

MENDOCINO

Local Agency Formation Commission

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

Telephone: (707) 463-4470 | Fax: (707) 462-2088 | E-mail: eo@mendolafco.org | Web: www.mendolafco.org

COMMISSIONERS

Jerry Ward, Chair & Treasurer
Public Member

Carre Brown, Vice Chair
County Board of Supervisors

Kevin Doble
Ukiah City Council

Gerardo Gonzalez
Willits City Council

John McCowen
County Board of Supervisors

Theresa McNerlin
Ukiah Valley Sanitation District

Tony Orth
Brooktrails Township CSD

Scott Ignacio, Alternate
Point Arena City Council

Dan Hamburg, Alternate
County Board of Supervisors

Carol Rosenberg, Alternate
Public Member

Vacant
Special District Seat, Alternate

STAFF
Executive Officer
Uma Hinman

Analyst
Larkyn Feiler

Commission Clerk
Elizabeth Salomone

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

A G E N D A

Regular Meeting of Monday, February 5, 2018 9:00 AM

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

Live web streaming and recordings of Commission meetings are available via the County of Mendocino's YouTube Channel. Links to recordings and approved minutes are available on the LAFCo website (<http://mendolafco.org/recorded-meetings/>).

Meeting documents are available online: <http://mendolafco.org/meeting-documents-2018>

1. CALL TO ORDER and ROLL CALL

2. 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. Individuals wishing to address the Commission under Public Expression are welcome to do so throughout the meeting.

3. OTHER BUSINESS

3a) City and County Representative Appointments

Announcement of the 2018 City and County representatives, with Oath of Office conducted as necessary.

3b) Selection of Officers and Appointments to Committees

The Commission will vote on officers for 2018 and the elected Chair will appoint Commissioners to the Executive and Policies & Procedures Committees.

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) Approval of the January 8, 2018 Regular Meeting Summary Minutes

4b) Approval of the January 2018 Claims and Financial Report

5. PUBLIC HEARING ITEMS

Public Hearings are scheduled for Commission consideration and possible adoption of items. Questions and comments from the Commission, participating agencies, and members of the public are welcome. Documents are available for review at: <http://mendolafco.org/meeting-documents-2018>

No public hearings in February 2018.

Note: CLOSED SESSION may be moved up to accommodate participant schedules.

(2-5-18 Agenda Continued...)

6. WORKSHOP ITEMS

Workshops are scheduled for Commission review of draft reports prior to the noticing for public hearing. The Commission is invited to discuss the draft reports and provide feedback to staff in anticipation of receiving final SOI Updates for formal action as part of a public hearing at a future meeting. No action will be taken by the Commission as part of the following items. Questions and comments from the Commission, participating agencies, and members of the public are welcome. Documents are available for review at: <http://mendolafco.org/meeting-documents-2018>

6a) Leggett Valley Fire Protection District Draft Sphere of Influence (SOI) Update

The Commission will review a Draft SOI Update for the Leggett Valley Fire Protection District.

6b) Long Valley Fire Protection District Draft Sphere of Influence (SOI) Update

The Commission will review a Draft SOI Update for the Long Valley Fire Protection District.

6c) Piercy Fire Protection District Draft Sphere of Influence (SOI) Update

The Commission will review a Draft SOI Update for the Piercy Fire Protection District.

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

7a) Introduction to AB 54 LAFCo Requirements for Mutual Water Companies

Assembly Bill 54 (2011) established requirements for cooperation with LAFCo requests for information. Staff will provide an overview of LAFCo’s responsibilities under AB 54 and approach to complying with the requirements.

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.

8a) Work Plan, Current and Future Proposals (Written)

8b) Correspondence (copies provided upon request)

8c) Executive Officer’s Report (Verbal)

8d) Committee Reports (Verbal)

8e) Commissioner Reports, Comments or Questions (Verbal)

8f) CALAFCo Business and Legislative Report

9. CLOSED SESSION

Public Employee Performance Evaluation – Contract Executive Officer (Government Code 54957(b)(1)).

ADJOURNMENT

The next Regular Commission Meeting is scheduled for
Monday, March 5, 2018 at 9:00 AM
in the County Board of Supervisors Chambers 501 Low Gap Road, Ukiah, California

Notes: 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: If you are a disabled person and need a disability-related modification or accommodation to participate in a meeting, please contact the LAFCo office at 707-463-4470, by e-mail to eo@mendolafco.org, or by FAX to 707-462-2088. Requests must be made as early as possible, and at least two full business days prior to the meeting. 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 of more than \$250 to any Commissioner in the past 12-months, must disclose the contribution. If you are affected, please notify the Commission prior to the agenda item.

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Regular Meetings
First Monday
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at 9:00 AM
in the Mendocino
County Board
of Supervisors Chambers
501 Low Gap Road

Agenda Item No. 4a

MINUTES

Local Agency Formation Commission of Mendocino County

Regular Meeting of Monday, January 8, 2018

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

1. **CALL TO ORDER and ROLL CALL** (Video Time 5:40)

Chair Ward called the meeting to order at 9:04am.

Members Present:

Commissioners Carre Brown, Kevin Doble, John McCowen, Theresa McNerlin, Tony Orth, and Jerry Ward

Members Absent:

Commissioner Gerardo Gonzalez

Alternate Members Present:

Commissioners Carol Rosenberg

Alternate Members Absent:

Commissioners Dan Hamburg and Scott Ignacio

Staff Present:

Uma Hinman, Executive Officer

Elizabeth Salomone, Clerk

(Note changes to County Board of Supervisors appointments to LAFCo for 2018.)

2. **PUBLIC EXPRESSION** (Video Time 6:10)

No one from the public addressed the Commission.

3. **OTHER BUSINESS** (Video Time 6:23)

No Other Business to discuss.

4. **CONSENT CALENDAR** (Video Time 6:25)

Chair Ward pulled Item 4b) Approval of the December 2017 Claims and Financial Report.

4a) **Approval of the December 4, 2017 Regular Meeting Summary Minutes**

Upon motion by Commissioner McCowen and second by Commissioner Brown, Consent Calendar Item 4a, Approval of the December 4, 2017 Regular Meeting Summary Minutes, was approved by roll call vote:

Ayes: (6) Brown, Doble, McCowen, McNerlin, Orth, and Ward

Absent: (1) Gonzalez

4b) **Approval of the December 2017 Claims and Financial Report**

Chair Ward noted a small edit to the Financial Report and provided an update to the 2018 Lease Contract Renewal for office space at the Ukiah Valley Conference Center. He noted that the updated contract is still pending and the charge for this month is at the proposed new rate; overpayment will be credited in February after negotiations are complete. He also noted a return of application deposit funds in the amount of \$10.00 was due to Millview County Water District and will be shown in February financial reports.

(Consent Calendar continued...)

<u>December 2017 Claims totaling:</u>	\$ 12,730.83
Uma Hinman Consulting:	\$ 10,936.75
Ukiah Valley Conference Center:	\$ 456.84
P. Scott Browne:	\$ 691.45
Commissioner Reimbursement	\$ 128.07
County of Mendocino (audio/video, GIS, etc):	\$ 348.78
Petty Cash Reimbursement:	\$ 168.94

Upon motion by Commissioner McCowen and second by Commissioner Brown, the Consent Calendar Item 4b, December 2017 Claims and Financial Report was approved as corrected and with further direction by roll call vote:

Ayes: (6) Brown, Doble, McCowen, McNerlin, Orth, and Ward
Absent: (1) Gonzalez

5. **PUBLIC HEARING ITEMS** – (Video Time 10:59)
No public hearings in January 2018.

6. **WORKSHOP ITEMS** (Video Time 11:05)
No workshops in January 2018.

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

7a) **Mid-Year Budget and Work Plan Review FY 2017-18** (Video Time: 11:46)

EO reviewed the staff report. Comments and questions were offered by Commissioners Orth, Ward, Rosenberg, Brown, McCowen, and McNerlin.

The Commission asked for an update on the appropriation fees, responses for the MSR/SOI requests for information, Work Plan progress, and Mutual Water Company profiles.

8. **INFORMATION/ REPORT ITEMS** (Video Time: 29:45)

8a) **Status of Applications, Future Projects, MSR and SOI Updates**

Current & Current Projects

The Millview County Water District pre-application is complete and refund of unspent funds of \$10.00 from the deposit is to be issued.

MSR/SOI Updates

- *Fire District SOI Updates:* Final Workshop tentatively scheduled for March 2018 and Public Hearing to consider approval of all SOI Updates tentatively scheduled for April 2018.
- *City of Willits SOI Update:* LAFCo and City staff continue to coordinate on the draft SOI Update.
- *Brooktrails CSD MSR/SOI Update:* Workshop tentatively scheduled for April 2018.
- *Redwood Coast FPD MSR/SOI Update:* Workshop tentatively scheduled for March 2018.

8b) **Correspondence** (Video Time: 38:00)

Cortese-Knox-Hertzberg Act, December 2017 update was discussed. EO will provide a summary of changes to Commissioners.

8c) Executive Officer's Report (Video Time: 39:20)

EO Hinman reported on the following:

- CALAFCO survey related to Commission recommendations regarding consolidation and dissolution was completed and will be used in efforts
- Special District Alternate Seat replacement nominations are due February 15, 2018.
- EO and Analyst are attending a CALAFCO course in January: LAFCo's Evolving Mission; New Laws, Requirements, and Transparency.

8d) Committee Reports (Video Time: 40:42)

Neither committee met during the month of December 2017. An Executive Committee is scheduled directly after the January Regular Meeting.

8e) Commissioners Reports, Comments or Questions (Video Time: 31:19 and 41:18)

- *Commissioner Brown* noted the passing of Bill Koehler, General Manager of Redwood Valley and Millview County Water Districts. His many accomplishments during his service were noted and he will be greatly missed.
- *Commissioner Orth* noted the Brooktrails CSD invites everyone to attend their January 20, 2018 training.

8f) CALAFCO Business and Legislation Report (Video Time: 42:00)

A CALAFCO legislative committee opening is available.

