determine legal boundaries.

- Ukiah Valley Sanitation District
- City of Ukiah
- Pump Stations
- Manholes
- Highways
- Roads
- Railroads
- Streams
- 12 Inch Pipe and larger (as noted)
- 10 Inch Pipe
- 8 Inch Pipe
- 6 Inch Pipe
- 4 Inch Pipe



### 3.2.4 System Capacity

The District's sewer capacity is a measurement of the ESSUs determined through the 2018 Settlement Agreement to be its share of the City's WWTP (City/UVSD, 2018a). Per the Agreement, the District and City agreed that the 2009 Capacity Project increased the capacity of the WWTP by 2,400 ESSUs (one ESSU is equivalent to a two-bedroom dwelling unit). In so doing, the agencies agreed that the pre-Capacity Project capacity of the WWTP had already been utilized by the agencies and the increased capacity was the measure of the remaining available ESSUs of the facility. (UVSD, 2019).

Of this capacity, the District has approximately 942 ESSUs of reserved capacity at the WWTP. As noted above, the WWTP has a dry weather capacity of 3.01 million gallons per day (MGD), and a peak wet-weather capacity of 24.5 MGD (Ukiah, 2021).

Area	UVSD	City of Ukiah	Totals
Current Usage (May 2022)	5,688	6,833	12,521
Percent of Total ESSUs	45.43%	54.57%	49.84%
New WWTP Agreement	65%	35%	100%
New WWTP Capacity	1,560	840	2,400
New WWTP ESSU's Used	618	406	1,024
New WWTP ESSU's Percent Used	39.63%	48.33%	42.68%
New WWTP ESSUs Remaining	942	434	1,376

Source: City/UVSD, 2020b

### 3.2.5 Facilities and Assets

The District owns approximately 46 miles of sewer lines, including the main trunk line, laterals, and mains within the District boundaries, as well as two pump stations and approximately 942 ESSUs of reserved capacity at the WWTP. Other assets identified in the annual financial audits are intangible assets for purposes of depreciation, and are a calculated depreciation of the District's share of WWTP capacity (see Section 2.4.1 for more information). The City owns the balance of the collection system, the WWTP and other facilities and equipment needed to maintain the system.

### 3.2.6 Sewer System Management Plan

The most recent Sewer System Management Plan (SSMP) for the combined sewer system was updated and adopted in 2021. The City is responsible for all sewer system management for both agencies and prepares and maintains the plan on behalf of the two agencies. One of the provisions of the SSMP is a requirement that operators of sanitary sewer systems reduce Sanitary Sewer Overflows (SSO) and report all SSO's to the Regional Water Quality Control Board electronically. Another provision of the permit calls for a five-year audit and the recertification of the document itself. The City of Ukiah staff update the SSMP annually according to the progress being made on various components within the plan. On February 3, 2021, the Ukiah City Council recertified the plan and the District Board followed with its recertification on February 10, 2021.

### 3.2.7 Operation and Maintenance Program

In accordance with the Participation Agreement, the City provides all operation and maintenance of the sewer collection systems and WWTP for the UVSD, and UVSD shares the costs based on their respective number of ESSUs. Development of the annual Budget Approval Agreement includes the breakdown of



operating costs for personnel and operations for the year and is based on the number of ESSUs utilized by each agency, which are tracked by the City and a District consultant. The FY 2022-23 Budget Approval Agreement, dated July 1, 2022, directs operating costs (personnel and operations) are to be shared 50.09% District and 49.91% percent City (City/UVSD, 2022).

Standard operating procedures (SOP) are memorialized in District policies. Operations SOP consist primarily of easement acceptance and abandonment policies, illness and injury policies and an expense reimbursement policy.

As the agency responsible for maintenance of the joint sewer system, the City notifies the District of any recommended or required maintenance of District-owned assets.

### 3.3 Determinations

This section presents the required MSR determinations pursuant to California Government Code §56430(a) for the Ukiah Valley Sanitation District.

#### 3.3.1 MSR Review Factors

##### 3.3.1.1 GROWTH

Growth and population projections for the affected area

1. The District boundaries include 1,304 parcels within the City limits (approximately half of the District's customers) as well as areas immediately surrounding the City. The District boundaries also include three non-contiguous areas, two of which are residential subdivisions, and the third is Mendocino College. Based on an average household size of 2.57 persons per household, the estimated population of the District is approximately 9,400 residents.
2. The UVSD usage is 5,688 ESSUs, of which 64% residential (3,640 ESSUs) and 36% commercial (2,048 ESSUs).
3. Population growth is expected to increase at an annual rate of approximately 0.3% for the Ukiah Valley area. Based on the current growth rate, the District could reach full buildout in the next 20 years.
4. Mendocino County has land use authority over privately-owned lands within the District boundary and makes land-use decisions based on the County's Inland General Plan and Zoning Regulations.
5. The City of Ukiah has land use authority over the "overlap area" within the District boundary and makes land-use decisions based on the City's General Plan, which is currently being updated.

##### 3.3.1.2 DISADVANTAGED UNINCORPORATED COMMUNITIES

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

6. Four of the DUCs identified in and surrounding the UVSD qualify as disadvantaged unincorporated communities (DUC) with less than 80% of the States Median Household Income (MHI). DUC #2 is classified as a severe disadvantaged community (SDAC) with less than 60% of the State's MHI. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GC §56375(8)(A) and LAFCo Policy.
  - DUC #1: Ukiah SXS
  - DUC #2: Norgard/Airport South
  - DUC #3: Empire Gardens
  - DUC #4: The Forks

- o DUC #5: Talmage
7. Five DUCs have been identified within the UVSD jurisdictional boundaries and immediately adjacent. DUCs 1-4 are located within the District boundaries, and DUC 5 is located east of District boundaries. The District currently serves DUCs 1-3; wastewater deficiencies have been identified within DUCs 4 and 5.

#### 3.3.1.3 CAPACITY OF FACILITIES AND ADEQUACY OF SERVICES

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence

8. The District provides wastewater services within its boundaries with no distinct service areas.
9. The District provides service to several out of agency parcels.
10. The District provides wastewater services totaling 5,668 ESSUs.
11. The District shares wastewater capacity at the City of Ukiah's WWTP and has approximately 942 ESSUs of reserved capacity remaining.
12. The District's wastewater system facilities and infrastructure includes a portion of the reserved capacity at the WWTP as well the trunk line shared between the District and the City, and the lateral lines within the District boundary.
13. The City's WWTP has a current treatment capacity of 3.01 million gallons per day (MGD) of dry weather flow and 23.5 MGD of peak wet weather flow.
14. There are currently no wastewater capacity issues or infrastructure needs for the District that need to be addressed within the timeframe of this MSR.
15. The City maintains and implements a SSMP on behalf of both the City and District. The SSMP was last updated in 2021 and was adopted by both agencies (UVSD Resolution No. 2009-04).
16. The District indicates it has Geographic Information Systems (GIS) mapping of the District. GIS maps are a useful tool for management of the wastewater system and may include manhole, sewer line, and lift station layers, as well as an attribute table with manhole and sewer line information georeferenced to each manhole and sewer line, which lists the line type, line material and the pipe diameter. Accurate and comprehensive mapping of the District's facilities provides many benefits for managing, planning and transparency.

#### 3.3.1.4 FINANCIAL ABILITY OF AGENCY

Financial ability of agencies to provide services

17. The District prepares an annual budget agreement with the City of Ukiah, an annual budget for the District, and has annual independent financial audits prepared by qualified Certified Public Accountants. Financial documents are posted on their website.
18. According to the audited financial information from Fiscal Years 2016-17 through 2020-21, the District operated at a net loss, or revenue shortfall, in FY 2016-17 and FY 2017-18 due to legal expenses associated with a lawsuit with the City of Ukiah, and operated at a net income, or revenue gain, in FY 2018-19, FY 2019-20, and FY 2020-21. Over the five fiscal years studied, the District has experienced an overall increase in net position, which signals a strengthening in financial position. The District has transitioned from a deficit to a surplus budget model in this time period. The District has adequate finances to meet current and future demands for public services within the next five years.

19. A Capital Improvement Plan is considered annually in the Budget Agreement process with the City of Ukiah for purposes of shared funding. The City performs the maintenance, repair, replacement, and upgrades of both City and District systems. Additionally, the District may have District-only capital projects and can choose to ask the City to bid them out on its behalf.

#### 3.3.1.5 SHARED SERVICES AND FACILITIES

##### Status of, and opportunities for, shared facilities

20. The District provides wastewater services through an interconnected system of collection and shared WWTP capacity that is operated and maintained under agreements with the City of Ukiah.
21. There is a common area between the City of Ukiah's service area and the District's service area, known as the "overlap" area, which was created over the years when the City incorporated areas without concurrent detachment from the District. The City has applied to LAFCo for detachment of the overlap area from the District's service boundaries, which is on hold pending an updated SOI for the City.
22. The District is a part of the Upper Russian River Water Agency Joint Powers Agreement, which was amended on October 15, 2020 to include the UVSD. The purpose of the JPA is to provide economies of scale, provide a method of jointly addressing sewer and water issues, and fostering coordination on these issues.
23. The District contracts for billing, collections, and other administrative functions with the Willow County Water District, with which the District has a Master Services Agreement.

#### 3.3.1.6 ACCOUNTABILITY, STRUCTURE AND OPERATIONAL EFFICIENCIES

##### Accountability for community service needs, including governmental structure and operational efficiencies

24. The District is governed by a Board of Directors comprised of five seats and elected to serve staggered 4-year terms. The District reports they have had no difficulties in filling vacancies.
25. Regularly scheduled meetings for the District Board of Directors are held on the second Wednesday of the month at 6:00 p.m. at the District's Board Room located at 151 Laws Avenue in Ukiah. All meetings are open to the public and are publicly posted a minimum of 72 hours prior to the meeting in accordance with the Brown Act. Meetings are currently being held via a hybrid model with both an in-person and virtual option for attendance and public participation.
26. The District Board of Directors conducts business and takes action by approving motions and adopting resolutions and ordinances by a majority vote of a sufficient quorum. The District Board of Directors has adopted policies and procedures related to elected officials including conflict of interest and reimbursement, finances, and personnel. The District Board members file a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to Government Code §87203 of the Political Reform Act and receive two hours of training on public service ethics laws and principles at least once every two years pursuant to AB 1234. The District Board of Directors considers proposed increases to rates and fees at a properly noticed public hearing and subject to mailing a notice of hearing for protests to all property owners pursuant to Proposition 218. The District complies with local government ethics laws and regulations and operates with accountability and transparency.
27. With the passage of Senate Bill 929 in 2018, all special districts are required to maintain a website that includes contact information and all other requirements by January 2020. The District has a website at <https://www.uvdsd.org>, which contains the District's contact information and agendas and minutes from District Board meetings from 2017 to the present. The website is well organized and



presented and contains agreements, Board meeting recordings, bond refinance information, annual budgets from 2010 to the present, audited financial statements from 2014 to the present, system maps, ordinances, notices, and resolutions.

28. The District's website would be enhanced by posting the current Board members and their contact information.
29. The District has no employees but contracts for administrative functions such as collections and billing with the Willow County Water District, and financial consulting services and district management with UFI. In addition, the District contracts with a Certified Public Accountant and legal counsel on an annual basis.
30. The public can submit written or provide verbal comments or complaints in person or by phone at the District office during business hours, Monday through Friday from 8:00 a.m. to 4:00 p.m., or at the District Board of Directors meetings during the general public comment period. Additionally, they may be emailed via the contact page at the UVSD website.
31. The interconnected sewer collection systems and shared WWTP capacity, and contracts with other agencies for management, staffing and maintenance, suggest efficiencies could be gained by either merger or reorganization with the City of Ukiah.

#### 3.3.1.7 OTHER SERVICE DELIVERY MATTERS

Any other matter related to effective or efficient service delivery, as required by commission policy
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32. There are no other matters related to service delivery required by Mendocino LAFCo Policy.

## 4 SPHERE OF INFLUENCE

PLACEHOLDER

### 4.1 SOI Update

- 4.1.1 Existing Sphere of Influence
- 4.1.2 Study Areas
- 4.1.3 Area of Interest Designation
- 4.1.4 Proposed Sphere of Influence
- 4.1.5 Consistency with LAFCo Policies
- 4.1.6 Determinations

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## 6 ACRONYMS

AF	Acre-feet
CDP	Census Designated Place
CEQA	California Environmental Quality Act
CIP	Capital Improvement Plan
CIR	Capital Indirect Rate
CKH	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
CPA	Certified Public Accountant
CSD	Community Services District
CWD	County Water District
DUC	Disadvantaged Community
ESSU	Equivalent Sewer Service Units
ESSSU	Equivalent Sewer Service Strength Units
FY	Fiscal Year
FTE	Full Time Equivalent
GPM	gallons per minute
I&I	Infiltration and inflow
JPA	Joint Powers Authority
LAFCo	Local Agency Formation Commission
MG	Million gallons
MGD	Million gallons per day
MHI	Median Household Income
MSR	Municipal Service Review
OIR	Operating Indirect Rate
RRFC	Mendocino County Russian River Flood Control and Watershed Improvement District
SB	Senate Bill
SDAC	Severely Disadvantaged Community
SDRMA	Special District Risk Management Association
SOI	Sphere of Influence
SSMP	Sewer System Management Plan
SOP	Standard Operating Procedures
SSMP	Sewer System Management Plan
SSO	Sanitary Sewer Overflows
URRWA	Upper Russian River Water Agency
UVFA	Ukiah Valley Fire Authority
UVFD	Ukiah Valley Fire District
UVSD	Ukiah Valley Sanitation District
WWTP	Wastewater Treatment Plant



## 7 ACKNOWLEDGEMENTS

### 7.1 Report Preparation

This Municipal Service Review and Sphere of Influence Update was prepared by Hinman & Associates Consulting, Inc., contracted staff for Mendocino LAFCo.

Uma Hinman, Executive Officer  
Larkyn Feiler, Analyst  
Kristen Meadows, Commission Clerk

Additionally, technical writing support was provided by Jessica Hankins, an independent contractor to Hinman & Associates Consulting, Inc.

