

MENDOCINO

Local Agency Formation Commission

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

Carre Brown, Chair
County Board of Supervisors

Tony Orth, Vice Chair
Brooktrails Township CSD

Gerald Ward, Treasurer
Public Member

Gerardo Gonzalez
Willits City Council

John Huff
Mendocino Coast Recreation
and Park District

Scott Ignacio
Point Arena City Council

John McCowen
County Board of Supervisors

Jenifer Bazzani, Alternate
Ukiah Valley Fire District

Will Lee, Alternate
Fort Bragg City Council

Richard Weinkle, Alternate
Public Member

John Haschak, Alternate
County Board of Supervisors

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

Approved by Commission on March 2, 2020

MINUTES

Local Agency Formation Commission of Mendocino County

Regular Meeting of Monday, February 3, 2020

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

1. **CALL TO ORDER and ROLL CALL** (Video Time 2:05)
EO Hinman called the meeting to order at 9:01 a.m.

Regular Commissioners Present: Carre Brown, Tony Orth, Gerald Ward, Gerardo Gonzalez, Scott Ignacio, and John McCowen
Commissioner Bazzani was immediately seated for Commissioner Huff.

Regular Commissioners Absent: John Huff

Alternate Commissioners Absent: Will Lee

Staff Present: Uma Hinman, Executive Officer; Kristen Meadows, Clerk

2. **PUBLIC EXPRESSION** (Video Time 3:13)
No one from the public indicated interest in public expression.
3. **OTHER BUSINESS** (Video Time 3:29)

3a) Announcements of Appointments and Oaths of Office

EO Hinman announced that the Board of Supervisors re-appointed Commissioners Brown and McCowen as the Regular County Members and appointed Supervisor John Haschak as the Alternate County Member. On December 2, 2019 the Commission appointed Mr. Richard Weinkle as the alternate public member. EO Hinman conducted the Oaths of Office for New Commissioners Haschak and Weinkle.

Clerk Meadows conducted a roll call to include the newly seated Commissioners.

Regular Commissioners Present: Carre Brown, Tony Orth, Gerald Ward, Gerardo Gonzalez, Scott Ignacio, and John McCowen.

Alternate Commissioners Present: Jen Bazzani, John Haschak, and Richard Weinkle

Alternate Commissioners Absent: Will Lee

3b) Selection of Officers and Appointments to Committees

Upon motion by Commissioner Orth to re-nominate the current, Chair, Vice Chair, and Treasurer and second by Commissioner Ignacio, Chair Brown, Vice Chair Orth, and Treasurer Ward were unanimously re-appointed to their positions by roll call vote.

Ayes: (7) Orth, McCowen, Ward, Gonzalez, Bazzani, Ignacio, Brown

EO Hinman turned the meeting over to Chair Brown to conduct the Appointments to Committees. Chair Brown appointed Commissioners Orth and Ignacio to join her on the Executive Committee and appointed Commissioners Gonzalez, Ward, and McCowen to the Policies & Procedures Committee. She instructed the Policies & Procedures Committee to develop/review policies regarding inactive applications and Areas of Interest.

4. CONSENT CALENDAR (Video Time 11:36)

4a) Approval of December 2, 2019 Regular Meeting Summary

4b) Ratification of the December 2019 Claims & Financial Report

<u>December 2019 Claims totaling</u>	<u>\$ 11,156.10</u>
Hinman & Associates Consulting	\$ 8,163.00
P. Scott Browne	\$ 600.00
Ukiah Valley Conference Center	\$ 465.20
Newspapers	\$ 498.48
Commissioner Reimbursements	\$ 196.28
Travel & Lodging Expenses	\$ 1,052.03
County of Mendocino	\$ 181.11

4c) Approval of the January 2020 Claims & Financial Report

<u>January 2020 Claims totaling</u>	<u>\$ 11,955.49</u>
Hinman & Associates Consulting	\$ 8,342.99
P. Scott Browne	\$ 600.00
Ukiah Valley Conference Center	\$ 464.50
Zach Pehling, CPA	\$ 1,625.00
Commissioner Reimbursements	\$ 79.00
Petty Cash	\$ 163.00
Russian River Flood Control District (refund)	\$ 681.00

4d) Acceptance of the Fiscal Year 2018-19 Audit

The Commission recommended the following corrections to the audit for next year and budget tracking:

- Audit Management Discussion & Analysis of Fiscal Years Ending June 30, 2019 & 2018, Item 6: revise wording for next year's audit to reflect that roll over money does not increase reserves.
- Move travel charges for Legal Counsel from Account 6300 Legal Fees to 6750 Travel & Lodging.