ADJOURNMENT

There being no further business, at 9:41am the meeting was adjourned. The next regular meeting is scheduled for Monday, February 5, 2018 at 9:00am 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. December 4, 2017

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

MENDOCINO Local Agency Formation Commission

Staff Report

DATE: February 5, 2018
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: Financial Report and Claims for January 2018

Claims The following claims are recommended for payment authorization:

Name	Account Description	Amount	Total
Hinman & Associates	5300 Basics Services	\$ 5,449.25	\$ 9,589.75
	6200 Bookkeeping	\$ 694.50	
	7000 MSR SOI Workplan	\$ 3,396.00	
	5601 Office Supplies	\$ 50.00	
Ukiah Valley Conf. Center	5502 Office space	\$ 415.00	\$ 494.60
	5503 Work room	\$ 30.00	
	5603 Photocopy (Jan 2018)	\$ 35.00	
	5605 Postage (Fan 2018)	\$ 23.60	
	5502 CREDIT	\$ (9.00)	
P. Scott Browne	<u>6300 Legal Counsel</u>		\$ 600.00
	Monthly flat fee	\$ 600.00	
Commissioner Reimbursements	<u>6740 In-County Travel & Stipends:</u>		\$ 178.07
	Rosenberg (January 2018)	\$ 51.07	
	McNerlin (January 2018)	\$ 50.00	
	Orth (January 2018)	\$ 77.00	
County of Mendocino	6000 Video Recording of Meetings	\$ 163.59	\$ 351.92
	7501 GIS Mapping	\$ 65.33	
	6400 A-87	\$ 123.00	
Millview Water District	Remainder of application deposit	\$ 10.00	\$ 10.00
Total:			\$ 11,224.34

Attachments:

- Budget Track Spreadsheet
- Hinman & Associates Consulting Invoice & Scott Browne Invoice

Please note that copies of all invoices, bank statements, and petty cash register were forwarded to Commission Treasurer.

Mendocino Local Agency Formation Commission
 FY 2017-18 Budget and Application Tract

Acct #	Task	FY 17-18 Budget	1st Qtr Subtotals	2nd Qtr Subtotal	January	3rd Qtr Subtotal	Year to Date	Remaining Budget
EXPENSES								
5300	Basic Services - EO/Analyst/Clerk	\$66,815	\$15,543.00	\$16,769.75	\$5,449.25	\$5,449.25	\$37,762.00	\$29,053.00
5500	Rent	\$5,360	\$1,302.00	\$1,292.00	\$436.00	\$436.00	\$3,030.00	\$2,330.00
5600	Office Expenses	\$3,350	\$231.56	\$602.09	\$108.60	\$108.60	\$942.25	\$2,407.75
5700	Internet & Website Costs	\$1,300	\$0.00	\$0.00		\$0.00	\$0.00	\$1,300.00
5900	Publication & Legal Notices	\$2,000	\$0.00	\$114.22		\$0.00	\$114.22	\$1,885.78
6000	Televising Meetings	\$3,000	\$259.02	\$408.98	\$163.59	\$163.59	\$831.59	\$2,168.41
6100	Audit Services	\$3,100	\$1,550.00	\$0.00		\$0.00	\$1,550.00	\$1,550.00
6200	Bookkeeping	\$4,800	\$1,614.00	\$696.00	\$694.50	\$694.50	\$3,004.50	\$1,795.50
6300	Legal Counsel (S Browne)	\$7,200	\$1,800.00	\$1,800.00	\$600.00	\$600.00	\$4,200.00	\$3,000.00
6400	A-87 Costs County Services	\$1,100	\$0.00	\$0.00	\$123.00	\$123.00	\$123.00	\$977.00
6500	Insurance - General Liability	\$1,000	\$0.00	\$0.00		\$0.00	\$0.00	\$1,000.00
6600	Memberships (CALAFCO/CSDA)	\$2,200	\$0.00	\$1,299.00		\$0.00	\$1,299.00	\$901.00
6670	GIS Contract with County	\$5,000	\$571.90	\$254.98	\$65.33	\$65.33	\$892.21	\$4,107.79
6740	In-County Travel & Stipends	\$2,000	\$128.08	\$484.21	\$178.07	\$178.07	\$790.36	\$1,209.64
6750	Travel & Lodging Expenses	\$4,000	\$533.80	\$1,361.26		\$0.00	\$1,895.06	\$2,104.94
6800	Conferences (Registrations)	\$3,000	\$2,125.50	\$0.00		\$0.00	\$2,125.50	\$874.50
7000	Work Plan (MSRs and SOIs)	\$45,000	\$8,616.75	\$12,757.50	\$3,396.00	\$3,396.00	\$24,770.25	\$20,229.75
Monthly/ Year to Date Totals		\$160,225.00	\$34,275.61	\$37,839.99	\$11,214.34	\$11,214.34	\$83,329.94	\$76,895.06
APPLICATIONS								
		DEPOSIT	1st Qtr Subtotals	2nd Qtr Subtotal	January	3rd Qtr Subtotal	Year to Date	Remaining Budget
A-2009-8001	Irish Beach WD Moores Annexation	\$-610.56	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$-610.56
P-2014-8010	City of Ukiah Detachment of UVCS lands	\$1,532.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,532.75
P-2017-8017	Millview CWD Annexation	\$1,500.00	\$0.00	\$0.00	\$10.00	\$10.00	\$1,500.00	\$0.00
Applications to Date Totals		\$922.19	\$1,490.00	\$0.00	\$10.00	\$10.00	\$0.00	
EXPENSES AND APPLICATION TOTALS			\$35,765.61	\$37,839.99	\$11,224.34	\$11,224.34	\$83,329.94	

Operations (Checking) Account Balance	\$ 34,678.77	from statement as of	12/29/2017
Legal Reserve Balance	\$ 50,000.00	from statement as of	12/31/2017
Operations Reserve Balance	\$ 40,279.92	from statement as of	12/31/2017



Hinman & Associates Consulting

PO Box 1251 | Cedar Ridge, CA 95924

(916) 813-0818

uhinman@comcast.net

Date January 28, 2018
To Mendocino LAFCo
Project Executive Officer Services
Work Period January 1, 2018 to January 28, 2018

Invoice No. 355
Invoice Total \$ 9,589.75

Account	Description	Staff/Hours			Other (At Cost)	Totals
		Hinman EO (\$90)	Feiler Analyst (\$65)	Salomone Clerk (\$42)		
5300	Basic Services	42.50	6.25	29.00		\$ 5,449.25
5601	Office Supplies					
	Quickbooks Online Fee				\$ 50.00	\$ 50.00
	Dropbox Annual Fee				\$ -	\$ -
6200	Bookkeeping	7.25		1.00		\$ 694.50
7001	Municipal Service Reviews			8.00		\$ 336.00
7501	Sphere of Influence Updates	4.75	40.50			\$ 3,060.00
Totals		\$ 4,905.00	\$ 3,038.75	\$ 1,596.00	\$ 50.00	\$ 9,589.75

5300 Basic Services

Prepared February Commission and Executive Committee meeting agendas, staff reports and meeting packets. Draft meeting minutes for review at next meeting. File maintenance. Staffed office during the time period. Website updates.

6200 Bookkeeping (Other Services)

Compiled claims for Commissioner review and approval at February meeting. Entered claims into Quickbooks and prepared checks for claims to be authorized at February 5th meeting. Reviewed claims, bank records, etc. Quickbooks reconciliation.

7501 Sphere of Influence Updates

Continued drafting fire district SOI Updates and outreach to districts. Coordinated with County GIS regarding all SOI Updates adopted to date to ensure records are consistent and accurate.

7001 Municipal Service Reviews

Research and outreach to Mutual Water Companies in Mendocino County to comply with AB 54.

Law Offices of P. Scott Browne

131 South Auburn Street
Grass Valley, CA 95945

(530) 272-4250
(530) 272-1684 Fax

Marsha A. Burch
Of Counsel

Mendocino Lafco
200 South School Street, Suite F
Ukiah, CA 95482

Period Ending:

1/15/2018

Payment due by the 15th of next month

In Reference To: CLIENT CODE: MENDO-01

Professional Services

	<u>Hours</u>	
1/3/2018 PSB Work on Legislative proposal; Email to Pamela & group. (Time split evenly between all LAFCo clients).	0.15	
1/9/2018 PSB Respond to Uma; Revise and send evaluation form.	1.50	
	<hr/>	
SUBTOTAL:	[1.65]	
		<hr/>
Total Professional Hours	1.65	Amount
Per Representation Agreement, flat fee of \$600/month.		\$600.00
Previous balance		\$691.45
<hr/>		
<u>Payments and Credit Activity</u>		
1/15/2018 Payment - Thank You. Check No. 1317		(\$691.45)
		<hr/>
Total payments and adjustments		(\$691.45)
		<hr/>
TOTAL BALANCE NOW DUE		\$600.00
		<hr/> <hr/>

Please make your check for this bill payable to P. SCOTT BROWNE, ATTORNEY. Please write the CLIENT CODE shown on this statement on your check to insure proper credit. Thank you!

MENDOCINO
Local Agency Formation Commission

Staff Report

DATE: February 5, 2018
TO: Mendocino Local Agency Formation Commission
FROM: Uma Hinman, Executive Officer
SUBJECT: **Workshop** for Leggett Valley Fire Protection District Draft Sphere of Influence Update

RECOMMENDATION

Hold a workshop on the Draft Leggett Valley Fire Protection District SOI Update, provide comments and requested revisions, and direct staff to notice the matter for public hearing once SOI Updates are completed for multiple fire protection service providers in order to bring them together for consideration.

DISCUSSION

This is a workshop to introduce the Draft Sphere of Influence (SOI) Update for the Leggett Valley Fire Protection District (Leggett Valley FPD). The Leggett Valley FPD was part of the Multi-District Fire Protection Services Municipal Service Review (MSR), which the Commission adopted on April 4, 2016. This report includes informational updates to the MSR that support the SOI analysis, recommendation, and determinations.

The Leggett Valley FPD was formed in 1974 and encompasses the unincorporated community of Leggett. The District's boundary area is approximately 29 square miles and the District response area, which is based on mutual aid services and dispatched service calls, is approximately 145 square miles. The Leggett Valley FPD is the governing agency for the Leggett Valley Volunteer Fire Department. The Leggett Valley FPD provides multiple services including structural fire protection, first responder for emergency medical services and hazardous materials incidents, rescue and extrication, fire prevention, and wildland fire protection as a secondary provider.