### 7.2 Assistance and Support

This Municipal Service Review and Sphere of Influence Update could not have been completed without the assistance and support from the following organizations and individuals.

Ukiah Valley Sanitation District	Wing-See Fox, Interim District Manager (Urban Futures, Inc.) Ernie Wipf, Board Chair Mark DeMeulenaere, Contractor
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## 8 APPENDICES

### 8.1 Appendix A – Open Government Resources

The purpose of this appendix is to provide a brief list of some educational resources for local agencies interested in learning more about the broad scope of public interest laws geared towards government transparency and accountability. This appendix is not intended to be a comprehensive reference list or to substitute legal advice from a qualified attorney. Feel free to contact the Mendocino LAFCo office at (707) 463-4470 to make suggestions of additional resources that could be added to this appendix.

The websites listed below provide information regarding the following open government laws: (1) **Public Records Act** (Government Code §6250 et seq.), (2) **Political Reform Act** – Conflict-of-Interest regulations (Government Code §81000 et seq.), (3) **Ethics Principles and Training** (AB 1234 and Government Code §53235), (4) **Brown Act** – Open Meeting regulations (Government Code §54950 et seq.), and (5) **Online Compliance** regulations (Section 508 of the US Rehabilitation Act and Government Code §11135).

- Refer to the State of California Attorney General website for information regarding public access to governmental information and processes at the following link: <https://oag.ca.gov/government>.
- Refer to the State of California Attorney General website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <https://oag.ca.gov/ethics>.
- The Fair Political Practices Commission (FPPC) is primarily responsible for administering and enforcing the Political Reform Act. The website for the Fair Political Practices Commission is available at the following link: <http://www.fppc.ca.gov/>.
- Refer to the California Department of Rehabilitation website for information regarding Section 508 of the US Rehabilitation Act and other laws that address digital accessibility at the following link: <http://www.dor.ca.gov/DisabilityAccessInfo/What-are-the-Laws-that-Cover-Digital-Accessibility.html>.
- Refer to the Institute for Local Government (ILG) website to download the Good Governance Checklist form at the following link: [www.ca-ilg.org/post/good-governance-checklist-good-and-better-practices](http://www.ca-ilg.org/post/good-governance-checklist-good-and-better-practices).
- Refer to the Institute for Local Government (ILG) website to download the Ethics Law Principles for Public Servants pamphlet at the following link: [www.ca-ilg.org/node/3369](http://www.ca-ilg.org/node/3369).
- Refer to the Institute for Local Government (ILG) website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <http://www.ca-ilg.org/ethics-education-ab-1234-training>.
- Refer to the California Special Districts Association (CSDA) website for information regarding online and website compliance webinars at the following link: <http://www.csdanet.net/tag/webinars/>.

8.2 Appendix B – Website Compliance Handout

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# Appendix B

## California Website Compliance Checklist

Use this checklist to keep your district's website compliant with State and Federal requirements.

### Public Records Act

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SB 929

**Our district has created and maintains a website**

Passed in 2018, all independent special districts must have a website that includes contact information (and all other requirements) by Jan. 2020

SB 272

**Our Enterprise System Catalog is posted on our website**

All local agencies must publish a catalog listing all software that meets specific requirements—free tool at [getstreamline.com/sb272](http://getstreamline.com/sb272)

AB 2853 (optional):

**We post public records to our website**

This bill allows you to refer PRA requests to your site, if the content is displayed there, potentially saving time, money, and trees

### The Brown Act

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AB 392:

**Agendas are posted to our website at least 72 hours in advance of regular meetings, 24 hours in advance of special meetings**

This 2011 update to the Act, originally created in 1953, added the online posting requirement

AB 2257:

**A link to the most recent agenda is on our home page, and agendas are searchable, machine-readable and platform independent**

Required by Jan. 2019—text-based PDFs meet this requirement, Microsoft Word docs do not

### State Controller Reports

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Financial Transaction Report:

**A link to the Controller's "By the Numbers" website is posted on our website**

Report must be submitted within seven months after the close of the fiscal year—you can add the report to your site annually, but posting a link is easier

Compensation Report:

**A link to the Controller's PublicPay website is posted in a conspicuous location on our website**

Report must be submitted by April 30 of each year—you can also add the report to your site annually, but posting a link is easier

### Healthcare District Websites

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AB 2019:

**If we're a healthcare district, we maintain a website that includes all items above, plus additional requirements**

Including budget, board members, Municipal Service Review, grant policy and recipients, and audits

### Open Data

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AB 169:

**Anything posted on our website that we call "open data" meets the requirements for open data**

Defined as "retrievable, downloadable, indexable, and electronically searchable; platform independent and machine readable" among other things

### Section 508 ADA Compliance

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CA gov code 7405:

**State governmental entities shall comply with the accessibility requirements of Section 508 of the federal Rehabilitation Act of 1973**

Requirements were updated in 2018—if you aren't sure, you can test your site for accessibility at [achecker.ca](http://achecker.ca)



California Special Districts Association  
CSDA  
Districts Stronger Together



STREAMLINE  
Website compliance made easy

# The Brown Act: new agenda requirements

Tips for complying with AB 2257 by January, 2019

## Placement:

**What it says:** An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda.

**What that means:** Add a link to the **current agenda directly to your homepage**. It cannot be in a menu item or otherwise require more than a single click to open the agenda.

## Exception:

**What it says:** A link to the agenda management platform may be added to the home page instead of a link directly to the current agenda, if the agency uses an integrated agenda management platform that meets specified requirements, including, among others, that the current agenda is the first agenda available at the top of the integrated agenda management platform.

**What that means:** If you use an agenda management system, you may add a link to that system directly to your homepage (again, not in a menu item), if the format of the agenda meets the requirements below, and if the current agenda is the first at the top of the list.

## Format:

**What it says:** [agenda must be] Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications. Platform independent and machine readable. Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

**What that means:** You cannot add Word Docs or scanned (image-based) PDFs of your agenda to your website—Word Docs are not platform independent (the visitor must have Word to read the file), and scanned PDFs are not searchable. Instead, **keep your agenda separate from the packet** and follow these steps:

1. From Word or other document system: Export agenda to PDF
2. Add that agenda to your website (or to your agenda management system), and include a link to that agenda on your homepage
3. Then, you can print the agenda, add it to your pile of documents for the packet, and scan that to PDF - just keep the packet separate from the agenda (only the agenda must meet AB 2257)
4. Keep the link on the homepage until the next agenda is available, then update the link

Questions? Contact [sloane@getstreamline.com](mailto:sloane@getstreamline.com) or [dillong@csga.net](mailto:dillong@csga.net)

### 8.3 Appendix C – Applicable Policies

#### **County of Mendocino 2009 General Plan**

##### **Chapter 6: Community – Specific Policies: Ukiah Valley Goals and Policies**

The following goals, policies, and actions are specific to the Ukiah Valley, and supplement the countywide goals and policies elsewhere in this General Plan.

#### Ukiah Valley Goals

##### Ukiah Valley Area Policies

The following goals, policies, and action items from the Mendocino General Plan Development Element could apply to public services and wastewater in particular in the Ukiah Valley. (Mendocino County, 2021)

#### **Ukiah Valley Area Plan**

The following Ukiah Valley Area Plan (UVAP) policies are applicable to sewer service provision in the Ukiah Valley (Mendocino County, 2011):

<u>WM4.2a</u>	<u>Limited Sewer Extensions</u> Confine new sewers and sewer extensions to urban and suburban areas. Alternate sewage treatment systems, rather than sewers, should be used to solve existing water quality problems outside the urban and suburban areas.
<u>WM4.2b</u>	<u>Water Quality</u> Reduce impacts to water quality from community sewage systems and on-site septic systems.
<u>WM4.2c</u>	<u>Sewer Treatment Facilities</u> Support increased sewage treatment facility capacity to serve the future needs of the Ukiah Valley
<u>WM4.2d</u>	<u>Cost of New Development</u> Ensure that the cost of providing sewer and water service to new development proposed outside existing service areas should be borne solely by those proposing the development, thus eliminating any financial burden to existing customers for any required expansion of the sewer and water system network to serve such development.

Additional UVAP Guidelines for the Brush Street Triangle and North State Street areas include connection to public water supply and sewers, when available, is required for new development (Mendocino County, 2011).

<u>Goal DE-7 (Infrastructure)</u>	Basic infrastructure – roadways, water and sewer services, schools, libraries, internet access, etc. – sufficient to support existing and future development, in place when needed, and fully funded both initially and on an ongoing basis.
<u>Goal DE-16 (Water/Sewer)</u>	Efficient and adequate public water and sewer services.

### **Chapter 3 Development Element: Water Supply and Sewer (Wastewater Treatment) Services Policies**

Policy DE-192 Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-193 The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-193.1 Work aggressively with water and sewer service providers to overcome the current and projected system and supply deficiencies necessary to serve planned community growth and emergency response needs.

Action Item DE-193.2 Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or resolve existing deficiencies.

Action Item DE-193.3 Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water or sewer systems.

Policy DE-194 Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-195 Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with the General Plan's land use and resource objectives, except where the extension is needed to address a clear public health hazard.

Policy DE-196 Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-197 Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

Policy DE-198 The County shall coordinate with water and sewer system providers to ensure that water and wastewater treatment facilities are protected from flooding and erosion hazards.

### **Chapter 3 Development Element: Infrastructure (Facilities and Services) Policies**

Policy DE-117: Deliver programs and services to communities in an integrated, coordinated and equitable manner, reflective of local conditions.

Policy DE-118: The County shall discourage the extension of sewer and water service outside of areas designated by this General Plan or any city's General Plan for urban uses.



Action Item DE-118.1: Work with the Local Agency Formation Commission and service providers to coordinate service capabilities with this General Plan's land use designations.

Policy DE-119: Consider infrastructure capabilities, spheres of influence and master service elements adopted by the Local Agency Formation Commission, and city rezoning when adopting or revising General Plan elements.

Policy DE-120: General Plan changes to increase density or intensity should not be granted when basic infrastructure deficiencies are identified unless there is a program in place for timely resolution of the problem.

Policy DE-121: New discretionary development will be required to demonstrate that basic infrastructure is available and has adequate capacity to serve the project without degrading existing level of service standards.

Policy DE-122: When committing to serve new development, the County will encourage service providers to grant priority to allocation of available and future water resources to lower income housing developments that help meet the regional housing need.

Policy DE-123: Plans for completion of basic infrastructure should be made concurrent with discretionary development entitlement actions.

Policy DE-124: Plan for the expansion of commercial and industrial uses and sites for affordable housing when planning and designing community spaces and infrastructure.

Policy DE-125: The County supports the extension of affordable broadband internet access to all areas of the county, particularly rural areas which currently (2009) do not have broadband access.

### **Section 3: Development Element Land Use and Community Policies**

GOAL LU1 Create compact, mixed-use, and well-balanced communities that can achieve this plan's principles of sustainability.

Policy LU 1.1: Promote development and building practices that support healthy communities.

Policy LU 1.2: Utilize planning tools and incentives to guide the development process towards creating a compact, mixed use community achieving a balance among social, economic, and environmental systems.

Policy LU1.3: Promote suitably located housing and services for a range of ages and incomes within the Ukiah Valley

Policy LU 1.4: Continue to allow growth in High Intensity Development Corridors.

GOAL LU2 Promote compatible land uses adjacent to important transportation facilities and protect against incompatible ones.

GOAL LU4 Manage future growth to ensure that essential support infrastructure is in place prior to development.

Policy LU 4.1: Apply growth management strategies when reviewing discretionary projects.

Policy LU 4.2: Promote balanced development to improve the community's ability to support and fund facilities and services.

Goal LU 7 Recognize that the Ukiah Valley is one community, and foster collaborative decision-making between County and City Agencies.

Policy LU 7.1: Collaborate with the City of Ukiah to fund programs and evaluate planning issues in the Valley.

LU 7.1a: Tax-Sharing Agreements: Continue to collaborate with the City of Ukiah to create and implement a tax-sharing agreement that will help fund services in both the County and the City.

LU7.1b: Sphere of Influence: Work with the City of Ukiah to revise the City's Sphere of Influence (SOI), and continue to collaborate on planning decisions that regulate land in the SOI.

### **Chapter 3 Development Element: LAFCo Policies**

Policy DE-37: Work with LAFCO and other agencies to reduce suburban sprawl, promote efficient service delivery, and protect agricultural, timber and open space areas from unintended conversion to urban uses.

Policy DE-118: The County shall discourage the extension of sewer and water service outside of areas designated by this General Plan or any city's General Plan for urban uses.

Action Item DE-118.1: Work with the Local Agency Formation Commission and service providers to coordinate service capabilities with this General Plan's land use designations.

Policy DE-119: Consider infrastructure capabilities, spheres of influence and master service elements adopted by the Local Agency Formation Commission, and city rezoning when adopting or revising General Plan elements.

### **Section 8: Health and Safety**

GOAL HS1 Consider natural and human-made hazards when planning development and minimize potential conflicts.

Policy HS1.2: Minimize impacts from flooding through flood mitigation components and ongoing flood management practices including implementation of the "No Adverse Impacts" (NAI), as recommended by the Association of Flood Plain Managers.

Policy HS1.2.c: Russian River floodway development standards and restrictions Prohibit development within the floodway except as permitted by Federal Emergency Management Agency regulations. Maintain site development standards to ensure that new development within the floodway is kept to the absolute minimum.

# MENDOCINO Local Agency Formation Commission

## Staff Report

MEETING      September 12, 2022  
 TO              Mendocino Local Agency Formation Commission  
 FROM          Uma Hinman, Executive Officer  
 SUBJECT      **Commissioner Terms, Recruitments and Elections**

**RECOMMENDATION**

Receive informational report regarding status of Commissioner terms, recruitments and elections.

**BACKGROUND**

Commissioners serve four-year terms, running from January 1 through December 31. Terms ending December 31<sup>st</sup> of this year are highlighted blue.