Upon motion from Commissioner Orth and second by Commissioner McCowen the Consent Calendar was unanimously approved by roll call vote.

Ayes: (7) Orth, McCowen, Ward, Gonzalez, Bazzani, Ignacio, Brown

5. PUBLIC HEARING ITEMS (Video Time 15:50) **None.**

6. WORKSHOP ITEMS (Video Time 15:58) **None.**

The next workshop item will be in April on Mendocino City CSD MSR and SOI update.

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION (Video Time: 16:31)

EO Hinman noted the links requested for the Agenda Packet to the Staff Report are now present and active.

7a) Legal Counsel Contract Amendment (Video Time 16:53)

EO Hinman presented an overview of the proposed amendment to the Legal Counsel contract with Attorney P. Scott Browne to include a clause providing for reimbursement for Commission-designated Special Projects. Special projects, which are included in the Policies & Procedures, would be processed similarly to a Pre-Application Agreement. Examples include participation in general plan updates, extended SOI processing, and other projects that require a significant amount of staff time.

The purpose of the amendment is to allow Legal Counsel to participate in special projects without impacting LAFCo's budget and is consistent with a similar clause in the Executive Officer Services contract. There currently is no clause in the Legal Services contract allowing for billing above the standard rate.

Questions and comments were offered by Commissioners Ward and McCowen.

- Confirmed that the amendment would not be retroactive.
- Requested amendment: "Such special project billing by Attorney shall be subject to the approval for payment by the ~~Executive Officer, Chair of the Commission and/or the Commission, as they shall determine.~~"

Upon motion from Commissioner Orth and second by Commissioner Gonzalez the Contract Amendment was approved with changes by roll call vote.

Ayes: (7) Orth, McCowen, Ward, Gonzalez, Bazzani, Ignacio, Brown

7b) Sustainable Agricultural Lands Conservation Grant (SALC) (Video Time 25:24)

The County of Mendocino Department of Agriculture and Committee partners submitted a grant proposal for the Mendocino County Sustainable Agricultural Lands Conservation Program in September 2019, requesting a total of \$208,600 to implement the strategies identified in the Mendocino County Sustainable Agricultural Lands Strategy 2017. Establishment of the two -year project grant agreement is in process. Objectives include:

- Develop an agricultural component for a Mendocino County Climate Action Plan.
- Expand the Carbon Farm Planning Program and local Soil Health Initiative.
- Increase participation in Williamson Act and Conservation Easement programs.
- Increase communication with diverse stakeholders regarding Ag Land Strategy objectives.

LAFCo's Roll: Lead Objective 4 of the work plan - Increase communication with stakeholders regarding the coalescence of agricultural land conservation and sustainable housing development. The tasks include:

- Attendance of monthly SALC meetings (Task 12)
- Organize and convene stakeholder meetings to explain Agricultural Lands Strategies
- Participate in meetings discussing zoning and housing (Task 13)
- Distribute project-related educational materials (Task 16).

LAFCo's budget is a total of \$14,200 over two years. Of that total, \$4,000 is a match funding requirement of in-kind services, accounted for by tracking staff time on typical tasks that have a related component.

Commissioner Ward asked about tracking of time spent on the project. EO Hinman explained that there will be separate tracking of staff time which will be submitted as part of the grant administration process. Once the in-kind contribution is met, LAFCo will be reimbursed for extra time spent working on the Grant. There will be no impact to LAFCo's adopted budget.