This Draft SOI Update includes an updated financial summary table based on data from the State Controller's Office. The District did not provide feedback on the SOI Update Administrative Draft.

The District's SOI was established by LAFCo on October 4, 1993, and at that time, the District SOI was expanded one-half mile on either side of the US Highway 101 corridor. The District requests that their SOI be coterminous with their boundary. The SOI Update recommends the Commission modify the existing sphere of influence to be coterminous with the District boundary.

Attachments:

(1) Leggett Valley Fire Protection District Draft Sphere of Influence Update

WORKSHOP DRAFT

**LEGGETT VALLEY
FIRE PROTECTION DISTRICT**

Sphere of Influence Update

Prepared for:

MENDOCINO LAFCO

200 South School Street

Ukiah, California 95482

<http://www.mendolafco.org/>

February 5, 2018

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1 SPHERE OF INFLUENCE UPDATE

1.1 OVERVIEW

LAFCo prepares a Municipal Service Review (MSR) prior to or in conjunction with the Sphere of Influence (SOI) Update process. The SOI Update considers whether a change to a district sphere, or probable future boundary, is warranted to plan the logical and orderly development of a district in a manner that supports CKH Law and the Policies of the Commission. This SOI Update and associated determinations is prepared pursuant to California Government Code §56425(e).

The Commission approved the Multi-District Fire Protection Services Municipal Service Review on April 4, 2016, which provides the analysis for the Leggett Valley Fire Protection District addressed by this SOI Update. The 2016 MSR and associated determinations form the basis of information for this SOI Update. To ensure the Commission has the most updated information for consideration, the MSR determinations were reviewed and updates provided in the relevant sections, as appropriate.

1.2 LEGGETT VALLEY FIRE PROTECTION DISTRICT

1.2.1 BACKGROUND

1.2.1.1 District Services

The Leggett Valley Fire Protection District (Leggett Valley FPD or District) was formed in 1974 and is the governing agency for the 501(c)(3) Leggett Valley Volunteer Fire Department (LVVFD). The Leggett Valley FPD provides the following services: structural fire protection, first responder for emergency medical services to an Emergency Medical Technician (EMT) level, rescue and extrication, first responder for hazardous materials incidents, and fire prevention. Wildland fire protection service is primarily provided by the California Department of Forestry and Fire Protection (CAL FIRE) in State Responsibility Areas (SRA) during the wildfire season and secondarily by the District; although, the District is often the first to respond to such incidents, particularly during non-fire season months when the Leggett CAL FIRE station is not staffed.

1.2.1.2 District Boundary

The Leggett Valley FPD boundary comprises 29 square miles and encompasses the unincorporated community of Leggett (Figure 1-1). The District is located in the northwest portion of Mendocino County where US Highway 101 and State Highway 1 intersect. The District boundary generally follows the US Highway 101 and State Highway 1 corridors and extends to Smithe Redwoods State Natural Reserve and the unincorporated communities of Hales Grove and Cummings. Fire protection providers adjacent to the District include Piercy Fire Protection District to the north and the Long Valley Fire Protection District to the southeast. The District is primarily within the SRA, but there are also areas of the District within the Federal Responsibility Area (FRA).

1.2.1.3 Out-of-Area Services

The District does not maintain contracts with individual property owners to provide services outside its boundary. The District boundary area is approximately 29 square miles; however, due to the rugged terrain, the District response area equates to approximately 145 square miles. The District maintains an

Automatic Aid Agreement with the Piercy Fire Protection District and Mutual Aid Agreements with Mendocino County and the Garberville Fire Protection District in Humboldt County. Additionally, the District maintains an agreement with CAL FIRE for wildland fire incidents. Similar to all fire districts and EMS providers within the County, the Leggett Valley FPD also responds to calls outside the District boundary as needed and as dispatched. For example, occasionally CAL FIRE will dispatch District engines and personnel to Sinkyone Wilderness State Park adjacent to the Pacific Ocean via Usal Road and response times to this area can exceed 90-minutes. According to the 2015 Mendocino County Community Wildfire Protection Plan, Leggett Valley FPD is within Mutual Aid/Planning Zone 1, which includes Brooktrails Township Community Services District, Covelo Fire Protection District, Little Lake Fire Protection District, Long Valley Fire Protection District, Piercy Fire Protection District, and Whale Gulch Volunteer Fire Company (MCFCA, 2015).

1.2.2 SPHERE OF INFLUENCE

1.2.2.1 Existing Sphere of Influence

The Sphere of Influence (SOI) for Leggett Valley FPD was established by LAFCo on October 4, 1993, along with other special districts providing fire service in Mendocino County (LAFCo Resolution No. 93-4). At that time, the District SOI was expanded one-half mile on either side of the US Highway 101 corridor, for a distance of approximately 30 miles, to include areas where US Highway 101 is adjacent to the District boundary. The District SOI is otherwise considered to be coterminous with the District Boundary. (LAFCo, 2016a)

The District reports that this highway buffer sphere was not actually established in 1993 and the District requests that their SOI be coterminous with their boundary. It is recommended that a coterminous sphere be established for the District similar to other fire districts in the region.

1.2.2.2 Areas of Interest

The majority of land adjacent to the District boundary is not within a fire district jurisdiction and is therefore considered to be unserved from a local provider perspective. These adjacent areas are primarily within the SRA; although, there are also large unserved areas located north and south of the District boundary that are owned by the Federal Government and are within the FRA. These areas are difficult to serve due to the distance from existing District fire stations, remote location, and access.

There is a small unserved area, approximately a quarter mile in length, along the US Highway 101 corridor located between the District's northern boundary line and the Piercy Fire Protection District.

The 2016 MSR identified a large unserved area, approximately 15-miles in length, along the State Highway 1 corridor located on the coast between the southwest boundary of the District and the Westport Volunteer Fire Company. This area is extremely remote with rugged terrain.

1.2.2.3 Proposed SOI Changes

The District has confirmed the adequacy of their existing District boundary and SOI.

The areas of interest described above are not proposed to be added to the District SOI at this time. While these areas are not located within the boundary of a local fire protection agency, they do receive fire protection services from the District and adjacent providers when dispatched. These areas will be re-evaluated for suitability of inclusion in the District SOI in the next MSR/SOI Update.

There are no proposed SOI changes for the Leggett Valley FPD.

1.2.2.4 Consistency with LAFCo Policies

In addition to making the necessary determinations for establishing or modifying a Sphere of Influence 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 January 4, 2016, under Chapter 9 (Spheres of Influence, MSRs, and Special Studies) and Sections 1.4 through 1.10 (LAFCo, 2016b):

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.

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.

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.

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.

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.

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.

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.

Policy Consistency Analysis

While there are agricultural lands, open space lands, and agricultural preserves located within and adjacent to the District boundary, the provision of fire protection services alone does not jeopardize the preservation of these areas. There are no irregular boundaries or overlapping sphere issues associated with the District. While there are adjacent lands that could be added to the District boundary in the future, the coterminous SOI is appropriate given the District's current operating level. Maintaining the existing District SOI is consistent with Mendocino LAFCo Policies.

1.2.3 MSR UPDATES

The MSR information and associated determinations prepared for the District in 2016 serve as a reliable basis for this study. The following updated information has been provided by the District for the preparation of this SOI Update.

1.2.3.1 Financial Information

The financial planning efforts for Leggett Valley FPD include an annually adopted budget and financial audit reports prepared annually by a Certified Public Accountant (CPA). Capital improvement needs are generally planned in the budget. The 2016 MSR for the District included financial information for Fiscal Years 2010-11, 2011-12, and 2012-13. The following table provides updated financial information for the three most recent fiscal years available.

Table 1.1 Financial Summary			
	FY 13-14	FY 14-15	FY 15-16
Beginning Fund Balance	\$72,491	\$60,957	\$78,767

Prior Period Adjustments	\$950	\$0	\$1,078
Ending Fund Balance	\$60,957	\$78,767	\$98,849
Reserve Balance			
Revenues			
Property Tax	\$30,929	\$31,813	\$32,803
Special Tax/Assessment	\$0	\$0	\$0
Charges for Services	\$1,029	\$34,361	\$0
Rents	\$50	\$0	\$2,289
Property Owner Contributions	\$15,150	\$9,094	\$2,450
Interest Income	\$315	\$204	\$301
Other Revenue	\$1,132	\$1,734	\$0
Total Revenues	\$48,605	\$77,206	\$37,843
Expenses			
Salaries & Employee Benefits	\$0	\$0	\$0
Debt Service	\$0	\$0	\$0
Services & Supplies	\$27,742	\$59,396	\$18,839
Capital Outlay	\$33,347	\$0	\$0
Interest Expense	\$0	\$0	\$0
Other Expenses	\$0	\$0	\$0
Total Expenses	\$61,089	\$59,396	\$18,839
Net Income/Loss	-\$12,484	\$17,810	\$19,004

Source: CSCO, 2017.

In 2017, the County of Mendocino disbursed a share of Proposition 172 funds to eligible fire agencies within the County. The formula for funding allocations was developed by the Mendocino County Association of Fire Districts and incorporates a minimum distribution per district, plus a population-based proportional allocation. The Leggett Valley FPD received approximately \$9,613 in FY 2016-17 and anticipates approximately \$11,426 in FY 2017-18 (BOS, 2018). Future disbursements are unknown at this time. The District also receives approximately \$10,000 from the 501(c)(3) Leggett Valley Volunteer Firefighters Association fundraising activities each year (LAFCo, 2016a).

1.2.3.2 MSR Determinations

The following table summarizes the MSR Determinations contained in the 2016 MSR and includes updated information shown as underlined text for additions and strikethrough text for deletions.