Commissioner	Seat	Year Started	Term Expiration
<b>County</b>			
Glenn McGourty	Regular	2021	2024
Maureen Mulheren	Regular	2021	2022
John Haschak	Alternate	2020	2023
<b>City</b>			
Scott Ignacio	Regular (Point Arena)	2017	2022
Mari Rodin	Regular (Ukiah)	2021*	2025
Gerardo Gonzalez	Alternate (Willits)	2017	2025
<b>Special District</b>			
Matthew Froneberger	Regular (Russian River Flood Control District)	2020	2022
Tony Orth	Regular (Brooktrails Township CSD)	2016*	2024
Vacant	Alternate	2019	2022
<b>Public</b>			
Gerald Ward	Public	2000	2022
Richard Weinkle	Alternate	2020	2023

\*Also served previous terms with break(s) in service.

**County Members**

County members are appointed to the Commission annually by the Board of Supervisors. While LAFCo policies and the CKH specify that commissioners are appointed to four-year terms, the Board of Supervisors makes their own appointments.

**City Members**

City members are appointed by the City Selection Committee, which meets annually in December or January. Commissioner Ignacio’s term ends this December.

### Special District Members

The CKH describes the process by which special district members are appointed, which is either by a Special District Selection Committee, or when unable to achieve a quorum, the Executive Officer may run the nomination and election process on behalf of the Committee (GOV 56332(f)). In Mendocino County, the Executive Officer runs the process as it is so difficult to achieve a quorum of the 49 independent special districts within the County.

The notice of vacancy, term expirations and nomination process were initiated on April 29, 2022 for both the Alternate and Regular seats. Three nominations were received: Francois Christen (Anderson Valley CSD) for both the Alternate and Regular seats, and Candace Horsley (Ukiah Valley Sanitation District) for the Regular seat. As the only nominee for the Alternate seat, Mr. Christen is automatically appointed for the 2023-2026 term (GOV 56332(c)(2)). However, because he was also nominated for the Regular seat, an election by ballot is required.

Process and Schedule	Due Date (2022)
LAFCo request for nominations mailed to independent special districts via certified mail	April 29
Nomination deadline	August 1
Ballots mailed to independent special districts via certified mail	August 19
Ballots due to LAFCo	November 11 by 12:00 p.m.
Ballots tallied at LAFCo office; successful candidate notified	November 15 at 11:00 a.m.
Election results mailed to independent special districts	No later than November 22
Confirmation of election results at a Regular Meeting of the Commission	December 5

### Public Member Term

The Public Member Regular term currently held by Commissioner Ward ends December 31<sup>st</sup> of this year. The notice and recruitment process takes approximately three months and is typically initiated in September. Upon close of the application period, interviews may be held and the Commission will make an appointment at its Regular Meeting of either November or December, depending on number of applications received and results of interviews.

Public members may not be an officer or employee of the county, any city or special district (GOV 56331).

A Notice of Vacancy will be advertised in newspapers and posted on the website the week of September 19-23. Following is a tentative schedule for the process:

Process and Schedule	Due Date (2022)
Notice of availability advertised	September 19-23
Applications due	October 28
Alternate Public Member interviews/appointment (tentative)	November 7
Alternate Public Member appointment by Commission	December 5
Alternate Public Member Oath of Office	January 9

Attachment: None

# MENDOCINO Local Agency Formation Commission

## Staff Report

MEETING September 12, 2022  
TO Mendocino Local Agency Formation Commission  
FROM Uma Hinman, Executive Officer  
SUBJECT **CALAFCO Business**

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### RECOMMENDATION

Staff recommends the following:

1. Commissioners indicate their interest in attending the 2022 CALAFCO Conference in Newport Beach on October 19-21; and
2. Consider designating a voting delegate for the Regional Caucus and Annual Membership Meeting to be held on October 20<sup>th</sup> during the 2022 Conference.

### INTRODUCTION

The California Association of Local Agency Formation Commissions (CALAFCO) sponsors a three-day annual conference every fall, although this will be the first in three years due to the pandemic. The program sessions generally are geared towards commissioners and executive staff.

#### A. 2022 CALAFCO Conference

The [2022 CALAFCO Conference](#) will be held at the Hyatt Regency in Newport Beach on October 19-21. The Commission has budgeted for five Commissioners to attend, including reimbursement for registration, lodging, transportation and meals. So far Commissioner Mulheren is the only one to register. Staff will not be able to attend this year, but looks forward to the Staff Workshop in the spring.

#### B. Voting Delegate for CALAFCO Annual Business Meeting

The Annual CALAFCO Business Meeting is held on the Thursday morning of the conference, which will fall on October 20<sup>th</sup>. Each LAFCo is responsible under CALAFCO bylaws for appointing a delegate and alternate delegate to participate in the board elections and business meeting held at the annual conference. The board elections will be conducted by regions while the business meeting provides an opportunity for the entire membership to hear from CALAFCO regarding organization activities. Delegates may be commissioners or staff.

In order to vote at the regional Board seat elections Thursday morning at 8:00 am and at the Annual Business Meeting on Thursday morning at 9:00 am, a LAFCo must have provided CALAFCO the voting delegate in writing by September 19<sup>th</sup>.

The voting delegate and alternate are the only people allowed to vote at the caucus and the Annual Business Meeting and must be provided to CALAFCO by the deadline.

Attachments CALAFCO Nominations Board Directors Packet

June 1, 2022

**To:** Local Agency Formation Commission  
Members and Alternate Members

**From:** Jo MacKenzie, Committee Chair  
CALAFCO Board Election Committee  
CALAFCO Board of Directors



**RE: Nominations for 2022/2023 CALAFCO Board of Directors**

Nominations are now open for the fall elections of the CALAFCO Board of Directors for the following seats:

CENTRAL REGION	SOUTHERN REGION	NORTHERN REGION	COASTAL REGION
County Member District Member	City Member Public Member	City Member Public Member	County Member District Member

Please inform your Commission that the CALAFCO Election Committee will be accepting nominations for the above-cited seats until:

**MONDAY, SEPTEMBER 19, 2022 at 5:00 PM**

Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal, and operational issues that affect us all. The Board meets four to five times each year, with half of the meetings currently being held virtually and the rest being held at alternate sites around the state.

Board seats are for a two-year term, with no term limits, and any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat. The election will be conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 20, 2022 at the Hyatt Regency John Wayne Airport in Newport Beach, California.

*Should your Commission nominate a candidate, the Chair of your Commission must complete the attached Nomination Form and the Candidate's Résumé Form or provide the specified information in another format other than a résumé.*



**Please note that completed nomination forms and all materials must be RECEIVED by the CALAFCO Executive Director no later than Monday, September 19, 2022 at 5:00 p.m.**

Returning the nomination form prior to that deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received. Electronic filing of nomination forms and materials is encouraged to facilitate the recruitment process. Forms and materials may either be emailed to [info@calafco.org](mailto:info@calafco.org) or mailed to:

CALAFCO Election Committee c/o Executive Director  
California Association of Local Agency Formation Commissions  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, California 95814

Nominations received by the September 19th deadline will be included in the Election Committee's Report and will be on the ballot. The Report will be distributed to LAFCo members no later than October 4, 2022, with ballots made available to Voting Delegates at the Annual Conference.

Nominations received after the deadline will be returned; however, nominations may be made from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting, an electronic ballot will be made available *if requested in advance*. **Ballot requests must also be received no later than 5:00 pm on Monday, September 19, 2022, with completed absentee ballots returned by 5:00 p.m. on Friday, October 14, 2022.**

#### NOMINATION/ELECTION PROCESS DEADLINES AND TIMELINES

- **June 1** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 19** – Completed Nomination packet due
- **September 19** – Request for an absentee/electronic ballot due
- **September 19** – Voting delegate name due to CALAFCO
- **October 4** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 4** – Distribution of requested absentee/electronic ballots.
- **October 14** – Absentee ballots due to CALAFCO
- **October 20** - Elections

If you have any questions about the election process, please contact me at [jmackenzie@calafco.org](mailto:jmackenzie@calafco.org) or by calling 760-743-7969. You may also contact CALAFCO Executive Director René LaRoche at [rlaroche@calafco.org](mailto:rlaroche@calafco.org) or by calling 916-442-6536.

Members of the 2022/2023 CALAFCO Election Committee are:

Jo MacKenzie, Chair  
[jmackenzie@calafco.org](mailto:jmackenzie@calafco.org)

San Diego LAFCo (Southern Region)  
760-743-7969

Bill Connelly  
[bconnelly@calafco.org](mailto:bconnelly@calafco.org)

Butte LAFCo (Northern Region)  
530-538-6834

Margie Mohler  
[mmohler@calafco.org](mailto:mmohler@calafco.org)

Napa LAFCo (Coastal Region)  
707-287-6911

Daniel Parra  
[dparra@calafco.org](mailto:dparra@calafco.org)

Fresno LAFCo (Central Region)  
559-834-3113

Additionally, you will also find attached for your reference a copy of the CALAFCO Board of Directors Nomination and Election Procedures, as well as the current listing of Board Members and corresponding terms of office.

*I sincerely hope that you will consider joining us!*



## **Board of Directors Nomination and Election Procedures and Forms**

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

### **1. APPOINTMENT OF AN ELECTION COMMITTEE:**

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.
- b. The Board Chair shall appoint one of the members of the Election Committee to serve as Committee Chair. The CALAFCO Executive Director shall either serve as staff to the Election Committee or appoint a CALAFCO regional officer to serve as staff in cooperation with the Executive Director.
- c. Each regional officer shall serve as staff liaison to the Election Committee specifically to assist in conducting the election as directed by the Executive Director and Committee.
- d. Goals of the Committee are to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban-suburban-rural population, and to provide oversight of the elections process.

### **2. ANNOUNCEMENT TO ALL MEMBER LAFCoS:**

- a. No later than four months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:
  - i. A statement clearly indicating which offices are subject to the election.
  - ii. A regional map including LAFCoS listed by region.
  - iii. The specific date by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Election Committee action."
  - iv. The names of the Election Committee members and the name of their LAFCo, regional representation, email address and phone number. The name, email address and phone number of the Executive Director shall also be included.
  - v. The email address and physical address to send the nominations forms.
  - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
  - vii. The specific date by which all voting delegate names are due.
  - viii. The specific date by which absentee ballots must be requested, the date CALAFCO will

#### **Key Timeframes for Nominations Process**

Days*	
120	Nomination announcement
30	Nomination deadline
14	Committee report released

\*Days prior to annual membership meeting

distribute the absentee ballots, and the date by which they must be received by the Executive Director.

- b. A copy of these procedures shall be posted on the web site.

### **3. THE ELECTION COMMITTEE:**

- a. The Election Committee and the Executive Director have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.
- b. At the close of the nomination period, the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated representatives. Caucus elections must be held prior to the annual membership meeting at the Conference. The assigned regional officers along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the regional officer and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference. Only the designated Voting Delegate, or the designated Alternate Voting Delegate shall be allowed to pick up the ballot packet at the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.
- f. Advise the Executive Director to provide "VOTING DELEGATE" ribbons to all voting delegates attending the Annual Conference.
- g. Post the candidate statements/resumes organized by region on a bulletin board or other easily accessible location near the registration desk.
- h. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election and shall be assisted by a regional officer from a region other than their own, as assigned by the Executive Director
- i. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.

### **4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING**

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCos requesting an electronic ballot shall do so in writing to the Executive Director no later than 30 days prior to the annual meeting.

- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the Executive Director no later than three working days prior to the annual meeting.
- e. LAFCos voting by electronic ballot may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCos voting under this provision may only vote for the candidates nominated by the Election Committee as noted on the ballot and may not vote in any run-off elections.

**5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING:**

- a. The Presiding Officer shall:
  - i. Review the election procedure with the membership of their region.
  - ii. Present the Election Committee Report (previously distributed).
  - iii. Call for nominations from the floor by category for those seats subject to this election:
    - 1. For city member.
    - 2. For county member.
    - 3. For public member.
    - 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a “Candidates Forum”. Each candidate shall be given time to make a brief statement for their candidacy. If a candidate is absent from the regional caucus, they may ask someone in their region to make a brief statement on their behalf.
- e. The Presiding Officer shall then conduct the election:
  - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
    - 1. Name the nominees and offices for which they are nominated.
    - 2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
  - ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
    - 1. Poll the LAFCos in good standing by written ballot.
    - 2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.

3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.
  4. With assistance from the regional officer, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
1. A majority of the total number of LAFcos in a given region are required for a quorum. Returned absentee ballots shall count towards the total required for a quorum.
  2. The nominee receiving the majority of votes cast is elected.
  3. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).
  4. In case of tie votes:
    - a. A second run-off election shall be held with the same two nominees.
    - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.

## 6. ADDITIONAL PROCEDURES

- a. For categories where there are more candidates than vacancies, names shall be listed on the ballot in the order the nomination was received and deemed complete.
- b. The Election Committee Chair shall announce and introduce all Board Members elected during the Regional Caucuses at the annual business meeting.
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFco may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new Board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

## 7. LOSS OF ELECTION IN HOME LAFCO

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

## 8. FILLING BOARD VACANCIES

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

# CALAFCO's Four Regions



The counties in each of the four regions consist of the following:

**Northern Region**

Butte  
Colusa  
Del Norte  
Glenn  
Humboldt  
Lake  
Lassen  
Mendocino  
Modoc  
Nevada  
Plumas  
Shasta  
Sierra  
Siskiyou  
Sutter  
Tehama  
Trinity  
Yuba

**CONTACT:** Steve Lucas  
Butte LAFCo  
slucas@buttecounty.net

**Southern Region**

Orange  
Los Angeles  
Imperial  
Riverside  
San Bernardino  
San Diego

**CONTACT:** Gary Thompson  
Riverside LAFCo  
gthompson@lafco.org

**Coastal Region**

Alameda  
Contra Costa  
Marin  
Monterey  
Napa  
San Benito  
San Francisco  
San Luis Obispo  
San Mateo  
Santa Barbara  
Santa Clara  
Santa Cruz  
Solano  
Sonoma  
Ventura

**CONTACT:** Dawn Longoria  
Napa LAFCo  
dlongori@napa.lafco.ca.gov

**Central Region**

Alpine  
Amador  
Calaveras  
El Dorado  
Fresno  
Inyo  
Kings  
Madera  
Mariposa  
Merced  
Mono  
Placer  
Sacramento  
San Joaquin  
Stanislaus  
Tulare  
Tuolumne  
Yolo

**CONTACT:** José Henriquez  
Sacramento LAFCo  
henriquezj@saccounty.net

## CURRENT BOARD MEMBERS AND TERMS

<b>NAME</b>	<b>REGION</b>	<b>TYPE &amp; TERM</b>
Bill Connelly, <b>Vice Chair</b>	Butte <i>Northern</i>	County (2023)
Blake Inscore	Del Norte <i>North</i>	City (2022)
Gay Jones	Sacramento <i>Central</i>	District (2022)
Michael Kelley	Imperial <i>Southern</i>	County (2023)
Debra Lake	Humboldt <i>Northern</i>	District (2023)
Chris Lopez	Monterey <i>Coastal</i>	County (2022)
Daron McDaniel	Merced <i>Central</i>	County (2022)
Michael McGill	Contra Costa <i>Coastal</i>	District (2022)
Derek McGregor	Orange <i>Southern</i>	Public (2022)
Jo MacKenzie	San Diego <i>Southern</i>	District (2023)
Margie Mohler, <b>Treasurer</b>	Napa <i>Coastal</i>	City (2023)
<b>Anita Paque, Chair</b>	Calaveras <i>Central</i>	Public (2023)
Daniel Parra	Fresno <i>Central</i>	City (2023)
Shane Stark	Santa Barbara <i>Coastal</i>	Public (2023)
Josh Susman	Nevada <i>Northern</i>	Public (2022)
Acquanetta Warren, <b>Secretary</b>	San Bernardino <i>Southern</i>	City (2022)



**Board of Directors**  
**2022/2023 Nominations Form**

***Nomination to the CALAFCO Board of Directors***

In accordance with the Nominations and Election Procedures of CALAFCO,

\_\_\_\_\_ LAFCo of the \_\_\_\_\_ Region

Nominates \_\_\_\_\_

for the (check one)     City     County     Special District     Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual Membership Meeting of the Association.

