

**Resolution No. 2022-23-06
of the Mendocino Local Agency Formation Commission**

**Approving Adoption of the
City of Ukiah
Municipal Service Review and Sphere of Influence Update and Certifying that
the Commission has Considered the Environmental Effects Identified in the
Environmental Impact Report (SCH No. 2022050556) for the Project; Adopting
Environmental Findings Pursuant to the California Environmental Quality
Act; and Adopting a Statement of Overriding Considerations**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, is authorized to conduct municipal service reviews and establish, amend, and update spheres of influence for local governmental agencies whose jurisdictions are within Mendocino County; and

WHEREAS, the Commission conducted a municipal service review to evaluate the City of Ukiah, hereinafter referred to as the “City”, pursuant to California Government Code Section 56430; and

WHEREAS, the Commission conducted a sphere of influence update for the City pursuant to California Government Code Section 56425; and

WHEREAS, the Commission held two public workshops on September 12, 2022 and November 7, 2022 to hear public and agency comments and provide direction on revisions to the City’s draft MSR/SOI update study; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner provided by law; and

WHEREAS, the Executive Officer’s report and recommendations on the municipal service review and sphere of influence update were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the testimony and evidence presented at a public hearing held on the municipal service review and sphere of influence update on December 19, 2022; and

WHEREAS, the Commission considered all the factors required under California Government Code Sections 56430 and 56425; and

WHEREAS, pursuant to PRC §21069 of CEQA, CEQA Guidelines §15381, and the Commission’s Local CEQA Guidelines; the Mendocino Local Agency Formation Commission is a CEQA Responsible Agency for the proposed Project.

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

1. The Commission, as Lead Agency, finds the municipal service review is categorically exempt from further review under the California Environmental Quality Act pursuant to Title 14 of

the California Code of Regulations §15306 (Class 6 Exemption). This finding is based on the use of the municipal service review as a data collection and service evaluation study. There are no land use changes or environmental impacts created or recommended by the MSR. The information contained within the municipal service review may be used to consider future actions that will be subject to additional environmental review.

2. The City of Ukiah, as Lead Agency for the sphere of influence update, certified an Environmental Impact Report (SCH No. 2022050556), adopted Findings of Fact pursuant to Public Resources Code (PRC) §21081 and California Environmental Quality Act (CEQA) Guidelines §15091, adopted a Statement of Overriding Considerations in accordance with PRC §21081(B) and CEQA Guidelines §15093, and approved a Mitigation, Monitoring and Reporting Program in connection with the City of Ukiah 2040 General Plan (Ukiah 2040), including analysis for the City of Ukiah sphere of influence update, on December 7, 2022 per City Resolution No. 2022-78. The Commission, as a Responsible Agency, makes the following findings related to the Lead Agency's CEQA determination in connection with the recommended City of Ukiah sphere of influence update:
 - a. The Commission has independently reviewed and analyzed the City of Ukiah 2040 General Plan Final Environmental Impact Report (FEIR) in connection with consideration of the recommended City of Ukiah sphere of influence update.
 - b. In accordance with CEQA Guidelines §15090, the City of Ukiah 2040 General Plan Final Environmental Impact Report reflects the Lead Agency's independent judgement and analysis, and the Commission has considered the FEIR and deems it adequate for the purposes of making a decision on the merits of the sphere of influence update.
 - c. The City of Ukiah found, based upon substantial evidence discussed throughout the FEIR, that the Project's impacts would be: (1) less than significant for Aesthetics, Agricultural and Forestry Resources, Land Use and Planning, Population and Housing, Public Services, Transportation, Utilities and Services Systems, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Mineral Resources; (2) Less than significant with mitigation for Biological Resources, Wildfire, and Paleontological Resources; and (3) Significant and unavoidable for Air Quality, Cultural Resources, Greenhouse Gas Emissions, and Noise.
 - d. The Commission makes a specific finding that there have been no changes in physical circumstances nor could have been changes in physical circumstances since the City of Ukiah certified the Environmental Impact Report for its General Plan on December 7, 2022. The Commission hereby affirms in accordance with CEQA Guidelines §15096 the Lead Agency's certified Environmental Impact Report.
 - e. The Commission hereby affirms, adopts, and incorporates by reference the City's Findings of Fact and Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program included in City Resolution No. 2022-78.
3. This municipal service review and sphere of influence update is assigned the following distinctive short-term designation: "City of Ukiah MSR/SOI Update 2022".
4. Pursuant to Government Code Section 56430(a), the Commission makes the written statement of determinations included in the municipal service review, hereby incorporated by reference.
5. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations included in the sphere of influence update, hereby incorporated by reference.
6. The Executive Officer shall update the official records of the Commission to reflect this sphere of influence update for the City of Ukiah, which supersedes all previous records.