Table 1.2 MSR Determination Updates
Growth and population projections for the affected area
<ol style="list-style-type: none"> There are approximately 300 residents within the District according to the 2010 Census. The camps and campgrounds add an additional 300-700 transient residents during the summer. The population of the District has not increased over the last few years, and is not expected to increase in the next five to six years.
The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

<p>3. The Leggett community, as well as the surrounding area appears to qualify as a Disadvantaged Unincorporated Community (DUC). Any future annexations to the District will require consideration of any DUC in proximity to the annexation area.</p> <p>4. For LVFPD, structural fire protection is provided by the District and is considered to be satisfactory. The District does not provide water or sewer services, and is therefore not responsible for assuring that these services are adequately provided to the community.</p>
<p>Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies</p>
<p>5. The District’s current facilities barely have the capacity to adequately serve current demand for fire protection services. Due to the size of the SOI – one-half mile on either side of US101 for a distance of 30 miles, the LVFPD struggles to provide a sufficient level of services in this remote area.</p> <p>6. The LVFPD reported that main station at Drive Thru Tree Road is currently being expanded. Remodeling began four years ago, including a mezzanine office and converting a storage space into a training room/office. In 2015, the District will refurbish the bathroom facilities.</p> <p>7. Capital improvement needs for the District are generally planned in the budget; most of the work has been completed through accrual of modest reserves.</p>
<p>Financial ability of agencies to provide services</p>
<p>8. LVFPD reported that current financing levels are not adequate to deliver services. There is not enough funding to accommodate an additional need for expansion of medical response services, and training of additional personnel.</p> <p>9. Additional financing opportunities identified by the District include a grant for a new water tender.</p> <p>10. The District manages to function on limited revenues, and has been able to utilize unspent funds for equipment and firehouse improvements.</p>
<p>Status of, and opportunities for, shared facilities</p>
<p>11. The District collaborates with other fire service providers through federal, state and county mutual aid agreements. CFPD has contributed to the creation of the Mendocino Fire Plan through the Fire Safe Council. The District is a member of the California Special District Association (CSDA), Fire Safe Council, Mendocino County Fire Chief’s Association, and Mendocino County Special District Association.</p> <p>12. The District did not identify any future opportunities for facility sharing.</p>
<p>Accountability for community service needs, including governmental structure and operational efficiencies</p>
<p>13. LVFPD is governed by an elected five-person LV Board of Directors. However, all recent Board positions have been filled by appointment of the Mendocino County Board of Supervisors. The District should renew its efforts to identify more than one candidate for each Board position so that voters within the District will be afforded a choice and an opportunity to vote.</p> <p>14. The Board of Directors conduct the business of the District and administer most of the requisite paperwork.</p> <p>15. In addition to the required agendas and minutes, the District tries to inform its constituents through multiple outreach activities.</p> <p>16. Development of a District website would enhance opportunities to inform the public.</p> <p>17. The agency demonstrated accountability in its cooperation with the Mendocino LAFCo information requests.</p>

Source: LAFCo, 2016a.

1.2.4 SOI DETERMINATIONS

It is recommended that the Commission modify the existing Sphere of Influence for the Leggett Valley Fire Protection District, which includes one-half mile on either side of US Highway 101, to be coterminous with the District boundary. The following statements have been prepared in support of this recommendation.

1.2.4.1 Land Uses

GC §56425(e)(1): The present and planned land uses in the area, including agricultural and open space lands.

The Leggett Valley FPD boundary includes the unincorporated community of Leggett which consists of residential areas, a gas station, a convenience market and restaurant, and Leggett Valley High School (Pre-K–12). Leggett is home to the long-time visitor attraction Chandelier Drive Thru Tree which is a 315-foot tall redwood tree with a road cut through the base. A majority of the land within the District consists of forest land with recreational uses, including summer camps and forest campgrounds. The Standish-Hickey State Recreation Area and the Smithe Redwoods State Reserve are both within the District boundary. Mendocino County has land use authority over privately-owned lands within the District boundary and makes land-use decisions based on the County General Plan and Zoning Regulations.

1.2.4.2 Need for Facilities and Services

GC §56425(e)(2): The present and probable need for public facilities and services in the area.

The Leggett Valley FPD provides the following services with the assistance of the all-volunteer Leggett Valley Fire Department: structural fire protection, first responder for emergency medical services to an Emergency Medical Technician (EMT) level, rescue and extrication, first responder for hazardous materials incidents, fire prevention, and wildland fire protection as a secondary provider.

As determined in the 2016 MSR prepared for Leggett Valley FPD, the District serves approximately 300 full-time residents and an additional 300-700 transient residents during the summer associated with the local camps and campgrounds. The community of Leggett is a Census Designated Place (CDP) with a 2010 population of 122. Population growth within the County of Mendocino is expected to increase at an annual rate of approximately 0.2% (DOT, 2016). The population of the District is not expected to increase significantly and no substantial new development is anticipated in the foreseeable future. The District provides a critical service to the public. The residents and visitors currently receiving fire protection services from the District will continue to need this public service.

As detailed in the 2016 MSR prepared for Leggett Valley FPD, motor vehicle accidents account for approximately 42% of the District's service calls (approximately 50 of 120 total calls per year). The District reports that a considerable amount of District resources are used in providing medical response to motor vehicle accidents on US Highway 101 and State Highway 1. While these service calls are within the District boundary, they place a financial burden on the tax base of the District because the majority of individuals served are not residents and are travelling through the area along the public highway system.

1.2.4.3 Capacity of Facilities and Adequacy of Services

GC §56425(e)(3): The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

As detailed in the 2016 MSR prepared for Leggett Valley FPD, the District has a Rural ISO Rating of 9. The District operates one fire station located at 67001 Drive Thru Tree Road in Leggett which is being expanded

as funding becomes available. Remodeling began several years ago, including a mezzanine office, converting a storage space into a training room/office, and refurbishing the bathroom facilities. The District also owns Burkey Hall which is the community center and gathering place for the Leggett community. During the timeframe of the 2016 MSR, the District acquired a new four-wheel-drive Wildland Fire Engine through a Federal Assistance to Firefighters grant. Prior to this, the District's resources consisted of a very old CALFIRE Type 3 Engine, an older 3,000-gallon Water Tender which is scheduled to be replaced since it no longer runs, and a 4-wheel-drive Rescue Unit which can carry up to five firefighters. Water for fire protection in the District is not adequate and future improvements are necessary which could be addressed by forming a water district or applying for a grant for a new Water Tender. There is not a water or hydrant system in the District. Water is supplied by on-board tanks on each engine, a 10,000-gallon water tank at the fire station which is available for filling engines, tankers, and tenders, and other available water supplies such as ponds, swimming pools, and cisterns.

As determined in the 2016 MSR prepared for Leggett Valley FPD and updated based on this SOI Update, the District's current facilities barely have the capacity to adequately serve current demand for fire protection services. The District reported that current financing levels are not adequate to deliver services and there is not enough funding to accommodate an additional need for expansion of medical response services, and training of additional personnel. The District manages to function on limited revenues, and has been able to utilize unspent funds for equipment and firehouse improvements.

It is suggested that the District prepare a capital plan that identifies current and long-term District facility and equipment needs, including upgrades, renovations, and major maintenance, capital improvements and purchases, and facility expansions, and identifies potential revenue sources for addressing those capital needs. It is also suggested that the District consider the feasibility of increased collaboration, such as formation of a Joint Powers Authority (JPA), with adjacent fire agencies to provide services more cost effectively and to enhance volunteer resources. Finally, it is suggested that the District create an agency website which can be a helpful communication tool to enhance government transparency and accountability.

1.2.4.4 Communities of Interest

GC §56425(e)(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.

The small unserved area along the US Highway 101 corridor located between the District's northern boundary line and the Piercy Fire Protection District and the large unserved area along the State Highway 1 corridor located on the coast between the southwest boundary of the District and the Westport Volunteer Fire Company will be re-evaluated for suitability of inclusion in the District SOI in the next MSR/SOI Update.

No other social or economic communities of interest have been identified in the preparation of this SOI Update that should be included in the District boundary.

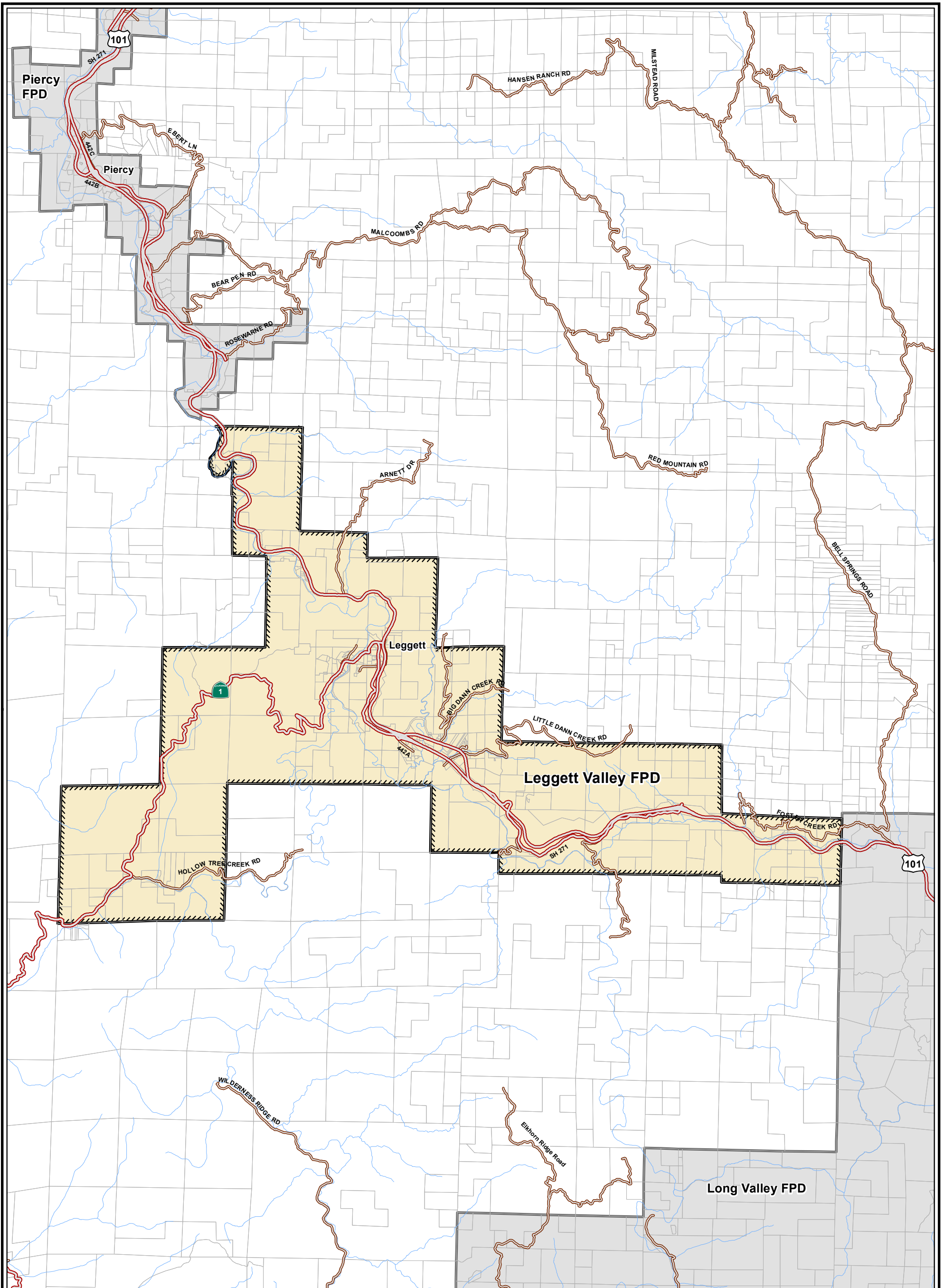
1.2.4.5 Disadvantaged Unincorporated Communities

GC §56425(e)(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.

