

**Resolution No. 2019-20-02
of the Mendocino Local Agency Formation Commission**

**Approving the Proposed
Weger Detachment from Mendocino Coast Health Care District**

WHEREAS, the landowner petition-initiated detachment from the Mendocino Coast Health Care District application was filed by Chief Petitioner Lisa Weger on June 14, 2019 (File No. D-2019-01); and

WHEREAS, a Certificate of Sufficiency was issued on August 30, 2019 indicating that the landowner petition was signed by the requisite number of qualified signers for a sufficient petition pursuant to California Government Code Section 56706; and

WHEREAS, the proposal was referred to the County Auditor for negotiation of a property tax exchange pursuant to Revenue and Tax Code Section 99 and a Resolution adopted by the County Board of Supervisors has been received allocating the property tax within the detachment area; and

WHEREAS, a Certificate of Filing was issued on August 30, 2019 indicating receipt of a complete application pursuant to California Government Code Section 56658; and

WHEREAS, the Commission conducted a duly noticed public hearing on the application on October 7, 2019 and the Commission continued the public hearing to November 4, 2019 to allow further time for District staff and the District Board of Directors to review the Executive Officer's Report; and

WHEREAS, the continued Public Hearing scheduled for November 4, 2019 was cancelled due to the ongoing PG&E Public Safety Power Shutoffs; and

WHEREAS, the Commission conducted a duly noticed public hearing on the application on December 2, 2019 and the Commission continued the public hearing to March 2, 2020 to allow time to complete the property tax agreement process required by Revenue and Taxation Code Section 99; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing on the application to be conducted by the Commission on March 2, 2020 in the form and manner prescribed by law; and

WHEREAS, the Executive Officer's report and recommendations on the application were presented to the Commission on March 2, 2020 in the manner provided by law; and

WHEREAS, the Commission conducted a duly noticed public hearing on the application on March 2, 2020. At the hearing, all interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony, the Commission closed the public hearing and considered and deliberated on all relevant oral and written testimony and evidence presented or filed, the Executive Officer's report, the applicant's justification of proposal, and all the factors required under California Government Code Section 56668; and

WHEREAS, the Commission has reviewed and considered this resolution and hereby finds that it accurately sets forth the intentions of the Commission with respect to the application.

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

1. The Commission, as Lead Agency, finds the Weger Detachment from Mendocino Coast Health Care District exempt from further review under the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations Section 15061(b)(3). The Commission finds and determines that it can be seen with certainty that there is no possibility that the application may have a significant effect on the environment according to the justifications outlined in the Executive Officer's report. The Executive Officer is directed to file a Notice of Exemption.
2. The Weger Detachment from Mendocino Coast Health Care District (File No. D-2019-01) is approved. The Commission finds the geographical isolation from and limited use of the District facilities by landowners and residents of the detachment area justifies the detachment and that the loss to the District of \$35,712 a year in parcel tax and \$5,456 a year in property tax will not unduly harm the District with its approximate \$50,000,000 annual revenue.
3. The Detachment shall be subject to the following terms and conditions:
 - a. The boundaries of the Detachment Area shall be defined by the map depicted in Exhibit "A", attached hereto and incorporate herein by reference.
 - b. The landowners within the Detachment Area shall continue to be responsible for the payment of their apportioned share of existing Mendocino Coast Health Care District General Obligation bonds that are outstanding on the effective date of detachment pursuant to California Government Code Section 57354 and shall continue payment based on the actual calculation and schedule for payment as facilitated each fiscal year by the Mendocino County Auditor-Controller through the Mendocino County Property Tax Bill.
4. The application is assigned the following distinctive short-term designation: "Weger Detachment from Mendocino Coast HCD".
5. The Commission waives Protest Proceedings for the application pursuant to California Government Code Section 56663 finding that no written opposition to the proposal was received and not withdrawn from landowners or registered voters within the affected territory before the conclusion of the public hearing.
6. The effective date of the detachment shall be the date of the filing of the Certificate of Completion for the application. The Certificate of Completion shall not be filed until all charges assessed and fees due to the Commission have been paid by the applicant(s) and all materials required by the Commission for final processing of the application have been submitted.
7. The applicant(s) shall defend at its sole expense any action brought against LAFCo, the Commission and its staff, because of the approval of this application. The applicant(s) will reimburse LAFCo for any court costs and attorneys' fees which may be required by a court to pay as a result of such action. LAFCo may, at its discretion, after consultation with the applicant(s), participate in the defense of any such action; but such participation shall not relieve applicant(s) of their obligations under this condition. The obligation on the part of

the applicant(s) to indemnify LAFCo is effective upon the adoption of this resolution and does not require any further action.

7. The Clerk of the Commission is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the Commission's decision herein is based. These documents may be found at the office of the Clerk of the Commission, 200 South School Street, Ukiah, CA 95482.