\_\_\_\_\_ LAFCo Chair

\_\_\_\_\_ Date

**NOTICE OF DEADLINE**

Nominations must be received by **September 19, 2022 at 5:00 p.m.** to be considered by the Election Committee.

Send completed nominations to:

CALAFCO Election Committee  
CALAFCO  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, CA 95814

Or email to: [info@calafco.org](mailto:info@calafco.org)

Date Received  
\_\_\_\_\_

CALIFORNIA ASSOCIATION OF  
LOCAL AGENCY FORMATION  
COMMISSIONS



**Board of Directors**  
**2022/2023 Candidate Résumé Form**  
**(Complete both pages)**

Nominated By: \_\_\_\_\_ LAFCo Date: \_\_\_\_\_

Region (please check one):  Northern  Coastal  Central  Southern

Category (please check one):  City  County  Special District  Public

Candidate Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Office \_\_\_\_\_ Mobile \_\_\_\_\_

e-mail \_\_\_\_\_

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

**NOTICE OF DEADLINE**

Nominations must be received by **September 19, 2022 at 5:00 p.m.** to be considered by the Election Committee.

Send completed nominations to:

CALAFCO Election Committee  
CALAFCO  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, CA 95814

Or email to: [info@calafco.org](mailto:info@calafco.org)

# MENDOCINO Local Agency Formation Commission

## Staff Report

MEETING      September 12, 2022  
TO              Mendocino Local Agency Formation Commission  
FROM          Uma Hinman, Executive Officer  
SUBJECT      **Applications and Work Load**

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### RECOMMENDATION

The Commission will receive a status report on the active proposals currently on file with the Commission as well as anticipated filings based on ongoing discussions with proponents. Also included is a summary of progress on the Work Plan scheduled for the fiscal year. The item is for information and satisfies LAFCo's reporting requirement for current and future applications.

### 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.

### ACTIVE PROPOSALS

This item provides the Commission its regular update on active proposals on file as well as identifies future proposals staff anticipates being filed with LAFCo in the near term based on discussions with local agencies and proponents. All active and future proposals are also summarized in Attachment 1.

#### City of Ukiah Annexation of Western Hills (Hull Properties) (File No. A-2022-02)

On June 8, 2022, the City of Ukiah submitted an application to annex approximately 707 acres in the Western Hills for open space preservation, while allowing the potential for future low density residential up to 14 dwelling units on the 55 easternmost acres. The application is incomplete pending submittal of additional materials.

#### Elk Community Services District Activation of Latent Powers for Wastewater Services (File No. L-2022-01)

On April 8, 2022, the ECSD submitted an application proposing to activate latent powers for the provision of wastewater services. The District will be assuming ownership and operation of a community leach field within the community of Elk. The application has been referred to affected agencies and a

Notice of Filing sent to the County Assessor and Auditor-Controller to initiate the tax share negotiation process in accordance with Revenue & Tax Code Section 99.

City of Ukiah Annexation of City-Owned Properties (File No. A-2021-01)

On February 22, 2021, LAFCo received an application from the City of Ukiah proposing to annex City-owned parcels that are used for government purposes and consisting of approximately 446 acres in total. Parcels include the City's Wastewater Treatment Plant, solid waste transfer station, a portion of the municipal airport and open space. The application referral and notice to the County to initiate the tax share negotiation were routed and comments received. A revised application was submitted to LAFCo on February 25, 2022 and is being referred to affected agencies and County Auditor and Assessor. LAFCo and City staff have established regularly scheduled coordination meetings for the proposal. An incomplete letter has been sent to City staff for the tax share agreement and mapping issues identified by County GIS.

Millview County Water District Pre-Application: Annexation of Masonite Properties (File No. P-2020-04)

Pre-Application request for consultation on process and draft documents associated with the MCWD's proposal to annex the Masonite area properties. LAFCo staff have participated in several conference calls with the District and its consultants regarding the proposal and has provided feedback on draft CEQA and application materials. LAFCo, as a Responsible Agency, submitted comments on the District's Draft Initial Study/Mitigated Negative Declaration on December 6, 2021.

City of Ukiah Pre-Application: Annexation of Areas North of the City (File No. P-2020-02)

Pre-Application request for consultation on the process and potential issues regarding the City's proposal to annex the Brush Street Triangle and Masonite area properties. Staff is coordinating with City staff regarding next steps in the process and timing of application processing.

City of Ukiah Detachment of UVSD Served Areas (File No. D-2020-01)

In April 2020, the City of Ukiah submitted a request to restart a 2014 application for detachment of Ukiah Valley Sanitation District (UVSD) served areas from the City that had been deemed incomplete and placed on-hold by the City in 2015. LAFCo staff responded to the City in May, requiring a new application submittal due to the lapse of time and change in conditions, as well as noting the application as premature pending completion of the UVSD SOI Update. The application will be processed concurrently with the City of Ukiah Municipal Service Review and Sphere of Influence Update. The City submitted an Appeal to the Commission of the Executive Officer's determination that the application is incomplete (letter dated April 26, 2021). The Commission continued the item to June 7, 2021. The Appeal has been temporarily placed on hold by the City.

**POTENTIAL FUTURE PROPOSALS**

LAFCo staff has been made aware of the following potential future proposals that may come before the Commission for consideration. Also see Attachment 1 Summary Table – Application Activity and Potential Future Proposals.

County Services Area 3 Activation of Latent Powers

County and LAFCo staff are coordinating on the proposed services to be offered through CSA 3, which is anticipated to be processed concurrently with the MSR/SOI Study for the district. The initial proposal is expected to be the Sherwood Road Pilot Project, a secondary access for the community of Brooktrails.

City of Ukiah Out of Area Service Agreement for Wastewater Services

City of Ukiah and the UVSD are coordinating on an application to extend wastewater services to parcels within the Ford Road area. An application is anticipated within the next few months.

## **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. This report provides an update on progress made in terms of accomplishing the activities scheduled in the Work Plan. This report also serves to inform the Commission of any changes in circumstances or priorities. See Attachment 2 Summary Table – Work Plan Tracking and Status.

### **Attachments**

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

## Attachment 1. Summary Table – Application Activity and Potential Future Proposals

<b>APPLICATION ACTIVITY</b>								
<i>Project status as of August 31, 2022</i>								
<b>LAFCo File No.<sup>1</sup></b>	<b>Applicant</b>	<b>Project Name</b>	<b>Date Application Received</b>	<b>Certificate of Filing</b>	<b>LAFCo Hearing Date</b>	<b>Certificate of Completion</b>	<b>BOE Submittal Date</b>	<b>Additional Comments</b>
A-2022-02	Ukiah	City of Ukiah Annexation of Western Hills (Hull Properties)	6/8/2022					Application submitted; incomplete letter sent
L-2022-01	ECSD	Elk Community Services District Activation of Latent Powers for Wastewater Services	4/8/2022					Application under review; agency referral and Notice of Filing distributed
A-2021-01	Ukiah	City of Ukiah Annexation of City-Owned Properties	3/1/2021 2/25/2022					Application under review; agency referral distributed and incomplete letter sent
P-2020-04	MCWD	Millview County Water District Pre-Application for Annexation of Masonite Properties	10/23/2020	N/A	N/A	N/A	N/A	Comments on Draft IS/MND submitted December 6, 2021; no activity in 9 months
P-2020-02	Ukiah	City of Ukiah Pre-Application for Annexation of Areas North of the City	8/12/2020	N/A	N/A	N/A	N/A	Incomplete; no activity in 17 months
D-2020-01	Ukiah	City of Ukiah Detachment of UVSD Served Areas	2014; 4/29/2020					On hold and incomplete; no activity in 15 months
<b>Potential Future Proposals</b>								
N/A	CSA 3	Activation of Latent Powers (Sherwood Rd Pilot)						Coordination meetings with County ongoing
N/A	Ukiah	Out of Agency Service Agreement						Coordination meetings and OASA application forms provided

<sup>1</sup>Key: A – Annexation  
C – Consolidation  
D – Detachment  
F – Formation

L – Activation of Latent Powers  
O – Out of Agency Service Agreement  
P – Pre-application Review Request  
R – Reorganization



## Attachment 2. Summary Table – Work Plan Tracking and Status

<b>FY 2021-22 ESTIMATED WORK PLAN IMPLEMENTATION SCHEDULE AND STATUS</b>						
<i>Work Plan status as of August 31, 2022</i>						
<b>Subject to Change:</b> 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.						
<b>CEQA:</b> 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.						
<b>Rolling Work Plan:</b> 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.						
<b>Agency</b>	<b>Request for Information</b>	<b>Admin Draft</b>	<b>Public Workshop</b>	<b>Public Hearing</b>	<b>Final Study</b>	<b>Status/Notes</b>
County Service Area 3	Complete	Complete	4/4/22	6/7/22 7/11/22	7/31/22	Study Complete
Ukiah Valley Sanitation District	Ongoing	In progress	9/12/22	TBD	TBD	LAFCo and District staff have been meeting regularly to discuss the development of the MSR/SOI Update. Public workshop for the MSR scheduled.
City of Ukiah	Ongoing	In progress	9/12/22	TBD	TBD	LAFCo and City staff have been meeting regularly to discuss approach and process for development of the MSR/SOI Update. The MSR/SOI Update will parallel the City's General Plan Update that is proceeding on a schedule that compliments the MSR/SOI Update schedule for 2022. Public workshop for the MSR scheduled.
Coastal Water Districts	Pending	Pending				
Inland Water Districts	Pending	Pending				



# NEWSLETTER

August, 2022 Edition

## BOARDROOM Brief

**AT ITS VIRTUAL** meeting on July 22, the Board received the year-end financial reports from our accountant, considered a revised FY 22-23 budget, and resumed their discussion of the Government Code Section 56133 legislative amendment proposal.

The Fourth Quarter financial report found that the association is sound financially. It also disclosed an FY 21-22 net balance that was slightly larger than had been expected in April. Consequently, a revised FY 22-23 budget was also presented to the Board to capture the higher carryover, as well as to remove an erroneously duplicated stipend calculation from the Executive Director's salary line for the upcoming year. Those adjustments, along with another that the Board made to the payroll tax line, resulted in a revised FY 22-23 budget. The differences from the original version approved in April were increased carryover and contingency lines, and reductions to the ED salary and payroll tax lines. The revised budget can be found on the Board meeting portion of the website.

The last action item considered was the reconsideration of the legislative proposal from San Diego LAFCo regarding Government Code §56133. As many will recall, the topic has been a continuing one having been discussed and tabled at the January and April Board meetings. In April, the Board sent the proposal back to the Legislative Committee to complete additional research. Ultimately, the Board approved adding the endeavor to the list of CALAFCO projects, as well as approving a White Paper to guide the effort.

Reports were also received regarding CALAFCO U and the fall conference - including Elections. It was noted that Achievement Awards have an upcoming **deadline of AUGUST 12TH** - so get those nomination packets in ASAP!

The next Board meeting is scheduled for October 21st during the conference.

**All agendas, staff reports, and minutes can be found on the CALAFCO website at [www.calafco.org](http://www.calafco.org). Any questions should be directed to the Executive Director at [rlaroc@calafco.org](mailto:rlaroc@calafco.org).**

## SBA 938 Chaptered



Screen shot of Senator Hertzberg presenting SB 938 on the Senate Floor on June 23, 2022

**AS MOST** of you already know, SB 938 (the Protest Provisions bill) has been successfully concluded. It passed the Senate Floor on June 23rd with a 38-0 vote, and was signed by the Governor on July 1st.

Thank you to the many LAFCOs who rushed to get letters submitted to the Governor after that June 23rd passage.

Given that this is the culmination of an effort that began in 2017, special thanks must again go to the Protest Provisions Working Group members for the YEARS of work on this bill.

The Board of Directors - and all of CALAFCO - extends its sincerest thanks and gratitude to **Jo MacKenzie, José Henriquez, Kai Luoma, Steve Lucas, Paul Novak, Holly Whatley** and, of course, **Pamela Miller** (who stayed on to work the bill in a volunteer capacity.)

## Other Legislative Updates

**AB 2957**, the CALAFCO sponsored Omnibus bill has also been successfully completed. It was passed by the Senate on June 9th, and signed by the Governor on June 21, 2022. Thank you to all of the Legislative Committee members and EOs who submitted proposed changes for the bill. Special thanks to Joe Serrano who had the unenviable task of logging all of those changes!

See **OTHER UPDATES** on Page 3



A Message from the  
**Executive Director**

It's been a busy few months in the office.