A Disadvantaged Unincorporated Community (DUC) is an area with 12 or more registered voters with a Median Household Income (MHI) that is less than 80% of the State MHI of \$61,632. The unincorporated community of Leggett is the population center within the District. Leggett qualifies as a DUC with a MHI of \$28,068 which is 45.5% of the State MHI (LAFCo, 2016a). The areas surrounding Leggett might also qualify as a DUC.

All future proposed annexations to the District will require consideration of any DUC in proximity to the annexation area. The District does not provide water or sewer services, and is therefore not responsible for ensuring that these services are adequately provided to the community.



Leggett Valley Fire Protection District SOI

- Leggett Valley FPD SOI
- Leggett Valley FPD
- Adjacent Fire Protection Services
- Parcels
- Highways
- Roads
- Streams

Source: This map was prepared by the Mendocino County Division of Information Services GIS Program, January 2018.

Note: This map is not a survey product.



2 REFERENCES

Board of Supervisors, County of Mendocino (BOS). January 23, 2018. Meeting Agenda Item 4c, Attachment A- Corrected Footnote. [Online]. Available at: <https://mendocino.legistar.com/Calendar.aspx>. Accessed January 26, 2018.

California Department of Transportation (DOT). 2016. Mendocino County Economic Forecast. [Online]. Available at: http://www.dot.ca.gov/hq/tpp/offices/eab/index_files/2016/Mendocino2016.pdf. Accessed December 29, 2017.

California State Controller's Office (CSCO). October 17, 2017. Special Districts Raw Data for Fiscal Years 2003 - 2016. [Online]. Available at: <https://bythenumbers.sco.ca.gov/Raw-Data/Special-Districts-Raw-Data-for-Fiscal-Years-2003-2/vi4x-fbus>. Accessed January 4, 2018.

Leggett Valley Fire Protection District (LVFPD). October 3, 2016. District Response to Information Request from the Local Agency Formation Commission of Mendocino County in preparation for the 2017 Sphere of Influence Update. Available at LAFCo's office upon request.

LAFCo, County of Mendocino. April 4, 2016 (2016a). Multi-District Fire Protection Services Municipal Service Review. [Online]. Available at: <http://mendolafco.org/msr/Final%20Fire%20MSR%20for%20Hearing%2004-04-16.pdf>. Accessed June 28, 2017.

LAFCo, County of Mendocino. January 4, 2016 (2016b). Policies & Procedures Manual. [Online]. Available at: <http://mendolafco.org/documents/Policies%20and%20Procedures%20Adopted%20January%202016.pdf>. Accessed December 29, 2017.

Mendocino County Fire Chief's Association (MCFCA). 2015. Mendocino County Community Wildfire Protection Plan. [Online]. Available at: <https://www.co.mendocino.ca.us/bos/meetings/28658/28666/28667/28988/29050/ProtectionPlan29050.pdf>. Accessed June 28, 2017.

3 ACKNOWLEDGEMENTS

3.1 ASSISTANCE AND SUPPORT

This Sphere of Influence Update could not have been completed without the assistance and support from the following organizations and individuals.

Hinman & Associates Consulting, Inc.	Uma Hinman, LAFCo Executive Officer Larkyn Feiler, LAFCo Analyst Beth Salomone, LAFCo Commission Clerk
Leggett Valley Fire Protection District	Ely Reighter, Fire Chief

MENDOCINO
Local Agency Formation Commission

Staff Report

DATE: February 5, 2018
TO: Mendocino Local Agency Formation Commission
FROM: Uma Hinman, Executive Officer
SUBJECT: **Workshop** for Long Valley Fire Protection District Draft Sphere of Influence Update

RECOMMENDATION

Hold a workshop on the Draft Long Valley Fire Protection District SOI Update, provide comments and requested revisions, and direct staff to notice the matter for public hearing once SOI Updates are completed for multiple fire protection service providers in order to bring them together for consideration.

DISCUSSION

This is a workshop to introduce the Draft Sphere of Influence (SOI) Update for the Long Valley Fire Protection District (Long Valley FPD). The Long Valley FPD was part of the Multi-District Fire Protection Services Municipal Service Review (MSR), which the Commission adopted on April 4, 2016. This report includes informational updates to the MSR that support the SOI analysis, recommendation, and determinations.

The Long Valley FPD was formed in 1955 and encompasses the unincorporated communities of Laytonville and Branscomb. The District's boundary area is approximately 238 square miles. The Long Valley FPD is the governing agency for the Laytonville Volunteer Fire Department and Ambulance Department. The Long Valley FPD provides multiple services including structural fire protection, emergency medical and ambulance services, rescue and extrication, first responder for hazardous materials incidents, fire prevention, and wildland fire protection as a secondary provider.

This Draft SOI Update includes an updated financial summary table based on data from the State Controller's Office and minor updates to the 2016 MSR determinations. The District did not provide feedback on the SOI Update Administrative Draft.

The District's SOI is coterminous with the District boundary and was established by LAFCo on October 4, 1993, along with other special districts providing fire service in Mendocino County (LAFCo Resolution No. 93-4). The District has not requested a modification to the existing SOI and the SOI Update recommends the Commission affirm the existing sphere of influence.

Attachments:

(1) Long Valley Fire Protection District Draft Sphere of Influence Update

WORKSHOP DRAFT

**LONG VALLEY
FIRE PROTECTION DISTRICT**

Sphere of Influence Update

Prepared for:

MENDOCINO LAFCO

200 South School Street

Ukiah, California 95482

<http://www.mendolafco.org/>

February 5, 2018

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1 SPHERE OF INFLUENCE UPDATE

1.1 OVERVIEW

LAFCo prepares a Municipal Service Review (MSR) prior to or in conjunction with the Sphere of Influence (SOI) Update process. The SOI Update considers whether a change to a district sphere, or probable future boundary, is warranted to plan the logical and orderly development of a district in a manner that supports CKH Law and the Policies of the Commission. This SOI Update and associated determinations is prepared pursuant to California Government Code §56425(e).

The Commission approved the Multi-District Fire Protection Services Municipal Service Review on April 4, 2016, which provides the analysis for the Long Valley Fire Protection District addressed by this SOI Update. The 2016 MSR and associated determinations form the basis of information for this SOI Update. To ensure the Commission has the most updated information for consideration, the MSR determinations were reviewed and updates provided in the relevant sections, as appropriate.

1.2 LONG VALLEY FIRE PROTECTION DISTRICT

1.2.1 BACKGROUND

1.2.1.1 District Services

The Long Valley Fire Protection District (Long Valley FPD or District) was formed on March 10, 1955 and is the governing agency for the 501(c)(3) Laytonville Volunteer Fire Department (LVFD) and the Laytonville Volunteer Ambulance Department (LVAD). The Long Valley FPD provides the following services: structural fire protection, emergency medical and ambulance services including 24-hour Advanced Life Support (ALS) and Basic Life Support (BLS), rescue and extrication, first responder for hazardous materials incidents, and fire prevention. Wildland fire protection service is primarily provided by the California Department of Forestry and Fire Protection (CAL FIRE) in State Responsibility Areas (SRA) during the wildfire season and secondarily by the District; although, the District is often the first to respond to such incidents, particularly during non-fire season months when the Laytonville CAL FIRE station is not staffed. More information regarding the District is available at the following website: <http://www.laytonvillefire.org/>.

1.2.1.2 District Boundary

The Long Valley FPD boundary comprises 238 square miles and encompasses the unincorporated communities of Laytonville and Branscomb (Figure 1-1). The District is located in the northwest portion of Mendocino County along the US Highway 101 corridor and is situated approximately halfway between the City of Willits and the Mendocino-Humboldt County Line. The District boundary extends from the unincorporated community of Twin Rocks to the north, approximately two-miles west of the Eel River to the northeast and generally follows State Highway 162 to the southeast, the intersection of US Highway 101 and State Highway 162 to the south, and approximately five-miles east of the coastline to the west. Fire protection providers adjacent to the District include Leggett Valley Fire Protection District to the northwest and Little Lake Fire Protection District to the southeast. The District is primarily within the SRA, but there are also areas of the District within the Federal Responsibility Area (FRA).

1.2.1.3 Out-of-Area Services

The District does not maintain contracts with individual property owners to provide services outside its boundary. The District response area is larger than the District boundary area based on mutual aid services and dispatched service calls. The District responds to calls in the following areas located outside the District boundary: the Bell Springs and Spyrock Road areas north of Laytonville and along State Highway 162 from Longvale to Dos Rios southeast of Laytonville.

The District's ambulance service responds to multiple areas outside the District boundary that have been designated their responsibility by Coastal Valleys EMS. The District's ambulance service historically covered a 500-mile service area. However, in October 2014, the District announced it would only provide ambulance service within the District boundary because the service was operating at a deficit and there was a lack of adequate staffing. However, under an agreement with Coastal Valley EMS, the District continues to provide emergency medical transport services outside its boundary.