BE IT FURTHER RESOLVED that the City of Ukiah MSR/SOI Update 2022 is hereby approved and incorporated herein by reference and that the City's 2040 General Plan (Ukiah 2040)

sphere of influence boundary is adopted and an Area of Interest is designated for the Ukiah 2040 Planning Area boundary as depicted in Exhibit "A", attached hereto.

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 19th day of December 2022 by the following vote:

AYES: Gonzalez, McGourty, Mulheren, Rodin, Ward

NOES:

ABSTAIN:

ABSENT:



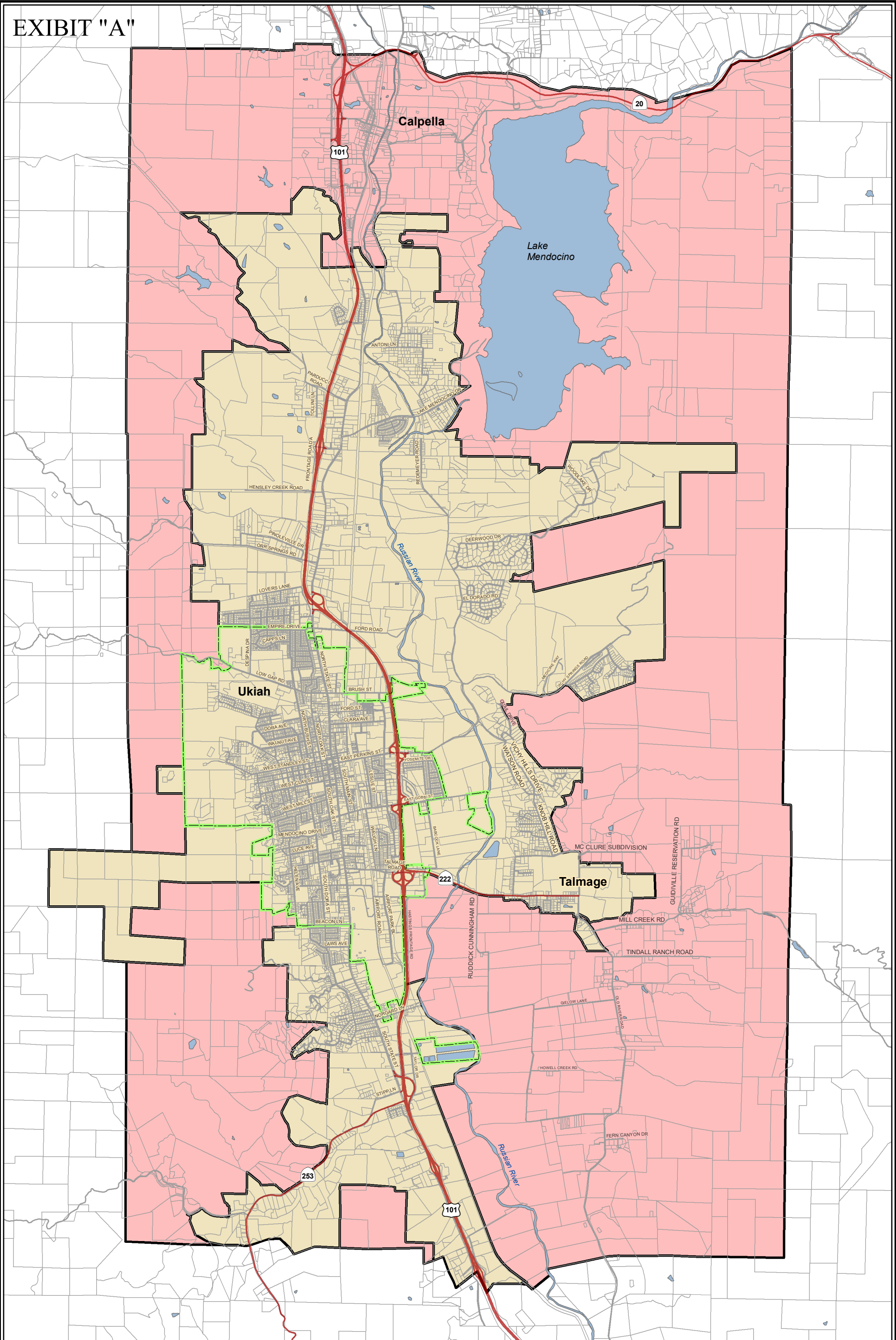
MAUREEN MULHEREN,
Commission Chair

ATTEST:



UMA HINMAN, Executive Officer

EXHIBIT "A"



City of Ukiah Area of Interest

Source: This map was created by the Mendocino County Information Services GIS Program, November 30, 2022.
Note: This map is not a survey product and should not be used to determine legal boundaries.

- Area of Interest
- Sphere of Influence
- City of Ukiah
- Parcels
- Highways
- Roads