We've held two successful and well-received CALAFCO U webinars. Like much of what we do, these could not exist without the volunteerism of our panelists. Thanks to Carolyn Emery (OC), Alison Alpert (BB&K), and Gary Phillips (Bob Murray and Associates) for participating in our June webinar on recruitments and hiring in a post pandemic world. Also, kudos to David Ruderman (Colantuono, Highsmith & Whatley) for organizing our July offering regarding R&T 99, with thanks to panelists José Henriquez (Sacramento), Israel Guevara (OC Auditor-Controller) and Holly Whatley (CHW). I hear time and again how much our members appreciate these offerings!

Our next CALAFCO U is scheduled in September, then they will go on hiatus through the conference and holidays. The target month for our first session in 2023 is February. Thanks to Dawn Mittleman Longoria (Napa) who has been my wing person on these. I could NOT have made it without her!!

Jeni and I are now in full conference mode. Registration opened on July 5th and they have been coming in steadily. If you missed the July 31st Early Bird deadline, the next date to watch is **August 31st** which will be the last day to get the Standard Registration Fee. After that it will be Late Fee only.

Sponsorship packets were sent out and we're seeing some new and returning sponsors already! However, I would ask and encourage you all to send a packet to those in your networks as well.

Our conference planning committee is working hard and the program is taking shape. Many thanks to José Henriquez who is spearheading that effort. Look for more specifics to be announced soon.

Also, a reminder that **ACHIEVEMENT AWARD NOMINATIONS** are due no later than August 12th at 5:00 PM so

See **ED**, column right

**IN MEMORIUM**

**JERRY GLADBACH, Los Angeles LAFCo Commissioner**

Sad news from Los Angeles LAFCo who lost long-time commissioner, Jerry Gladbach, on July 14th. Commissioner Gladbach was a representative of the Santa Clarita Valley Water Agency and had held a seat on the L.A. LAFCo where he had served as its Chair for 16 years. Commissioner Gladbach also served as a CALAFCO Director from 2005 to 2013, held the position of CALAFCO Board Chair in 2012, received the Most Outstanding Commissioner Award in 2013, as well as the prestigious and well-deserved Lifetime Achievement Award in 2021.



A resident of the Santa Clarita Valley since 1968, Commissioner Gladbach was a do-er who had also served on boards of the National Water Resources Association and the California Water Agencies Joint Powers Insurance Authority. He was renowned for his knowledge, dedication, kindness, and friendliness and will be missed by all.

CALAFCO sends its deepest condolences to Commissioner Gladbach's family, friends, and co-workers.



**Contra Costa LAFCo bid farewell to Commissioner Igor**

**Skaredoff** (Contra Costa Resource Conservation District) who served as a Special District member since 2014. During Commissioner Skaredoff's tenure, Contra Costa LAFCo competed numerous Municipal Service Reviews covering fire/emergency medical, reclamation, healthcare, parks & recreation, cemetery, and city services; and acted on over 75 proposals including dozens of boundary changes and reorganizations, and four district dissolutions. Also, during Commissioner Skaredoff's tenure, Contra Costa LAFCO Commissioners were named "Most Effective Commission" at the 2019 annual CALAFCO conference.

See **CONNECTIONS** on Page 4

**ED**, Continued from left column

get those nominations in to Steve Lucas today!

Another date to note is **September 19th** at 5:00 PM - which is when Director Nominations, Requests for Absentee/Electronic Ballots, and names of voting delegates must be **received**.

And if that wasn't enough, Absentee Ballots are due **October 14th**.

Lastly, a special shout out to Gary Thompson (Riverside) who will be presenting at the CSDA conference in balmy Palm Desert on August 24th. Many thanks, Gary!

Okay, folks, I know that's a lot of dates but you'll also find them all on the Calendar of Events on Page 3.

As usual, please feel free to reach out to me any time that you have any questions or concerns. Enjoy the summer, be safe, and see you at the Conference!!



## Upcoming EVENTS

### CALAFCO 2022 ANNUAL CONFERENCE

October 19 - 21, 2022

Join us at the **Hyatt Regency Newport Beach John Wayne Airport** on



October 19-21, 2022 for our long-awaited, long-overdue Annual Conference! The program planning committee is finalizing what is sure to be a great program. Go

to [calafco.org](http://calafco.org) for more details. *See you in Newport Beach!*

### 2023 STAFF WORKSHOP

April 26 - 28, 2023

Learn technical topics in a beautiful setting! Don't miss next year's Staff Workshop on the beautiful grounds of Ironstone Vineyards in Murphys, California.



CALAFCO U explores topics of interest to LAFcos and are offered at no cost to our members.

**Sep. 19, 2022:** **Two Agencies in Dispute: LAFco's Role in Assisting in Resolving the Conflict**  
1:00 PM

**TBD, 2023:** **The Dirty Dozen: Things I Wish I Knew About The Act**

#### BOARD MEETINGS:

**Oct. 21, 2022** LOCATION: Newport Beach (Conference)

**Dec. 2, 2022** LOCATION: Virtual

#### LEGISLATIVE COMMITTEE MEETINGS:

**Sept. 16, 2022** **CANCELLED**

**Oct. 7, 2022** LOCATION: Virtual

**Nov. 4, 2022** LOCATION: TBD

#### OTHER IMPORTANT DATES:

**Aug. 12, 2022** ACHIEVEMENT AWARD NOMINATIONS DUE

**Sept. 19, 2022** BOARD OF DIRECTOR NOMINATIONS DUE

**Sept. 19, 2022** ABSENTEE/ELECTRONIC BALLOT REQUESTS DUE

**Sept. 19, 2022** NAME OF VOTING DELEGATE DUE

**Oct. 14, 2022** ABSENTEE BALLOTS ARE DUE

**Oct. 20, 2022** ELECTIONS

## OTHER UPDATES

*Continued from Page 1*

CALAFCO is currently tracking a total of 29 bills. Included among those are:

**AB 897** (Mullin), establishment of a regional climate network. This bill has stalled and is in its second year.

**AB 1640** (Ward), would authorize the creation of regional climate networks, as well as set up guidelines. Referred to the Senate Appropriations suspense file.

**AB 1773** (Patterson), return of Williamson Act subvention funding. Held under submission in Assembly Appropriations on May 19<sup>th</sup>.

**SB 739** (Cortese), was a gut and amend seeking to create ministerial processes for the annexations of unused golf courses to be used for the development of high rise buildings with 600-700 residences. The author's office notes that it will not be pursuing this bill this year.

**SB 852** (Dodd), is similar to AB 1640 in that it addresses the formation of climate resilience districts, however, this bill focuses on enhanced infrastructure financing to fund public capital facilities including projects that address climate change impacts. Scheduled for third reading in the Assembly on August 8<sup>th</sup>.

**SB 1100** (Cortese), which would amend the Brown Act to include provisions and procedures regarding meeting disruptions has passed both houses and is now in Engrossing and Enrolling.

**SB 1490, 1491, and 1492**, the annual Validation Acts, have now been chaptered.

The legislative season is now nearing a close with August 12<sup>th</sup> being the last day for fiscal committees to meet and report bills. After that, the remainder of the month will be Floor sessions only, with August 25<sup>th</sup> being the last day to amend bills on the floor. August 31<sup>st</sup> is the deadline for each house to pass bills, and the Final Recess will begin upon adjournment on that date.

It is fitting to note at this time that this important work does not happen in a vacuum. The Legislative Committee is composed of 32 members who have committed to give generously of their time and expertise. CALAFCO could not do what it does without them, so our sincerest thanks to the following:

**Board Appointees** - Bill Connelly, Gay Jones, Mike Kelley, Chris Lopez, Jo MacKenzie, Daron McDaniel, Mike McGill, Margie Mohler, Anita Paque, and Josh Susman.

**Staff Voting Members** - Clark Alsop, Gary Bell, Mark Bramfitt, Scott Browne, Carolyn Emery, René LaRoche, Steve Lucas, Kai Luoma, Jennifer Stephenson, and Gary Thompson.

**Staff Alternates** - Rob Fitzroy, Paula Graf, Joe Serrano, and Paula de Sousa.

**Advisory** - Tara Bravo, Crystal Craig, Brandon Fender, Sara Lytle-Pinhey, Priscilla Mumpower, Erica Sanchez, Jim Simon, and Luis Tapia.

## CONNECTIONS

*Continued from Page 2*

**Contra Costa** also welcomed Commissioner Patricia Bristow in June as its new Special District member. Commissioner Bristow currently serves as Board Member on both the Byron-Brentwood-Knightsen Union Cemetery District and the Byron Sanitary District and serves on the Contra Costa County Transportation Authority Citizen Advisory. Commissioner Bristow has lived in Brentwood and Byron her entire life and was a teacher and counselor in the Brentwood Unified School District for 34 years. Her family has farmed in the community for over 100 years.

### NEW Roles

#### **LUIS TAPIA promotes to OC AEO**

Orange County LAFCo announced the promotion of Luis Tapia to the Assistant Executive Officer position. Luis brings a great deal of experience to the role having been with Orange LAFCo since 2016 and is an Advisory member to the CALAFCO Legislative Committee.

#### **NATASHA CARBAJAL hired as Santa Barbara's new Analyst-Clerk**

Santa Barbara LAFCo is pleased to welcome Natasha Carbajal as its new Analyst/Clerk. Natasha had been providing clerking services for

about 10 months while she was with the Santa Barbara Clerk of the Board's Office. She comes to LAFCo with a broad range of skills and abilities, including great local government experience and all around good public service skills. Natasha has a Master of Public Administration from California State University Northridge and a Bachelor of Arts, Sociology from University Channel Islands.

#### **MORGAN BING welcomed as SLO Clerk Analyst**

Morgan Bing has joined San Luis Obispo LAFCo as their new Clerk Analyst. She comes to SLO LAFCo with a Bachelors and Masters degree from Cal Poly San Luis Obispo and four years of experience. SLO LAFCo is very excited to have her on their team!

#### **SAFARINA MALUKI becomes Clerk in Monterey**

Monterey LAFCo has welcomed Safarina Maluki as their new Clerk to the Commission/Office Administrator. Safarina has a wide range of responsibilities in support of the Commission and staff, and she looks forward to getting to know her colleagues around the State!

### **Congratulations one and all!**

## Associate Member SPOTLIGHT

*The information below is provided by the Associate member upon joining the Association. All Associate Member information can be found in the CALAFCO Member Directory*

### **E MULBERG & ASSOCIATES**

Services include Municipal Service Reviews, Sphere of Influence updates, changes in organization, staff support, CEQA analysis, and assistance with applications to LAFCo.

To learn more about E Mulberg & Associates, visit their website at [www.emulberg.com](http://www.emulberg.com), or contact Elliot Mulberg at [Elliot@emulberg.com](mailto:Elliot@emulberg.com).



### **LOS ANGELES COUNTY SANITATION DISTRICTS**

Provides sewer service to 78 cities and unincorporated areas of LA County. Before a district can provide sewage service to a territory, it must be within its jurisdictional boundaries. Donna Curry administers the annexation program, including processing applications for annexation.

To learn more about LACSD visit their website at [www.lacsd.org](http://www.lacsd.org), or contact Donna Curry at [dcurry@lacsd.org](mailto:dcurry@lacsd.org)

***CALAFCO wishes to thank all of our Associate Members for your ongoing support and partnership. We look forward to highlighting you all in future Newsletters.***

# CALAFCO Daily Legislative Report as of Tuesday, September 06, 2022

**[AB 1195](#) ([Garcia, Cristina D](#)) **Limited Eligibility and Appointment Program: lists.****

**Current Text:** Enrolled: 9/2/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 8/17/2022

**Status:** 8/31/2022-From committee: That the Senate amendments be concurred in. (Ayes 7. Noes 0.) (August 31).  
Senate amendments concurred in. To Engrossing and Enrolling.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	<b>Enrolled</b>	<b>Vetoed</b>	<b>Chaptered</b>
1st House				2nd House							

**Summary:**

Current law creates the Limited Examination and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Current law requires the Department of Human Resources, when an appointing power seeks to fill a vacant position by using an employment list, to provide the appointing power with a certified list of the names and addresses of all eligible candidates, as specified. Current law requires the department to provide a single certified list of eligible candidates if more than one employment list or LEAP referral list exists, and the department is required to combine the names and addresses of all eligible candidates. This bill, as an alternative to receiving a combined list of eligible candidates, would require the department, upon request of an appointing power, to provide a list of eligibles that includes only the names and addresses of candidates, if any, on a LEAP referral list and the names and addresses of candidates, if any, on any applicable reemployment or State Restriction of Appointment list. The bill would authorize the appointing power to notify individuals listed of the opportunity to apply for a vacant position, to screen applications for candidates' eligibility, and to hire from among those eligible applicants whose names appear on the list. The bill would authorize the board to adopt or amend regulations, if necessary, to ensure these procedures are implemented in a manner consistent with merit principles and the California Constitution.

**Attachments:**

[CALAFCO Letter of Concern - April 2021](#)

[AB 1195 Fact Sheet](#)

**CALAFCO Comments:** As amended on 4-6-21, the bill was gut and amended and now creates the So LA County Human Rights to Water Collaboration Act. It requires the Water Board to appoint a commissioner to implement the Safe & Affordable Funding for Equity & Resilience Program and gives the commissioner certain authorities (although they are not clearly spelled out). It requires the commissioner by 12-31-24 to submit to the Water Board a plan for the long-term sustainability of public water systems in southern LA County and prescribes what shall be included in the plan. The bill also creates a technical advisory board and requires the commissioner to oversee the Central Basin Municipal Water District.

In its current form the bill creates numerous concerns. CALAFCO's letter of concern is posted in the tracking section of the bill, and includes: (1) Focus of the bill is very broad as is the focus of the commissioner; (2) In an attempt to prevent privatization of water systems there is language regarding severing water rights. That language could be problematic should a consolidation be ordered; (3) Diminishing local control that is being invested in the state (an ongoing concern since SB 88); (4) A clear distinction needs to be made between an Administrator and Commissioner; (5) The poorly written section on the technical advisory board; and (6) The lack of LAFCo involvement in any consolidation process.