The District relies on and participates in mutual aid services with adjacent fire districts through Countywide Mutual Aid Agreements. Additionally, the District maintains an agreement with CAL FIRE for wildland fire incidents. Similar to all fire districts and EMS providers within the County, the Long Valley FPD responds to calls outside the District boundary as needed and as dispatched. According to the 2015 Mendocino County Community Wildfire Protection Plan, Long Valley FPD is within Mutual Aid/Planning Zone 1, which includes Brooktrails Township Community Services District, Covelo Fire Protection District, Little Lake Fire Protection District, Leggett Valley Fire Protection District, Piercy Fire Protection District, and Whale Gulch Volunteer Fire Company (MCFCA, 2015).

1.2.2 SPHERE OF INFLUENCE

1.2.2.1 Existing Sphere of Influence

The Sphere of Influence (SOI) for Long Valley FPD is coterminous with the District boundary and was established by LAFCo on October 4, 1993, along with other special districts providing fire service in Mendocino County (LAFCo Resolution No. 93-4).

1.2.2.2 Areas of Interest

The majority of land adjacent to the District boundary is not within a fire district jurisdiction and is therefore considered to be unserved from a local provider perspective. These adjacent areas are primarily within the SRA; although, there are also multiple unserved areas adjacent to the District boundary that are owned by the Federal Government and are within the FRA. These areas are difficult to serve due to the distance from existing District fire stations, remote location, and access.

According to the 2016 MSR, areas of special concern to District fire personnel are the Nature Conservancy's Wilderness Lodge, and the subdivisions of Ten Mile Creek, Woodman Canyon, Jack of Hearts Creek, and Cherry Creek.

1.2.2.3 Proposed SOI Changes

The District has confirmed the adequacy of their existing District boundary and SOI.

The areas of interest described above are not proposed to be added to the District SOI at this time. While these areas are not located within the boundary of a local fire protection agency, they do receive fire protection services from the District and adjacent providers when dispatched. These areas will be re-evaluated for suitability of inclusion in the District SOI in the next MSR/SOI Update.

There are no proposed SOI changes for the Long Valley FPD.

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In addition to making the necessary determinations for establishing or modifying a Sphere of Influence 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 January 4, 2016, under Chapter 9 (Spheres of Influence, MSRs, and Special Studies) and Sections 1.4 through 1.10 (LAFCo, 2016b):

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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.

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.

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.

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.

Policy Consistency Analysis

While there are agricultural lands, open space lands, and agricultural preserves located within and adjacent to the District boundary, the provision of fire protection services alone does not jeopardize the preservation of these areas. There are no irregular boundaries or overlapping sphere issues associated with the District. While there are adjacent lands that could be added to the District boundary in the future, the coterminous SOI is appropriate given the District's current operating level. Maintaining the existing District SOI is consistent with Mendocino LAFCo Policies.

1.2.3 MSR UPDATES

The MSR information and associated determinations prepared for the District in 2016 serve as a reliable basis for this study. The following updated information has been provided by the District for the preparation of this SOI Update.

1.2.3.1 Contact Information

The following updated contact information has been provided by the District.

Contact: Sue Carberry, Fire Chief
Email Address: scarberry1@gmail.com

1.2.3.2 Financial Information

The financial planning efforts for Long Valley FPD include an annually adopted budget and financial audit reports prepared annually by a Certified Public Accountant (CPA). Capital improvement needs are generally planned in the budget. The 2016 MSR for the District included financial information for Fiscal

Years 2010-11, 2011-12, and 2012-13. The following table provides updated financial information for the three most recent fiscal years available.

Table 1.1 Financial Summary			
	FY 13-14	FY 14-15	FY 15-16
Beginning Fund Balance	\$275,293	\$321,479	\$364,409
Prior Period Adjustments	-\$10,941	-\$18,397	-\$61,186
Ending Fund Balance	\$321,479	\$364,409	\$304,735
Reserve Balance			
Revenues			
Property Tax	\$66,210	\$67,229	\$67,592
Special Tax/Assessment	\$141,086	\$141,375	\$141,990
Charges for Services	\$112,477	\$158,731	\$163,748
Rents	\$26,288	\$27,088	\$28,412
Property Owner Contributions	\$22,788	\$27,442	\$0
Interest Income	\$568	\$161	\$478
Other Revenue	\$106,865	\$208,698	\$203,710
Total Revenues	\$476,282	\$630,724	\$605,930
Expenses			
Salaries & Employee Benefits	\$260,733	\$356,870	\$413,612
Long-Term Debt	\$30,630	\$32,099	\$0
Services & Supplies	\$104,818	\$130,419	\$114,370
Capital Outlay	\$20,335	\$48,437	\$76,436
Interest Expense	\$2,639	\$1,572	\$0
Other Expenses	\$0	\$0	\$0
Total Expenses	\$419,155	\$569,397	\$604,418
Net Income/Loss	\$57,127	\$61,327	\$1,512

Source: CSCO, 2017.

In 2017, the County of Mendocino disbursed a share of Proposition 172 funds to eligible fire agencies within the County. The formula for funding allocations was developed by the Mendocino County Association of Fire Districts and incorporates a minimum distribution per district, plus a population-based proportional allocation. The Long Valley FPD received approximately \$17,201 in FY 2016-17 and anticipates approximately \$17,973 in FY 2017-18 (BOS, 2018). Future disbursements are unknown at this time. The Laytonville Fire Auxiliary is very active and holds numerous fundraisers for the District each year (LAFCo, 2016a).

1.2.3.3 MSR Determinations

The following table summarizes the MSR Determinations contained in the 2016 MSR and includes updated information shown as underlined text for additions and strikethrough text for deletions.

Table 1.2 MSR Determination Updates
--

Growth and population projections for the affected area
<ol style="list-style-type: none"> 1. There are approximately 3,000 residents within the Long Valley Fire Protection District according to district estimates. 2. The population of within the District has seen limited gain over the last few years. 3. Limited growth is anticipated within its boundaries in the next few years.
The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence
<ol style="list-style-type: none"> 4. The Laytonville community, as well as the surrounding area appears to qualify as a Disadvantaged Unincorporated Community (DUC). Any future annexations to the District will require consideration of any DUC in proximity to the annexation area. 5. For LVFPD, structural fire protection is provided by the District and is considered to be satisfactory. The District does not provide water or sewer services, and is therefore not responsible for assuring that these services are adequately provided to the community.
Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies
<ol style="list-style-type: none"> 6. The District's current facilities generally have the capacity to adequately serve current demand and future growth for fire protection. However, the Ambulance Service has struggled to provide a sufficient level of services in the historic 500 square mile response area. 7. <u>Effective October of 2014, LVFPD no longer provides ambulance service outside District boundaries. Under agreement with Coastal Valleys EMS, the District continues to provide emergency medical transport services outside the District boundary.</u> 8. The District reported that capital improvement needs for the District are generally planned in the budget.
Financial ability of agencies to provide services
<ol style="list-style-type: none"> 9. LVFPD reported that current financing levels were adequate to deliver fire services in the 238 square mile area. <u>However, there is not enough funding to accommodate The District ambulance services was operating at a deficit because of a larger response area and difficulty in retaining volunteer EMT drivers. The ambulance service has been operating at a deficit each year, and relies on transfers from the Fire Protection Budget to eliminate shortfalls. The District has received additional funding from Mendocino County to help minimize the fiscal impact of providing ambulance services outside the District boundary. Volunteer retention continues to be problematic.</u> 10. The fire department receives income from a special fire tax which is capped at \$30.00 per unit, up to \$142,000 per year. 11. <u>The District should undertake a fiscal audit in order to better characterize revenues, expenditures, fund balance and equity position. Starting with Fiscal Year 2015-16, the District now has annual financial audits performed by a certified CPA.</u> 12. <u>The District should begin depreciating its land, buildings, and equipment. In preparing annual audits, the District is now depreciating its capital assets.</u>
Status of, and opportunities for, shared facilities
<ol style="list-style-type: none"> 13. One of the county's three California Office of Emergency Services (OES) fire engines is <u>was</u> located at the Laytonville station. The responsibility of having one of these engines requires providing firefighters to respond with the engine when an OES Strike Team is requested. <u>The District returned the OES engine because they were unable to meet the staffing requirement.</u> 14. The District collaborates with other fire service providers through statewide and countywide mutual aid agreements. LVFPD has contributed to the creation of the Mendocino Fire Plan through the Fire Safe Council. The District is a member of the California Special District Association (CSDA),

<p>Fire Safe Council, Mendocino County Fire Chief’s Association, and Mendocino County Special District Association.</p> <p>15. The District did not identify any future opportunities for facility sharing.</p>
<p>Accountability for community service needs, including governmental structure and operational efficiencies</p>
<p>16. LVFPD is governed by an elected three-person Board of Directors. However, all recent Board positions have been filled by appointment of the Mendocino County Board of Supervisors. The District should renew its efforts to identify more than one candidate for each Board position so that voters within the District will be afforded a choice and an opportunity to vote. Due to the resignation of a Board member, the District Board of Directors currently only has two members. All three positions will be up for election in November 2017 and the Board is actively recruiting community members to serve.</p> <p>17. Board Members and district residents form committees to better oversee operations of each service offered.</p> <p>18. In addition to the required agendas and minutes, the District tries to inform its constituents through multiple outreach activities.</p> <p>19. The District maintains a website (www.laytonvillefire.org) where it posts information about district activities, documents and updates. At the present time, agenda, minutes and financial data are not posted.</p> <p>20. The agency demonstrated accountability in its cooperation with the Mendocino LAFCo information requests.</p>

Source: LAFCo, 2016a; LVFPD, May 2017.

1.2.4 SOI DETERMINATIONS

It is recommended that the Commission affirm the existing Sphere of Influence for the Long Valley Fire Protection District that is coterminous with the District boundary. The following statements have been prepared in support of this recommendation.

1.2.4.1 Land Uses

GC §56425(e)(1): The present and planned land uses in the area, including agricultural and open space lands.

The Long Valley FPD boundary includes the unincorporated community of Laytonville, which is the hub of the Long Valley area, and consists of a range of commercial enterprises, churches, a health center, a dental clinic, a bank, lodging establishments, restaurants, grocery stores, a gas station, Laytonville Elementary School (K–8), Laytonville High School (9–12), and residential areas interspersed throughout the community. The 264-acre Cahto Tribe Laytonville Rancheria and the Red Fox Casino are located on the outskirts of Laytonville. The unincorporated community of Branscomb consists of a general store, a one-room school house, and the Admiral Standley State Recreation Area. A majority of the land within the District consists of forest, agricultural, timber production, and recreational uses. Mendocino County has land use authority over privately-owned lands within the District boundary and makes land-use decisions based on the County General Plan and Zoning Regulations.