7c) Mid-Year Financial Report (Video Time 31:26)

EO Hinman presented the informational report, which provides a review of budget and expenses midway through the fiscal year to determine the need for adjustments. No adjustments were proposed.

7d) Redevelopment Agency (RDA) Oversight Board Special District Member Selection (Video Time 47:41)

EO Hinman provided a report on the request to perform the Special District Selection Committee selection process to fill the vacant special district member seat on the RDA Oversight Board. Mr. Pete Bushby of the Ukiah Valley Fire Protection District was the sole applicant and thus was appointed as the special district member.

8. INFORMATION/ REPORT ITEMS

8a) Work Plan, Current, and Future Proposals (Video Time: 53:45)

EO Hinman briefly reviewed the current and future applications and status of the Work Plan. EO Hinman reminded the Commission that the Public Hearing for the Weger application for detachment from the Mendocino Coast Health Care District was continued until March 2, 2020 to allow time for the County to complete the Revenue and Tax Code Section 99 requirements. Staff has corresponded with the County Auditor's office and County Counsel to confirm the process is proceeding and that it anticipated the Board of Supervisors will have the tax share resolution on the agenda in late February. Thank you to Commissioner McCowen for following this effort through the Board of Supervisors office. Commissioner McCowen suggested that the EO to share the Auditor's tax share

analysis memo with the full Commission. Commissioners Ward and McCowen recommend that staff send a letter to the District requesting a timely submittal of comments.

8b) Correspondence (Video Time 1:02:06) None

8c) Executive Officer's Report (Video Time 1:02:14)

EO Hinman reported the following:

- Form 700 from Commissioners is due to Clerk Meadows on April 1, 2020. Each commissioner is responsible for submitting a wet signed form to the LAFCo Office. Forms are held on file and are available by request.
- Staff received the State Controllers list of inactive districts; none identified for Mendocino County.
- AB-5 is a recently adopted legislation that places additional limits on employee/contractor definitions and conditions. EO has been in contact with Legal Counsel and, it is believed, the LAFCo staffing contracts are not affected.

8d) Committee Reports (Executive Committee/Policies & Procedures) (Video Time 1:13:10)

Commissioner Orth reported:

- The Executive Committee met on January 22, 2020. They reviewed applications on hold, conducted a mid-year budget review, and held a closed session regarding potential litigation.

8e) Commissioners Reports, Comments or Questions (Video Time: 1:14:58)

- Commissioner Ward notified the Commission that he signed the management letter as Treasurer from the Auditor attesting to the accuracy of the information provided.
- Commissioner McCowen provided an update on recent Ukiah City Council meetings in which staff and Council revisited the City's SOI and directed staff to pursue a reduced version the 1984 SOI for the General Plan Update.
- Chair Brown confirmed there will be a comprehensive staff report packet for the March 2, 2020 Weger Detachment Continued Public Hearing. Chair Brown asked new Commissioners to review the videos regarding the Weger Application, and asked EO Hinman to send the meeting links.
- Commissioner Ignacio thanked staff for including the links in the agenda packet.

8f) CALAFCO Business and Legislation Report (Video Time: 1:16:00)

- CALAFCO Survey Report
EO Hinman summarized the Report's statistics on the average number and schedule of MSR and SOI reports completed by LAFCOs throughout the State, noting that Mendocino LAFCo is in the upper 23%, having completed 39 reviews in the past 5 years.
- CALAFCO Legislative Report

CHAIR BROWN CALLED A 10 MINUTE BREAK & ADJOURNED THE COMMISSION TO CLOSED SESSION AT 10:30 a.m.

9. CLOSED SESSION (Video Time: 1:32:05 – 2:25:40)

9a) Contract Executive Officer Performance Evaluation

THE COMMISSION RETURNED TO OPEN SESSION AT 11:24 a.m.

An evaluation of the Contract Executive Officer was performed.

ADJOURNMENT

There being no further business, at 11:25 a.m. the meeting was adjourned. The next regular meeting is scheduled for Monday, March 2, 2020 at 9:00 a.m. in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah, California.

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

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