As amended on 5-24-21, the bill changes the water rights provision now requiring approval by the water Board; uses the definitions of "at risk system" and "at risk domestic well" found in SB 403 (Gonzalez) as well as the 3,300 connect cap; requires the commissioner appointed by the board to be from the local area; requires the commissioner to do certain things prior to completing the regional plan; and requires the commissioner to apply to LA LAFCo for extension of service, consolidation or dissolution as appropriate. The bill also creates a pilot program for LA LAFCo giving them the authority to take action rather than the water board, providing it is within 120 days of receipt of a completed application. If the LAFCo fails to take action within that time, the matter goes to the water board for their action.

The pilot program also gives LA LAFCo the authority to approve, approve with conditions or deny the application; further giving LAFCo authority to consider consolidation or extension of service with a local publicly owned utility that provides retail water, a private water company or mutual; the bill also waives protest proceedings, gives the LAFCo authority to address governance structure and CEQA is waived, provides full LAFCo indemnification and funding.

There are still issues with the proposed technical advisory board section of the bill, and questions about timing of some of the processes. CALAFCO continues to work with the author and speakers' offices as well as other stakeholders on ongoing amendments.

The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill. CALAFCO's letter of concern is also posted there.

THIS IS NOW A 2-YEAR BILL.

UPDATE AS OF 2/10/22 - According to the author's office, the author is not intending to move the bill forward at this time. CALAFCO will continue to WATCH and monitor the bill. As a result, the bill was downgraded from a P-1 to a P-3.

GUTTED AND AMENDED on 5/18/2022 to remove previous verbiage regarding water. The bill now addresses the State Department of Human Resources and the Limited Eligibility and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Downgraded to Watch, from Watch with Concerns. Changed priority to "None."

**1**

**AB 2957 (Committee on Local Government) Local government: reorganization.**

**Current Text:** Chaptered: 6/21/2022 [html](#) [pdf](#)

**Introduced:** 3/2/2022

**Last Amended:** 4/18/2022

**Status:** 6/21/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 37, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law requires an applicant seeking a change of organization or reorganization to submit a plan for providing services within the affected territory. Current law requires a petitioner or legislative body desiring to initiate proceedings to submit an application to the executive officer of the local agency formation commission, and requires the local agency formation commission, with regard to an application that includes an incorporation, to immediately notify all affected local agencies and any applicable state agency, as specified. This bill would define the term "successor agency," for these purposes to mean the local agency a commission designates to wind up the affairs of a dissolved district.

**Attachments:**

[LAFCo Support letter template](#)

[CALAFCO Support letter](#)

**Position:** Sponsor

**Subject:** CKH General Procedures

**CALAFCO Comments:** This is the annual Omnibus bill sponsored by CALAFCO. As introduced it makes 3 minor, technical non-substantive changes in CKH: (1) Replaces "to be completed and in existence" with "take effect" under GCS 56102; (2) Adds GCS 56078.5: "Successor Agency" means the local agency the Commission designates to wind up the affairs of a dissolved district; and (3) Replaces "proposals" with "applications" within GCS 56653(a), 56654(a), (b), and (c), and 56658(b)(1) and (b)(2).

CALAFCO support letter and LAFCo support letter template are in the attachments section.

April 18, 2022 bill amended with additional changes requested by CALAFCO. Amendments include grammatical changes, the correction of a PUC citation in GC Sec 56133(e)(5) from 9604 to 224.3, the extension of the sunset date within R&T Section 99(b)(8)(B) to January 1, 2028, and it renubmers remaining provisions as needed due to the above changes.

**SB 739 (Cortese D) Private golf courses: conversion to housing.**

**Current Text:** Amended: 6/13/2022 [html](#) [pdf](#)

**Introduced:** 2/19/2021

**Last Amended:** 6/13/2022

**Status:** 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was NAT. RES. on 6/20/2022)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would authorize a development proponent to submit an application to convert land that was previously used as a golf course to market-rate and affordable housing and would provide that the application is subject to a streamlined, ministerial approval process, and not subject to a conditional use permit, if the development satisfies specified objective planning standards. In this regard, the bill would require a development subject to the provisions to be located on a site that was used as a golf course, but has been closed for at least 5 years before the effective date of these provisions and would require that the development include at least 600 housing units. The bill would require the development to dedicate at least 30% of the new housing units to lower income households and persons and families of moderate income, as specified. By requiring local governments to approve development applications submitted under these provisions, the bill would impose a state-mandated local program.

**Attachments:**

[SB 738 - Author's Fact Sheet](#)



**Position:** Oppose unless amended

**Subject:** Ag/Open Space Protection, Annexation Proceedings, Growth Management, Housing, LAFCo Administration, Municipal Services, Planning, Sustainable Community Plans

**CALAFCO Comments:** SB 739 was gutted and amended on June 13th and now seeks to add provisions to the Government Code to allow for a rapid, and ministerial, conversion of golf courses that have been closed for at least 5 years to housing developments of at least 600 units. As proposed, the bill is to be in effect until January 1, 2030, authorizes a development proponent to submit an application and receive streamlined, ministerial approvals of both county CUPs and the LAFCo process to speed development. Additionally, while not expressly called out in the bill, it contains provisions that address contracting requirements which discuss high rise developments; the implication being that high rise developments of at least 600 housing units would have to be ministerially approved on all levels. CALAFCO is currently in discussions with the author's office.

The Fact Sheet can be found in the attachments section.

**SB 938 (Hertzberg D) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: protest proceedings: procedural consolidation.**

**Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)

**Introduced:** 2/8/2022

**Last Amended:** 6/9/2022

**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 89, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. Under existing law, in each county there is a local agency formation commission (commission) that oversees these changes of organization and reorganization. Current law authorizes a commission to dissolve an inactive district if specified conditions are satisfied. This bill would also authorize a commission to initiate a proposal for the dissolution of a district, as described, if the commission approves, adopts, or accepts a specified study that includes a finding, based on a preponderance of the evidence, that, among other things, the district has one or more documented chronic service provision deficiencies, the district spent public funds in an unlawful or reckless manner, or the district has shown willful neglect by failing to consistently adhere to the California Public Records Act. The bill would require the commission to adopt a resolution of intent to initiate a dissolution based on these provisions and to provide a remediation period of at least 12 months, during which the district may take steps to remedy the stated deficiencies.

**Attachments:**

- [SB 938 Senate Floor Alert](#)
- [SB 938 CALAFCO Support Letter dated 5-25-2022](#)
- [SB 938 LAFCo support letter template](#)
- [SB 938 CALAFCO Support letter](#)
- [SB 938 CALAFCO Fact Sheet](#)
- [SB 938 Author Fact Sheet](#)

**Position:** Sponsor

**Subject:** CKH General Procedures, Other

**CALAFCO Comments:** CALAFCO is the sponsor of this bill. SB 839 represents a collaborative three-year effort (by an 18-member working group) to clean up, consolidate, and clarify existing statutory provisions associated with consolidations and dissolutions, as well as codify the conditions under which a LAFCo may initiate dissolution of a district at the 25 percent protest threshold. In response to a recommendation made in the 2017 Little Hoover Commission report (Special Districts: Improving Oversight and Transparency), CALAFCO initiated a working group of stakeholders in early 2019 to discuss the protest process for dissolutions of special districts.

The bill's current format (dated 2/8/22) represents the restructuring of existing protest provisions scattered throughout CKH. There have been some minor technical language added for clarifications. These changes are all minor in nature (by legislative standards).

The bill will be amended to reflect the newly designed process that codifies the ability for LAFCo to initiate a district dissolution at 25% protest threshold. The conditions under which this can occur include one or more of the following, any/all of which must be documented via determinations in a Municipal Service Review (MSR):

1. The agency has one or more documented chronic service provision deficiencies that substantially deviate from industry or trade association standards or other government regulations and its board or management is not actively engaged in efforts to remediate the documented service deficiencies;
2. The agency spent public funds in an unlawful or reckless manner inconsistent with the principal act or other statute governing the agency and has not taken any action to prevent similar future spending;
3. The agency has consistently shown willful neglect by failing to consistently adhere to the California Public Records Act and other public disclosure laws the agency is subject to;
4. The agency has failed to meet the minimum number of times required in its governing act in the prior calendar year and has taken no action to remediate the failures to meet to ensure future meetings are conducted on a timely basis;
5. The agency has consistently failed to perform timely audits in the prior three years, or failed to meet minimum

financial requirements under Government Code section 26909 over the prior five years as an alternative to performing an audit, or the agency's recent annual audits show chronic issues with the agency's fiscal controls and the agency has taken no action to remediate the issues.

The proposed process is:

1. LAFCo to present the MSR in a 21-day noticed public hearing. At that time the LAFCo may choose to adopt a resolution of intent to dissolve the district. The resolution shall contain a minimum 12-month remediation period.
2. The district will have a minimum of 12 months to remediate the deficiencies.
3. Half-way through the remediation period, the district shall provide LAFCo a written report on the progress of their remediation efforts. The report is to be placed on a LAFCo meeting agenda and presented at that LAFCo meeting.
4. At the conclusion of the remediation period, LAFCo conducts another 21-day noticed public hearing to determine if district has remedied deficiencies. If the district has resolved issues, commission rescinds the resolution of intent to dissolve the district and the matter is dropped. If not, commission adopts a resolution making determinations to dissolve the district.
5. Standard 30-day reconsideration period.
6. Protest proceedings at 25% threshold can be noticed with a required 60-day protest period.
7. Protest hearing is held and amount of qualified protests determined based on 25% threshold. LAFCo either orders dissolution, election, or termination.

As this bill - when amended - adds requirements for LAFCOs and districts, it will likely be keyed fiscal (for now it is not). An author fact sheet and CALAFCO fact sheet are posted in our attachments section as well as the CALAFCO Support letter and LAFCo support letter template.

**SB 1490 (Committee on Governance and Finance) Validations.**

**Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)

**Introduced:** 2/28/2022

**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 94, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the First Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

[SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is the first of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

**SB 1491 (Committee on Governance and Finance) Validations.**

**Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)

**Introduced:** 2/28/2022

**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 95, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the Second Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

[SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is the second of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

**SB 1492 (Committee on Governance and Finance) Validations.**

**Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)

**Introduced:** 2/28/2022

**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 96, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the Third Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

[SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

**Position:** Support

**Subject:** LAFCo Administration

**CALAFCO Comments:** This is the third of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

**[AB 1640](#) ([Ward D](#)) **Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.****

**Current Text:** Amended: 5/19/2022 [html](#) [pdf](#)

**Introduced:** 1/12/2022

**Last Amended:** 5/19/2022

**Status:** 8/12/2022-Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 8/2/2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	Dead	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the Office of Planning and Research to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

**Attachments:**

[AB 1640, CALAFCO Letter of Support - March 2022](#)

[AB 1640 Author Fact](#)

**Position:** Support

**Subject:** Climate Change

**CALAFCO Comments:** This bill is a follow up and very similar to AB 897 (2021). The bill would authorize eligible entities, as defined (including LAFCo), to establish and participate in a regional climate network, as defined. The bill would authorize a regional climate network to engage in activities to address climate change, as specified. Further, it requires a regional climate network to develop a regional climate adaptation and resilience action plan and to submit the plan to OPR for review, comments, and certification. The bill would require OPR to: (1) encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks; (2) develop and publish guidelines on how eligible entities may establish regional climate networks and how governing boards may be established within regional climate networks by 7-1-23; and (3) provide technical assistance to regions seeking to establish a regional climate network, facilitate coordination between regions, and encourage regions to incorporate as many eligible entities into one network as feasible.

The difference between this bill and AB 897 is this bill removes requirements for OPR to develop guidelines and establish standards and required content for a regional climate adaptation and resilience action plan (to be produced by the network), and removes some specified technical support requirements by OPR. Those requirements were covered in SB 170, a budget trailer bill from 2021.

The bill is author-sponsored and keyed fiscal. An author fact sheet is included in our attachments area, as well as the CALAFCO Support letter.

Amended 3/23/2022 to provide that regional climate networks MAY be developed rather than the former requirement. Minor clean ups of other superfluous language.

Amended 5/19/2022 to remove the deadline for OPR to develop and publish guidelines for eligible entities to establish regional climate networks, removed an exemption to cover multiple counties when population was greater than 2 million people, removed requirements for membership and biennial reports to OPR.

**[AB 1773](#) ([Patterson R](#)) **Williamson Act: subvention payments: appropriation.****

**Current Text:** Introduced: 2/3/2022 [html](#) [pdf](#)

**Introduced:** 2/3/2022

**Status:** 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was APPR. SUSPENSE FILE on 5/4/2022)

Desk	Policy	Dead	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Williamson Act, also known as the California Land Conservation Act of 1965, authorizes a city or county to enter into contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Current law sets forth procedures for reimbursing cities and counties for property tax revenues not received as a result of 300 contracts and continuously appropriates General Fund moneys for that purpose. This bill, for the 2022-23 fiscal year,

would appropriate an additional \$40,000,000 from the General Fund to the Controller to make subvention payments to counties, as provided, in proportion to the losses incurred by those counties by reason of the reduction of assessed property taxes.

**Attachments:**

[AB 1773 CALAFCO Letter of Support - March 2022](#)

[AB 1773 Author Fact Sheet](#)

**Position:** Support

**Subject:** Ag Preservation - Williamson

**CALAFCO Comments:** AB 1773 resurrects funding the Williamson Act for the 2022-2023 budget year. The Williamson Act was created to preserve open space and conserve agricultural land. For many years, the state funded the Act at around \$35-\$40 million per year. This funding ceased during the recession, and has not been reinstated since. AB 1773 would allocate \$40 million from the General Fund to the Williamson Act for the purpose of subvention payments.

The bill is author-sponsored, has a general-fund appropriation, and is keyed fiscal. An author fact sheet is posted in our attachments section, along with the CALAFCO Support letter.

**[AB 1944](#) (Lee D) Local government: open and public meetings.**

**Current Text:** Amended: 5/25/2022 [html](#) [pdf](#)

**Introduced:** 2/10/2022

**Last Amended:** 5/25/2022

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. GOV. & F. on 6/8/2022)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely.

**Attachments:**

[AB 1944 Author Fact Sheet](#)

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This bill would delete the requirement that an individual participating in a Brown Act meeting remotely from a non-public location must disclose the address of the location. If the governing body chooses to allow for remote participation, it must also provide video streaming and offer public comment via video or phone.