1.2.4.2 Need for Facilities and Services

GC §56425(e)(2): The present and probable need for public facilities and services in the area.

The Long Valley FPD provides the following services with the assistance of the Laytonville Volunteer Fire Department and the Laytonville Volunteer Ambulance Department: structural fire protection, emergency

medical and ambulance services including 24-hour Advanced Life Support (ALS) and Basic Life Support (BLS), rescue and extrication, first responder for hazardous materials incidents, fire prevention, and wildland fire protection as a secondary provider.

As determined in the 2016 MSR prepared for Long Valley FPD, the District serves approximately 3,000 residents, including 1,227 in Laytonville and 188 in Laytonville Rancheria. In addition, semi-annual outdoor concerts and events at the Black Oak Ranch just north of Laytonville and within the District can draw up to 5,000 participants (e.g., Kate Wolf Music Festival). Population growth within the County of Mendocino is expected to increase at an annual rate of approximately 0.2% (DOT, 2016). The population of the District is not expected to increase significantly and no substantial new development is anticipated in the foreseeable future. The District provides a critical service to the public. The residents and visitors currently receiving fire protection services from the District will continue to need this public service.

1.2.4.3 Capacity of Facilities and Adequacy of Services

GC §56425(e)(3): The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

As detailed in the 2016 MSR prepared for Long Valley FPD, the District has three ISO Ratings: 5 within Laytonville where there is a water distribution system and hydrants, 9 in outlying areas within 5-miles of a station, and 10 in outlying areas further than 5-miles from a station but still within the District. The District operates two fire stations. The main station, located at 44950 Willis Avenue in Laytonville, is a three-bay structure that was renovated in 2006 and is adequate. The District continues to make improvements to this structure. The second station is located at 14210 Branscomb Road, approximately 12.6-miles west of the main station, and is a two-bay structure constructed by volunteers in 1988 and shared with CAL FIRE. The District has two ambulances, one Medium Rescue Engine, two Type 1 Engines, two Type 3 Engines, one Water Tender, two utility vehicles, and one Urban Search and Rescue Trailer. The District has replaced most of its fleet of 10 vehicles in the last 15 years primarily by acquiring used vehicles from other fire agencies or under the Federal Excess Property Program. The District has also acquired one new structure engine and one new ambulance in recent years. Water for fire protection in the District is supplied by a water and hydrant system within Laytonville and provided by on-board tanks on each engine, one water tender, a water tank at the Laytonville fire station, and other available water supplies such as ponds, swimming pools, and cisterns.

As determined in the 2016 MSR prepared for Long Valley FPD and updated based on this SOI Update, the District's current facilities generally have the capacity to adequately serve current demand and future growth for fire protection. However, the ambulance service has struggled to provide a sufficient level of services in the historic 500 square mile response area. The District's current financing levels are adequate to deliver fire services in the 238 square mile area. The District ambulance service was operating at a deficit because of a larger response area and difficulty in retaining volunteer EMT drivers. The District has received additional funding from Mendocino County to help minimize the fiscal impact of providing ambulance services outside the District boundary. Volunteer retention continues to be problematic.

It is suggested that the District prepare a capital plan that identifies current and long-term District facility and equipment needs, including upgrades, renovations, and major maintenance, capital improvements and purchases, and facility expansions, and identifies potential revenue sources for addressing those capital needs. It is also suggested that the District consider the feasibility of increased collaboration, such

as formation of a Joint Powers Authority (JPA), with adjacent fire agencies to provide services more cost effectively and to enhance volunteer resources.

1.2.4.4 Communities of Interest

GC §56425(e)(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.

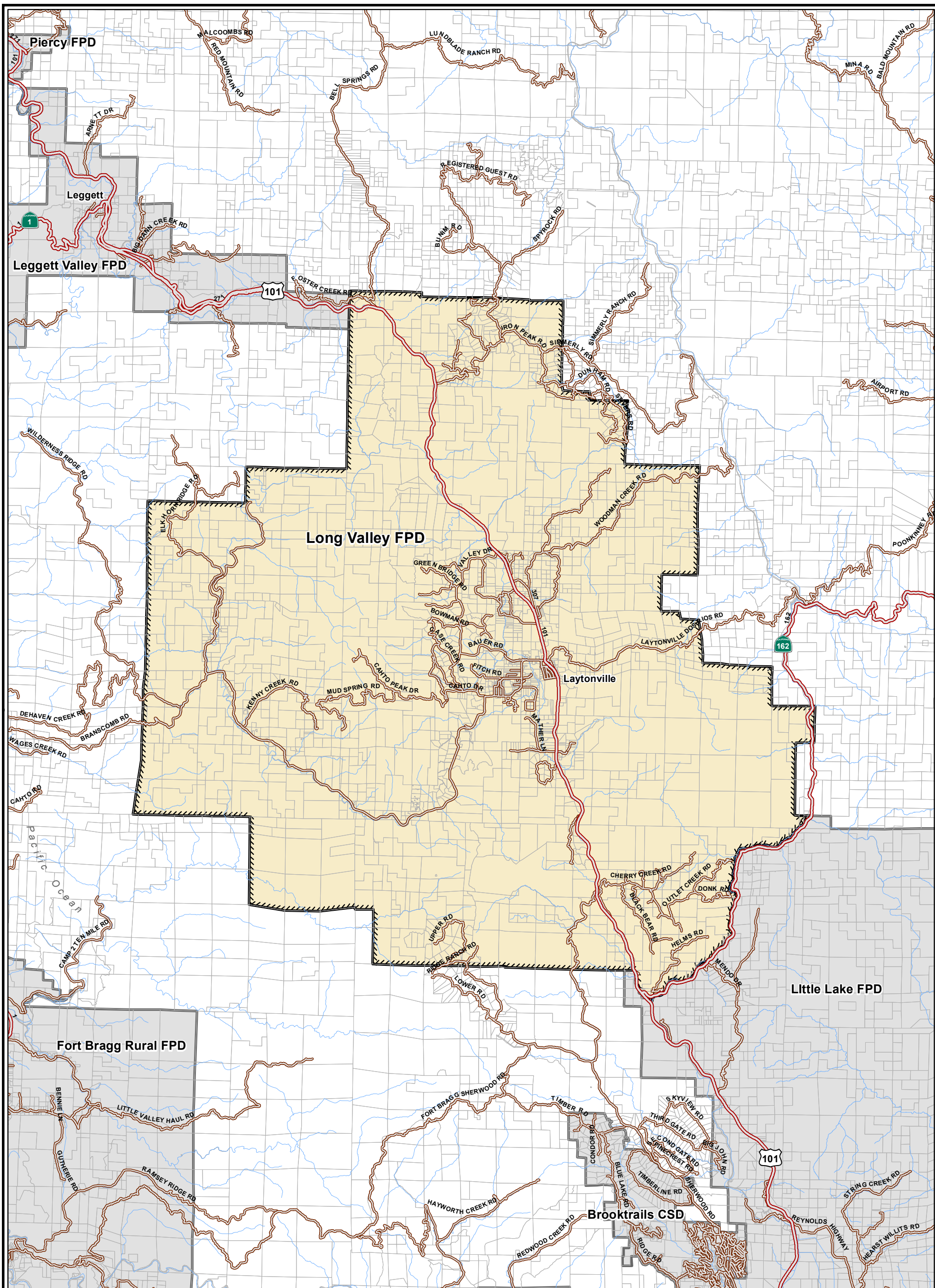
No social or economic communities of interest have been identified in the preparation of this SOI Update that should be included in the District boundary.

1.2.4.5 Disadvantaged Unincorporated Communities








GC §56425(e)(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.

A Disadvantaged Unincorporated Community (DUC) is an area with 12 or more registered voters with a Median Household Income (MHI) that is less than 80% of the State MHI of \$61,632. The unincorporated community of Laytonville is the population center within the District. Laytonville qualifies as a DUC with a MHI of \$32,260 which is 52% of the State MHI (LAFCo, 2016a). The areas surrounding Laytonville might also qualify as a DUC.

All future proposed annexations to the District will require consideration of any DUC in proximity to the annexation area. The District does not provide water or sewer services, and is therefore not responsible for ensuring that these services are adequately provided to the community.



Long Valley Fire Protection District SOI

-  Long Valley FPD SOI
-  Long Valley FPD
-  Adjacent Fire Protection Services
-  Parcels
-  Highways
-  Roads
-  Streams

Source: This map was prepared by the Mendocino County Department of Information Services GIS Program, December 2017.

Note: This map is not a survey product.



2 REFERENCES

- Board of Supervisors, County of Mendocino (BOS). January 23, 2018. Meeting Agenda Item 4c, Attachment A- Corrected Footnote. [Online]. Available at: <https://mendocino.legistar.com/Calendar.aspx>. Accessed January 26, 2018.
- California Department of Transportation (DOT). 2016. Mendocino County Economic Forecast. [Online]. Available at: http://www.dot.ca.gov/hq/tpp/offices/eab/index_files/2016/Mendocino2016.pdf. Accessed December 29, 2017.
- California State Controller's Office (CSCO). October 17, 2017. Special Districts Raw Data for Fiscal Years 2003 - 2016. [Online]. Available at: <https://bythenumbers.sco.ca.gov/Raw-Data/Special-Districts-Raw-Data-for-Fiscal-Years-2003-2/vi4x-fbus>. Accessed January 4, 2018.
- Celentano, Michael. April 20, 2017. Independent Auditor's Report for Long Valley Fire Protection District. Willow Creek, CA.
- Long Valley Fire Protection District (LVFPD). May 26, 2017. District Response to Information Request from the Local Agency Formation Commission of Mendocino County in preparation for the 2017 Sphere of Influence Update. Available at LAFCo's office upon request.
- LAFCo, County of Mendocino. April 4, 2016 (2016a). Multi-District Fire Protection Services Municipal Service Review. [Online]. Available at: <http://mendolafco.org/msr/Final%20Fire%20MSR%20for%20Hearing%2004-04-16.pdf>. Accessed June 28, 2017.
- LAFCo, County of Mendocino. January 4, 2016 (2016b). Policies & Procedures Manual. [Online]. Available at: <http://mendolafco.org/documents/Policies%20and%20Procedures%20Adopted%20January%202016.pdf>. Accessed December 29, 2017.
- Mendocino County Fire Chief's Association (MCFCA). 2015. Mendocino County Community Wildfire Protection Plan. [Online]. Available at: <https://www.co.mendocino.ca.us/bos/meetings/28658/28666/28667/28988/29050/ProtectionPlan29050.pdf>. Accessed June 28, 2017.