The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 2nd day of March 2020, by the following vote:

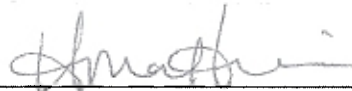
AYES: (7) Orth, McCowen, Ward, Gonzalez, Bazzani, Ignacio, Brown

NOES:

ABSTAIN:

ABSENT:

ATTEST:



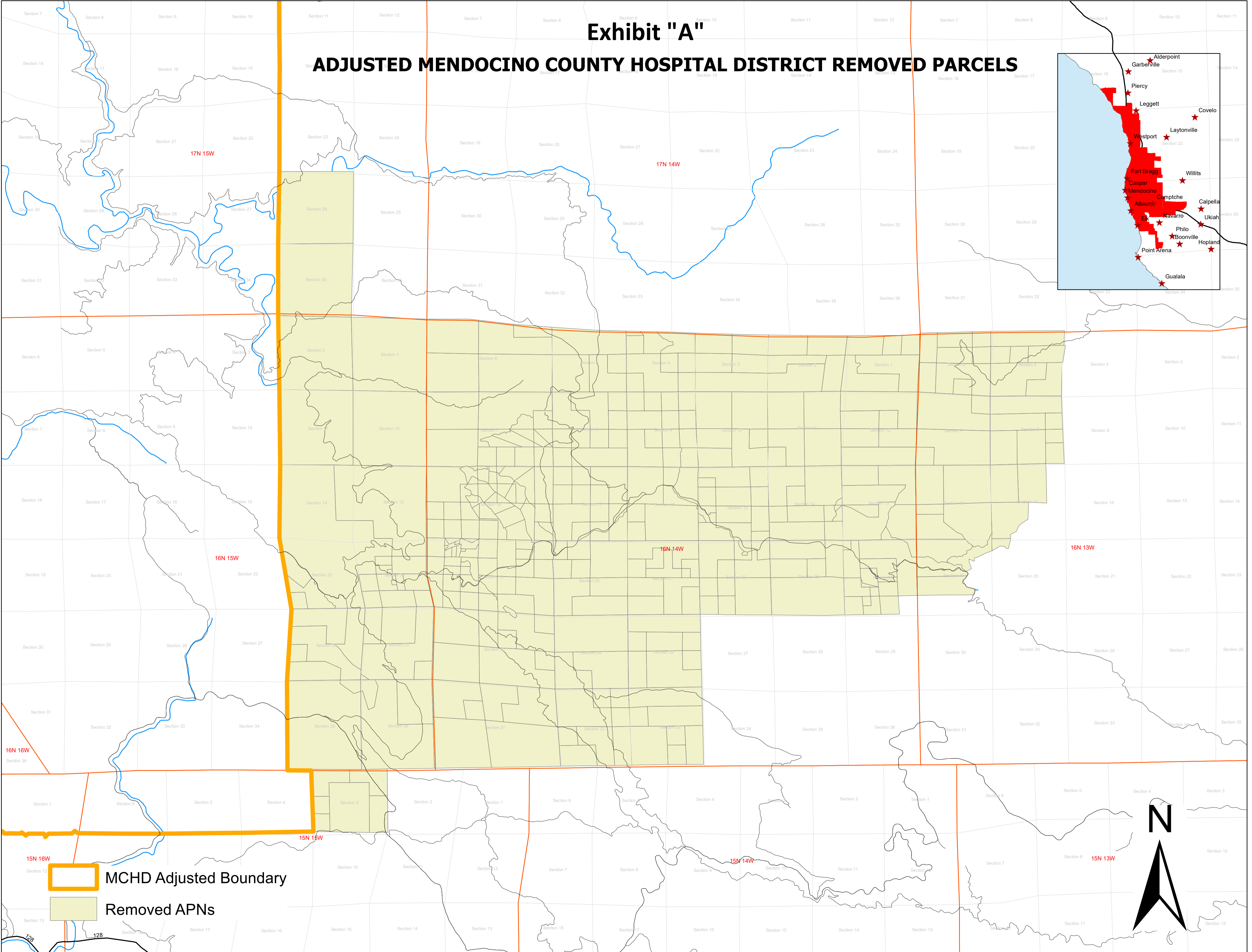
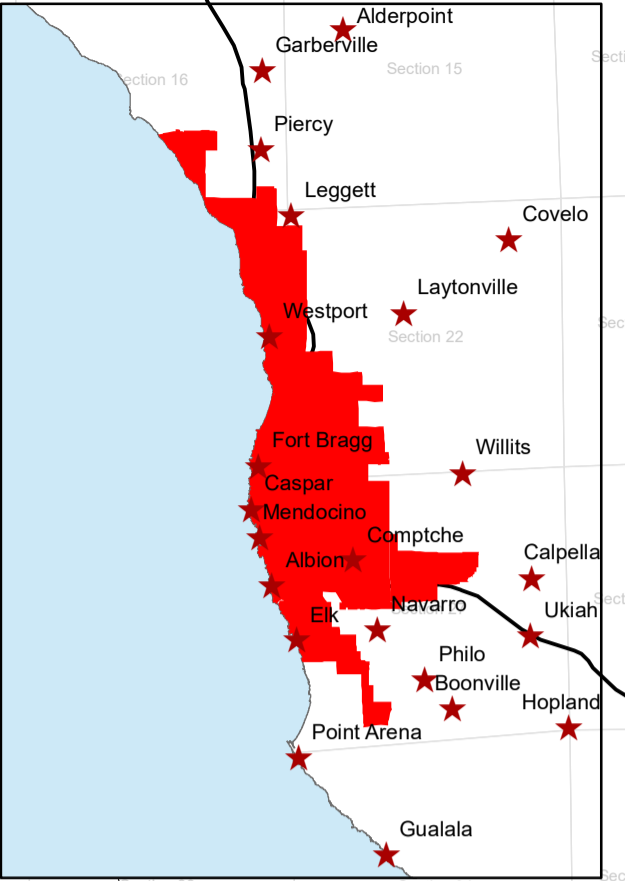
UMA HINMAN, Executive Officer





CARRE BROWN, Chair

Exhibit "A"

ADJUSTED MENDOCINO COUNTY HOSPITAL DISTRICT REMOVED PARCELS



 MCHD Adjusted Boundary
 Removed APNs