The bill is author sponsored and keyed fiscal. The author's fact sheet is posted in our attachments area.

Amended 5/25/2022 to add that for this provision to apply, no less than a quorum of members of the legislative body must participate from a single physical location that is identified on the agenda, open to the public, and situated within the boundaries of the legislative body.

7/5/2022: Bill failed deadline and is now DEAD.

**[AB 2081](#) (Garcia, Eduardo D) Municipal water districts: water service: Indian lands.**

**Current Text:** Enrolled: 8/26/2022 [html](#) [pdf](#)

**Introduced:** 2/14/2022

**Last Amended:** 5/12/2022

**Status:** 8/31/2022-Enrolled and presented to the Governor at 4 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law permits a municipal water districts to acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water for the beneficial use of the district, its inhabitants, or the owners of rights to water in the district. Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also authorizes a district, until January 1, 2023, under specified circumstances, to apply to the applicable local agency formation commission to provide this service of water to Indian lands, as defined, that are not within the district and requires the local agency formation commission to

approve such an application. This bill, among other things, would extend the above provisions regarding the application to the applicable local agency formation commission to January 1, 2027.

**Attachments:**

[AB 2081 CALAFCO Oppose Letter, dated 5-26-2022](#)

[AB 2081 CALAFCO Oppose 03-16-2022](#)

[AB 2081 Author Fact Sheet](#)

**Position:** Oppose

**Subject:** Water

**CALAFCO Comments:** This bill extends the sunset date created in AB 1361 (2017). Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also authorizes a district, under specified circumstances, to apply to the applicable LAFCo to provide this service of water to Indian lands, as defined, that are not within the district and requires the LAFCo to approve such an application. This bill extends the sunset date from January 1, 2023 to January 1, 2025.

CALAFCO opposed AB 1361 in 2017 as the process requires LAFCo to approve the extension of service, requires the district to extend the service, and does not require annexation upon extension of service. CALAFCO reached out to the author's office requesting information as to the reason for the extension and we have not been given a reason.

The bill is keyed fiscal. An author fact sheet is included in the attachments area, as well as the CALAFCO letter in opposition.

**[AB 2449](#) (Rubio, Blanca D) Open meetings: local agencies: teleconferences.**

**Current Text:** Enrolled: 8/29/2022 [html](#) [pdf](#)

**Introduced:** 2/17/2022

**Last Amended:** 8/8/2022

**Status:** 8/25/2022-Assembly Rule 77(a) suspended. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 67. Noes 2.)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This bill authorizes the use of teleconferencing without noticing and making available to the public teleconferencing locations if a quorum of the members of the legislative body participate in person from a singular location that is noticed and open to the public and require the legislative body to offer public comment via video or phone.

CALAFCO reached out to the author's office for information and we've not yet heard back. The bill is not keyed fiscal.

**[AB 2647](#) (Levine D) Local government: open meetings.**

**Current Text:** Enrollment: 8/29/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2022

**Last Amended:** 8/4/2022

**Status:** 8/29/2022-Enrolled and presented to the Governor at 3:30 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law, the California Public Records Act, requires state agencies and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. Current law, the Ralph M. Brown Act, requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately post



on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** This bill seeks to amend the law to make clear that writings that have been distributed to a majority of a local legislative body less than 72 hours before a meeting can be posted online in order to satisfy the law.

Amended on April 19, 2022, to add a provision that agendas will note the physical location from which hard copies of such post-agenda documents can be retrieved.

The bill is sponsored by the League of Cities and is not keyed fiscal.

**SB 852 (Dodd D) Climate resilience districts: formation: funding mechanisms.**

**Current Text:** Enrollment: 8/23/2022 [html](#) [pdf](#)

**Introduced:** 1/18/2022

**Last Amended:** 8/8/2022

**Status:** 8/23/2022-Enrolled and presented to the Governor at 12:30 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	<b>Enrolled</b>	<b>Vetoed</b>	<b>Chaptered</b>
1st House				2nd House							

**Summary:**

Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance, including projects that enable communities to adapt to the impacts of climate change. Current law also requires the legislative body to establish a public financing authority, defined as the governing board of the enhanced infrastructure financing district, prior to the adoption of a resolution to form an enhanced infrastructure district and adopt an infrastructure financing plan. This bill would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district, as defined, for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill would deem each district to be an enhanced infrastructure financing district and would require each district to comply with existing law concerning enhanced infrastructure financing districts, except as specified. The bill would require a district to finance only specified projects that meet the definition of an eligible project. The bill would define "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified.

**Attachments:**

[SB 852 Author Fact Sheet](#)

**Position:** Watch

**Subject:** Special District Principle Acts

**CALAFCO Comments:** This bill creates the Climate Resilience Districts Act. The bill completely bypasses LAFCo in the formation and oversight of these new districts because the districts are primarily being created as a funding mechanism for local climate resilience projects (as a TIF or tax increment finance district - for which LAFCos also have no involvement).

The bill authorizes a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill defines "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified. The bill authorizes a district created pursuant to these provisions to have boundaries that are identical to the boundaries of the participating entities or within the boundaries of the participating entities. The bill also authorizes specified local entities to adopt a resolution to provide property tax increment revenues to the district. The bill would also authorize specified local entities to adopt a resolution allocating other tax revenues to the district, subject to certain requirements. The bill would provide for the financing of the activities of the district by, among other things, levying a benefit assessment, special tax, property-related fee, or other service charge or fee consistent with the requirements of the California Constitution. It requires 95% of monies collected to fund eligible projects, and 5% for district administration. The bill would require each district to prepare an annual expenditure plan and an operating budget and capital improvement budget, which must be adopted by the governing body of the district and subject to review and revision at least annually.

Section 62304 details the formation process, Section 62305 addresses the district's governance structure, and 62307 outlines the powers of the district.

This bill is sponsored by the Local Government Commission and is keyed fiscal. A fact sheet is included in our attachments section.

Amended 5/18/2022 to impose requirements on projects undertaken or financed by a district, including requiring a district

to obtain an enforceable commitment from the developer that contractors and subcontractors performing the work use a skilled and trained workforce, and would expand the crime of perjury to these certifications.

**SB 1100 (Cortese D) Open meetings: orderly conduct.**

**Current Text:** Chaptered: 8/22/2022 [html](#) [pdf](#)

**Introduced:** 2/16/2022

**Last Amended:** 6/6/2022

**Status:** 8/22/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 171, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law authorizes the members of the legislative body conducting the meeting to order the meeting room cleared and continue in session, as prescribed, if a group or groups have willfully interrupted the orderly conduct of a meeting and order cannot be restored by the removal of individuals who are willfully interrupting the meeting. This bill would authorize the presiding member of the legislative body conducting a meeting or their designee to remove, or cause the removal of, an individual for disrupting the meeting. The bill, except as provided, would require removal to be preceded by a warning to the individual by the presiding member of the legislative body or their designee that the individual's behavior is disrupting the meeting and that the individual's failure to cease their behavior may result in their removal. The bill would authorize the presiding member or their designee to then remove the individual if the individual does not promptly cease their disruptive behavior. The bill would define "disrupting" for this purpose.

**Attachments:**

[SB 1100 - CALAFCO Letter of Support](#)

[SB 1100 Author Fact Sheet](#)

**Position:** Support

**Subject:** Brown Act

**CALAFCO Comments:** This bill would authorize the removal of an individual from a public meeting who is "willfully interrupting" the meeting after a warning and a request to stop their behavior. "Willfull interrupting" is defined as intentionally engaging in behavior during a meeting of a legislative body that substantially impairs or renders infeasible the orderly conduct of the meeting in accordance with law.

The bill is author-sponsored and keyed fiscal. An author fact sheet is posted in our attachments section.

The CALAFCO support letter is in the attachments section.

**[SB 1449](#) ([Caballero D](#)) Office of Planning and Research: grant program: annexation of unincorporated areas.**

**Current Text:** Enrolled: 9/1/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2022

**Last Amended:** 4/19/2022

**Status:** 8/29/2022-Read third time. Passed. Ordered to the Senate. In Senate. Ordered to engrossing and enrolling.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law requires the Office of Planning and Research to, among other things, accept and allocate or expend grants and gifts from any source, public or private, for the purpose of state planning and undertake other planning and coordinating activities, as specified, and encourage the formation and proper functioning of, and provide planning assistance to, city, county, district, and regional planning agencies. This bill would require the office to, upon appropriation by the Legislature, establish the Unincorporated Area Annexation Incentive Program, authorizing the office to issue a grant to a city for the purpose of funding infrastructure projects related to the proposed or completed annexation of a substantially surrounded unincorporated area, as defined, subject to approval by the director after the city submits an application containing specified information. The bill would require the office to match, on a dollar-for-dollar basis, any dollar contribution a city makes toward a project funded by the program, subject to a maximum funding threshold as determined by the director.

**Attachments:**

[SB 1449 - CALAFCO Letter of Support](#)

**Position:** Support

**Subject:** Annexation Proceedings

**CALAFCO Comments:** This is currently a spot bill. According to the author's office, they are working on state funding to incentivize annexation of inhabited territory (when the VLF was taken away, so too was any financial incentive to annex inhabited territory). For many years bills have been run to reinstate funding, none of which have ever successfully passed. There is no other information available on this bill at this time. CALAFCO will continue conversations with the author's office as this is an important topic for LAFCos. (The bill will remain a P-3 until amended.)

Amended 3/16/2022 to remove spot holder language, add definitions and other language tying to CKH, and add language more specific to a grant program.

LAFCos added in to assist OPR develop the program guidelines.

The CALAFCO letter of support can be found in the attachments section.



**AB 897 (Mullin D) Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.**

**Current Text:** Amended: 7/14/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 7/14/2021

**Status:** 8/12/2022-Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENSE FILE on 8/16/2021)

Desk	Policy	Fiscal	Floor	Desk	Policy	Dead	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state’s climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor’s office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

**Attachments:**

- [CALAFCO Support July 2021](#)
- [AB 897 Fact Sheet](#)

**Position:** Support

**Subject:** Climate Change

**CALAFCO Comments:** As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

As amended, the bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 1-1-23 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill outlines the authority of a regional climate network, and defines eligible entities. Prior versions of the bill kept the definition as rather generic and with each amended version gets more specific. As a result, CALAFCO has requested the author add LAFCOs explicitly to the list of entities eligible to participate in these regional climate networks.

As amended on 4/7, AB 11 (Ward) was joined with this bill - specifically found in 71136 in the Public Resources Code as noted in the amended bill. Other amendments include requiring OPR to, before 7-1-22, establish geographic boundaries for regional climate networks and prescribes requirements in doing so.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

As amended 4/19/21: There is no longer a requirement for OPR to include in their guidelines how a regional climate network may develop their plan: it does require ("may" to "shall") a regional climate network to develop a regional climate adaptation plan and submit it to OPR for approval; adds requirements of what OPR shall publish on their website; and makes several other minor technical changes.

As amended 7/1/21, the bill now explicitly names LAFCo as an eligible entity. It also adjusts several timelines for OPR's requirements including establishing boundaries for the regional climate networks, develop guidelines and establish standards for the networks, and to make recommendations to the Legislature related to regional adaptation. Give the addition of LAFCo as an eligible entity, CALAFCO is now in support of the bill.

Amendments of 7/14/21, as requested by the Senate Natural Resources & Water Committee, mostly do the following: (1) Include "resilience" to climate adaptation; (2) Prioritize the most vulnerable communities; (3) Add definitions for "under-resourced" and "vulnerable" communities; (4) Remove the requirement for OPR to establish geographic boundaries for the regional climate networks; (5) Include agencies with hazard mitigation authority and in doing so also include the Office of Emergency Services to work with OPR to establish guidelines and standards required for the climate adaptation and resilience plan; and (6) Add several regional and local planning documents to be used in the creation of guidelines.

2/24/22 UPDATE: It appears this bill is being replaced with AB 1640 (Ward, Mullin, etc.). CALAFCO will keep this bill on Watch and follow the new bill.

8/12/2022. Bill failed deadline and is now DEAD.

**AB 903 (Frazier D) Los Medanos Community Healthcare District.**

**Current Text:** Amended: 4/19/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 4/19/2021

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. 2 YEAR on 7/14/2021)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services in the district's territory. The bill would require the county to complete a property tax transfer process to ensure the transfer of the district's health-related ad valorem property tax revenues to the county for the sole purpose of funding the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as specified, the bill would impose a state-mandated local program.

**Position:** Watch

**CALAFCO Comments:** This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

The amendment on 4/5/21 was just to correct a typo in the bill.

As amended on 4/19/21, the bill specifies monies received by the county as part of the property tax transfer shall be used specifically to fund the Los Medanos Area Health Plan Grant Program within the district's territory. It further adds a clause that any new or existing profits shall be used solely for the purpose of the grant program within the district's territory.

The bill did not pass out of Senate Governance & Finance Committee and will not move forward this year. It may be acted on in 2022.

2022 UPDATE: Given Member Frazier is no longer in the Assembly and the appellate court overturned the lower court's decision, it is likely the bill will not move forward. CALAFCO will retain WACTH on the bill.

Failed deadline. DEAD as of 7/5/2022.

**AB 975 (Rivas, Luz D) Political Reform Act of 1974: filing requirements and gifts.**

**Current Text:** Amended: 6/16/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 6/16/2022

**Status:** 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was INACTIVE FILE on 8/22/2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Dead	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Political Reform Act of 1974 generally requires elected officials, candidates for elective offices, and committees formed primarily to support or oppose a candidate for public office or a ballot measure, along with other persons and entities, to file periodic campaign statements and certain reports concerning campaign finances and related matters. Current law permits a report or statement that has been on file for at least two years to be retained by a filing officer as a copy on microfilm or other space-saving materials and, after the Secretary of State certifies an online filing and disclosure system, as an electronic copy. This bill would permit a filing officer to retain a report or statement filed in a paper format as a copy on microfilm or other space-saving materials or as an electronic copy, as specified, without a two-year waiting period. The bill would also permit a filing officer to retain a report or statement as an electronic copy before the Secretary of State certifies an online filing and disclosure system.

**Position:** Watch

**Subject:** FPPC

**CALAFCO Comments:** As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

The amendment on 4/21/21 just corrects wording (technical, non-substantive change).

The amendments on 5/18/21 clarify who is to file a statement of economic interest to include candidates (prior text was office holders).

UPDATE AS OF 2/24/22 - The author's office indicates they are moving forward with the bill this year and are planning amendments. They are not clear what those amendments will be so CALAFCO will retain a WATCH position on the bill.

**AB 1757 (Garcia, Cristina D) California Global Warming Solutions Act of 2006: climate goal: natural and working lands.****Current Text:** Enrolled: 9/2/2022 [html](#) [pdf](#)**Introduced:** 2/2/2022**Last Amended:** 8/28/2022**Status:** 8/31/2022-Read third time. Passed. Ordered to the Assembly. (Ayes 28. Noes 9.). In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To Engrossing and Enrolling.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level no later than December 31, 2030. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would require the Natural Resources Agency, in collaboration with specified entities including the state board and the expert advisory committee as specified, to determine on or before January 1, 2024, an ambitious range of targets for natural carbon sequestration, and for nature-based climate solutions, that reduce greenhouse gas emissions for 2030, 2038, and 2045 to support state goals to achieve carbon neutrality and foster climate adaptation and resilience. The bill would require these targets to be integrated into the above-described scoping plan and other state policies. The bill would require the Natural Resources Agency, in consultation with specified agencies including the state board, to review and update the Natural and Working Lands Climate Smart Strategy to achieve these targets.

**Position:** Watch**Subject:** Water**AB 2041 (Garcia, Eduardo D) California Safe Drinking Water Act: primary drinking water standards: compliance.****Current Text:** Amended: 4/18/2022 [html](#) [pdf](#)**Introduced:** 2/14/2022**Last Amended:** 4/18/2022**Status:** 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 5/11/2022)

Desk	Policy	Dead	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would require the State Water Resources Control Board to take specified actions if the state board adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Specifically, the bill would require the state board to determine which public water system may not be able to comply with the primary drinking water standard without receiving financial assistance and develop a compliance plan, including a financial plan to assist that public water system in complying with the primary drinking water standard. The bill would also require the state board, if a public water system is in violation of the primary drinking water standard after the compliance period, to take into consideration whether or not the public water system implemented the compliance plan.

**Attachments:**[AB 2041 Author Fact Sheet](#)**Position:** Watch**Subject:** Water

**CALAFCO Comments:** This bill would require the SWRCB to take specified actions if the SWRCB adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to install necessary measures, including, but not limited to, installation of water treatment systems, to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Those actions would include, among other actions, developing a financial plan to assist public water systems that will require financial assistance in procuring and installing the necessary measures.

CALAFCO reached out to the author's office for information on the bill and has not heard back. The bill is keyed fiscal. An author fact sheet is attached.

Failed deadline. DEAD as of 5/20/2022.

**AB 2201 (Bennett D) Groundwater sustainability agency: groundwater extraction permit: verification.****Current Text:** Amended: 8/11/2022 [html](#) [pdf](#)**Introduced:** 2/15/2022**Last Amended:** 8/11/2022**Status:** 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was CONCURRENCE on 8/30/2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Dead	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. Current law also authorizes the State Water Resources Control Board to designate a high- or medium-priority basin as a probationary basin under certain conditions for specified purposes. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval. The bill would prohibit a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as medium- or high-priority unless specified conditions are met, including that it obtains a written verification, from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located, determining that, among other things, the extraction by the proposed well is consistent with any sustainable groundwater management program established in any applicable groundwater sustainability plan adopted by that groundwater sustainability agency or an alternate plan approved or under review by the Department of Water Resources.

**Position:** Watch

**Subject:** Water

**CALAFCO Comments:** 2/15/2022: As introduced, a spot holder.

3/17/2022: As amended, this bill now seeks to add a new section into the Water Code that would require, after July 1, 2023, designated extraction facilities to procure permits from the Department of Water Resources (DWR.) Extraction facilities are defined as those located in a basin that has already been designated by DWR as subject to critical overdraft conditions. It would also define times when permits are not needed, including for "de minimis extractors" (as defined by Section 10721), for replacement extractors, when drinking water is needed by a water system for public health purposes, for habitat and wetlands conservation, for photovoltaic or wind energy generation when less than 75 acre feet of groundwater is needed annually, when required by an approved CEQA document, and for facilities constructed to ensure a sustain water supply to consolidated public water systems. This bill would also require groundwater sustainability agencies (GSAs) to develop a process for the issuance of groundwater extraction permits which considers demonstrations of need, adherence to a groundwater sustainability plan, a showing that the extraction will not contribute to an undesirable result, and other procedural requirements. Additionally, the bill would require notification to all groundwater users within one mile of the proposed groundwater extraction facility, and to the DWR when the proposed extraction is within one mile of a disadvantaged community or a domestic well user, and other procedural steps. Also allows those GSAs in a basin not designated as subject to critical conditions of overdraft to adopt an ordinance that establishes their own process, in accordance with this section, for the issuance of groundwater extraction permits, and allows imposition of fees as long as they do not exceed reasonable agency costs. DWR shall provide technical assistance to assist GSA implement this section. This bill would further amend Water Code Section 10728 to require annual reports by GSA to include information regarding the number, location, and volume of water encompassed by permits issued under this section.

Unfunded mandate, now reimbursements provided. Keyed: fiscal.

Amended 4/27/2022 to removes all provisions regarding groundwater extraction facilities, adds in provisions regarding local agencies, which are defined as cities, counties, districts, agencies, or other entities with the authority to issue a permit for a a new groundwater well or for an alteration to an existing well.

**AB 2442 (Rivas, Robert D) California Disaster Assistance Act: climate change.**

**Current Text:** Amended: 8/11/2022 [html](#) [pdf](#)

**Introduced:** 2/17/2022

**Last Amended:** 8/11/2022

**Status:** 8/31/2022-Failed Deadline pursuant to Rule 61(b)(18). (Last location was INACTIVE FILE on 8/30/2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Dead	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Summary:**

The California Disaster Assistance Act requires the Director of Emergency Services to authorize the replacement of a damaged or destroyed facility, whenever a local agency and the director determine that the general public and state interest will be better served by replacing a damaged or destroyed facility with a facility that will more adequately serve the present and future public needs than would be accomplished merely by repairing or restoring the damaged or destroyed facility. Current law also authorizes the director to implement mitigation measures when the director determines that the measures are cost effective and substantially reduce the risk of future damage, hardship, loss, or suffering in any area where a state of emergency has been proclaimed by the Governor. This bill would specify that mitigation measures for climate change and disasters related to climate, may include, but are not limited to, measures that reduce emissions of greenhouse gases and investments in natural infrastructure, as defined, including, but not limited to, the preservation of natural and working lands, as described, improved forest management, and wildfire risk reduction measures.

**Position:** Watch

**Subject:** Ag/Open Space Protection

**CALAFCO Comments:** Seeks to add climate change to California Disaster Assistance Act and adds, as noted cost effective mitigation measures, the preservation of open space, improved forest management and wildfire risk reduction measures, and other investments in natural infrastructure (in line with definition of a "natural infrastructure" in GC Section 65302(g)(4)(C)(v).) Also would amend GC Sec 65302 to require General Plans to include "a set of measures designed to reduce emissions of greenhouse gases resulting in climate change, and natural features and ecosystem processes in or near identified at-risk areas threatened by the impacts attributable."

**SB 12 (McGuire D) Local government: planning and zoning: wildfires.**

**Current Text:** Amended: 6/6/2022 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 6/6/2022

**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was A. H. & C.D. on 5/24/2022)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive, long-term general plan that includes various elements, including, among others, a housing element and a safety element for the protection of the community from unreasonable risks associated with the effects of various geologic and seismic hazards, flooding, and wildland and urban fires. Current law requires the housing element to be revised according to a specific schedule. Current law requires the planning agency to review and, if necessary, revise the safety element upon each revision of the housing element or local hazard mitigation plan, but not less than once every 8 years to identify new information relating to flood and fire hazards and climate adaptation and resiliency strategies applicable to the city or county that was not available during the previous revision of the safety element. Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse

**Position:** Watch

**Subject:** Growth Management, Planning

**CALAFCO Comments:** UPDATE 2/24/22: According to the author's office, they do plan to move this bill forward in 2022 and no other details are available at this time.

This bill failed to make deadlines and is DEAD as of 7/5/2022.

**SB 418 (Laird D) Pajaro Valley Health Care District.**

**Current Text:** Chaptered: 2/4/2022 [html](#) [pdf](#)

**Introduced:** 2/12/2021

**Last Amended:** 1/24/2022

**Status:** 2/4/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 1, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would create the Pajaro Valley Health Care District, as specified, except that the bill would authorize the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors.

**Position:** Watch

**Subject:** Special District Principle Acts

**CALAFCO Comments:** Gut and amended on 1/14/22, this bill forms the Pajaro Valley Health Care District within Santa Cruz and Monterey counties. The formation, done by special legislation, bypasses the LAFCo process, with language explicitly stating upon formation, LAFCo shall have authority. The bill requires that within 5 years of the date of the first meeting of the Board of Directors of the district, the board of directors shall divide the district into zones. The bill would require the district to notify Santa Cruz LAFCo when the district, or any other entity, acquires the Watsonville Community Hospital. The bill requires the LAFCo to order the dissolution of the district if the hospital has not been acquired by January 1, 2024 through a streamlined process, and requires the district to notify LAFCo if the district sells the Watsonville Community Hospital to another entity or stops providing health care services at the facility, requiring the LAFCo to dissolve the district under those circumstances in a streamlined process.

Given the hospital has filed bankruptcy and this is the only hospital in the area and serves disadvantaged communities and employs a large number of people in the area, the bill has an urgency clause.

Several amendments were added on 1/24/22 by the ALGC and SGFC all contained within Section 32498.7.

CALAFCO worked closely with the author's office, Santa Cruz County lobbyist and the Santa Cruz and Monterey LAFCos on this bill. We have requested further amendments which the Senator has agreed to take in a follow-up bill this year. Those



amendments include requiring Santa Cruz LAFCo to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFCo for the first 3 years, Santa Cruz LAFCo conducting a special study on the district after 3 years, and representation from both counties on the governing board.

The bill is sponsored by the Pajaro Valley Healthcare District Project and is not keyed fiscal.

**SB 969 (Laird D) Pajaro Valley Health Care District.**

**Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)

**Introduced:** 2/10/2022

**Last Amended:** 3/2/2022

**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 90, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law creates the Pajaro Valley Health Care District, as specified, and authorizes the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors. Current law requires, within 5 years of the date of the first meeting of the Board of Directors of the Pajaro Valley Health Care District, the board of directors to divide the district into zones and number the zones consecutively. Existing law requires the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to govern any organizational changes for the district after formation. Existing law requires the district to notify the County of Santa Cruz local agency formation commission (LAFCO) when the district, or any other entity, acquires the Watsonville Community Hospital. Existing law requires the LAFCO to dissolve the district under certain circumstances. This bill would require the LAFCO to develop and determine a sphere of influence for the district within one year of the district's date of formation, and to conduct a municipal service review regarding health care provision in the district by December 31, 2025, and by December 31 every 5 years thereafter.

**Position:** Watch

**Subject:** Other

**CALAFCO Comments:** This bill is a follow up to SB 418 (Laird) and contains some of the amendments requested by CALAFCO and Monterey and Santa Cruz LAFCos. As introduced the bill requires Santa Cruz LAFCo to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFCo for the first 2 years, Santa Cruz LAFCo conducting a Municipal Service Review on the district every 5 years with the first being conducted by 12-31-25. Our final requested amendment, ensuring representation from both counties on the governing board, is still being worked on and not reflected in the introduced version of the bill.

**SB 1405 (Ochoa Bogh R) Community service districts: Lake Arrowhead Community Service District: covenants, conditions, and restrictions: enforcement.**

**Current Text:** Enrolled: 9/1/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2022

**Last Amended:** 4/18/2022

**Status:** 8/29/2022-Read third time. Passed. Ordered to the Senate. In Senate. Ordered to engrossing and enrolling.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would authorize the Lake Arrowhead Community Services District to enforce all or part of the covenants, conditions, and restrictions for tracts within that district, and to assume the duties of the Arrowhead Woods Architectural Committee for those tracts, as provided.

**Position:** Watch

**Subject:** Other

**SB 1425 (Stern D) Open-space element: updates.**

**Current Text:** Enrollment: 8/30/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2022

**Last Amended:** 4/18/2022

**Status:** 8/30/2022-Enrolled and presented to the Governor at 3 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Existing law requires cities and counties to prepare, adopt, and amend general plans and elements of those plans, as specified. Existing law requires the general plan to include a housing element and an open-space element, which is also called an open-space plan. Existing law sets forth various deadlines for updates to the housing element. This bill would require every city and county to review and update its local open-space plan by January 1, 2026. The bill would require the local open-space plan update to include plans and an action program that address specified issues, including climate resilience and other cobenefits of open space, correlated with the safety element. By imposing additional duties on local officials, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

**Position:** Watch  
**Subject:** Other

**[SB 1489](#) (Committee on Governance and Finance) Local Government Omnibus Act of 2022.**

**Current Text:** Enrollment: 8/30/2022 [html](#) [pdf](#)

**Introduced:** 2/28/2022

**Last Amended:** 6/20/2022

**Status:** 8/30/2022-Ordered to special consent calendar. Assembly amendments concurred in. (Ayes 38. Noes 0.) Ordered to engrossing and enrolling.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law, including the Professional Land Surveyors' Act, the Mello-Roos Community Facilities Act of 1982, the Subdivision Map Act, provisions relating to official maps of counties and cities, and provisions relating to maps of certain special assessment districts, prescribe requirements for the identification, storage, access, and preservation of maps. This bill would revise requirements for storage, access, and preservation of maps, in connection with the above-described laws, to authorize alternative methods by which maps may be identified, kept safe and reproducible, and to which they may be referred, and would generally eliminate the requirement that they be fastened and stored in books.

**Position:** Watch

**CALAFCO Comments:** This is the Senate Governance & Finance Committee annual omnibus bill.

Total Measures: 29

Total Tracking Forms: 29

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