3 ACKNOWLEDGEMENTS

3.1 ASSISTANCE AND SUPPORT

This Sphere of Influence Update could not have been completed without the assistance and support from the following organizations and individuals.

Hinman & Associates Consulting, Inc.	Uma Hinman, LAFCo Executive Officer Larkyn Feiler, LAFCo Analyst Beth Salomone, LAFCo Commission Clerk
Long Valley Fire Protection District	Jim Little, Former Fire Chief Sue Carberry, Fire Chief

MENDOCINO
Local Agency Formation Commission

Staff Report

DATE: February 5, 2018
TO: Mendocino Local Agency Formation Commission
FROM: Uma Hinman, Executive Officer
SUBJECT: **Workshop** for Piercy Fire Protection District Draft Sphere of Influence Update

RECOMMENDATION

Hold a workshop on the Draft Piercy Fire Protection District SOI Update, provide comments and requested revisions, and direct staff to notice the matter for public hearing once SOI Updates are completed for multiple fire protection service providers in order to bring them together for consideration.

DISCUSSION

This is a workshop to introduce the Draft Sphere of Influence (SOI) Update for the Piercy Fire Protection District (Piercy FPD). The Piercy FPD was part of the Multi-District Fire Protection Services Municipal Service Review (MSR), which the Commission adopted on April 4, 2016. This report includes informational updates to the MSR that support the SOI analysis, recommendation, and determinations.

The Piercy FPD was formed in 1968 and encompasses the unincorporated community of Piercy. The District's boundary area is approximately 6.8 square miles and the District response area, which is based on mutual aid services and dispatched service calls, is approximately 100 square miles. The Piercy FPD is the governing agency for the Piercy Volunteer Fire Department. The Piercy FPD provides multiple services including structural fire protection, first responder for emergency medical services and hazardous materials incidents, rescue and extrication, and wildland fire protection as a secondary provider.

This Draft SOI Update includes an updated financial summary table based on data from the State Controller's Office. The District did not provide feedback on the SOI Update Administrative Draft.

The District's SOI is coterminous with the District boundary and was established by LAFCo on October 4, 1993, along with other special districts providing fire service in Mendocino County (LAFCo Resolution No. 93-4). The District has not requested a modification to the existing SOI and the SOI Update recommends the Commission affirm the existing sphere of influence.

Attachments:

(1) Piercy Fire Protection District Draft Sphere of Influence Update

WORKSHOP DRAFT

**PIERCY
FIRE PROTECTION DISTRICT**

Sphere of Influence Update

Prepared for:

MENDOCINO LAFCO

200 South School Street

Ukiah, California 95482

<http://www.mendolafco.org/>

February 5, 2018

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1 SPHERE OF INFLUENCE UPDATE

1.1 OVERVIEW

LAFCo prepares a Municipal Service Review (MSR) prior to or in conjunction with the Sphere of Influence (SOI) Update process. The SOI Update considers whether a change to a district sphere, or probable future boundary, is warranted to plan the logical and orderly development of a district in a manner that supports Cortese-Knox-Hertzberg (CKH) Law and the Policies of the Commission. This SOI Update and associated determinations is prepared pursuant to California Government Code §56425(e).

The Commission approved the Multi-District Fire Protection Services Municipal Service Review on April 4, 2016, which provides the analysis for the Piercy Fire Protection District addressed by this SOI Update. The 2016 MSR and associated determinations form the basis of information for this SOI Update. To ensure the Commission has the most updated information for consideration, the MSR determinations were reviewed and updates provided in the relevant sections, as appropriate.

1.2 PIERCY FIRE PROTECTION DISTRICT

1.2.1 BACKGROUND

1.2.1.1 District Services

The Piercy Fire Protection District (Piercy FPD or District) was formed in 1968 and is the governing agency for the 501(c)(3) Piercy Volunteer Fire Department (PVFD). The Piercy FPD provides the following services: structural fire protection, first responder for emergency medical services, rescue and extrication, and first responder for hazardous materials incidents. Wildland fire protection service is primarily provided by the California Department of Forestry and Fire Protection (CAL FIRE) in State Responsibility Areas (SRA) during the wildfire season and secondarily by the District; although, the District is often the first to respond to such incidents, particularly during non-fire season months when CAL FIRE stations are not staffed.

1.2.1.2 District Boundary

The Piercy FPD boundary comprises 6.8 square miles and encompasses the unincorporated community of Piercy (Figure 1-1). The District is located in the northwest portion of Mendocino County along 7.6-miles of the US Highway 101 corridor, parallel to 6.6-miles of State Route 271 (old Highway 101), and the South Fork of the Eel River. The District boundary extends from the Mendocino-Humboldt County Line to the north near Cooks Valley Campground, to Red Mountain Creek Road to the south along with long-time visitor attractions including Confusion Hill and the World Famous Tree House. Fire protection providers adjacent to the District include the Garberville Fire Protection District to the north in Humboldt County and the Leggett Valley Fire Protection District to the south. The District is entirely within the State Responsibility Area (SRA).

1.2.1.3 Out-of-Area Services

The District does not maintain contracts with individual property owners to provide services outside its boundary. The District boundary area is approximately 6.8 square miles and the District response area, which is based on mutual aid services and dispatched service calls, is approximately 100 square miles. The District responds to calls in the following areas located outside the District boundary: Richardson Grove

State Park to the north, Bell Springs Road area to the east, the unincorporated community of Cummings to the south, and Usal Beach to the west. The District maintains a Mutual Aid Agreement with the Leggett Valley Fire Protection District and the Garberville Fire Protection District in Humboldt County. Additionally, the District maintains an agreement with CAL FIRE for wildland fire incidents. Similar to all fire districts and EMS providers within the County, the Piercy FPD also responds to calls outside the District boundary as needed and as dispatched. According to the 2015 Mendocino County Community Wildfire Protection Plan, Piercy FPD is within Mutual Aid/Planning Zone 1, which includes Brooktrails Township Community Services District, Covelo Fire Protection District, Little Lake Fire Protection District, Long Valley Fire Protection District, Leggett Valley Fire Protection District, and Whale Gulch Volunteer Fire Company (MCFCA, 2015).

1.2.2 SPHERE OF INFLUENCE

1.2.2.1 Existing Sphere of Influence

The Sphere of Influence (SOI) for Piercy FPD is coterminous with the District boundary and was established by LAFCo on October 4, 1993, along with other special districts providing fire service in Mendocino County (LAFCo Resolution No. 93-4).

1.2.2.2 Areas of Interest

The majority of land adjacent to the District boundary is not within a fire district jurisdiction and is therefore considered to be unserved from a local provider perspective. These adjacent areas are primarily within the SRA; although, there are also large unserved areas located east and southeast of the District boundary that are owned by the Federal Government and are within the Federal Responsibility Area (FRA). These areas are difficult to serve due to the distance from existing District fire stations, remote location, and access.

There is a small unserved area, approximately a quarter mile in length, along the US Highway 101 corridor located between the District's southern boundary line and the Leggett Valley Fire Protection District.

1.2.2.3 Proposed SOI Changes

The District has confirmed the adequacy of their existing District boundary and SOI.

The areas of interest described above are not proposed to be added to the District SOI at this time. While these areas are not located within the boundary of a local fire protection agency, they do receive fire protection services from the District and adjacent providers when dispatched. These areas will be re-evaluated for suitability of inclusion in the District SOI in the next MSR/SOI Update.

There are no proposed SOI changes for the Piercy FPD.

1.2.2.4 Consistency with LAFCo Policies

In addition to making the necessary determinations for establishing or modifying a Sphere of Influence 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 January 4, 2016, under Chapter 9 (Spheres of Influence, MSRs, and Special Studies) and Sections 1.4 through 1.10 (LAFCo, 2016b):

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.

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.

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.

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.

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.

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.

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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
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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.

Policy Consistency Analysis

While there are agricultural lands, open space lands, and agricultural preserves located within and adjacent to the District boundary, the provision of fire protection services alone does not jeopardize the preservation of these areas. There are no irregular boundaries or overlapping sphere issues associated with the District. While there are adjacent lands that could be added to the District boundary in the future, the coterminous SOI is appropriate given the District’s current operating level. Maintaining the existing District SOI is consistent with Mendocino LAFCo Policies.

1.2.3 MSR UPDATES

The MSR information and associated determinations prepared for the District in 2016 serve as a reliable basis for this study. The following updated information has been provided by the District for the preparation of this SOI Update.

1.2.3.1 Financial Information

The financial planning efforts for Piercy FPD include an annually adopted budget. The District has not had an annual financial audit report prepared by a Certified Public Accountant (CPA) in several years. Capital improvement needs are generally planned in the budget. The 2016 MSR for the District included financial information for Fiscal Years 2010-11, 2011-12, and 2012-13. The following table provides updated financial information for the three most recent fiscal years available.

Table 1.1 Financial Summary			
	FY 13-14	FY 14-15	FY 15-16
Beginning Fund Balance	\$19,014	\$15,739	\$15,190
Ending Fund Balance	\$15,739	\$15,190	\$18,690
Reserve Balance			
Revenues			
Property Tax	\$12,098	\$13,251	\$13,300
Special Tax/Assessment	\$0	\$0	\$0
Charges for Services	\$9,500	\$11,000	\$11,000
Rents	\$5,000	\$5,100	\$6,000
Property Owner Contributions	\$3,500	\$3,000	\$3,000

Interest Income	\$114	\$0	\$0
Other Revenue	\$0	\$6,300	\$9,500
Total Revenues	\$30,212	\$38,651	\$42,800
Expenses			
Salaries & Employee Benefits	\$0	\$0	\$0
Debt Service	\$0	\$0	\$0
Services & Supplies	\$33,487	\$39,200	\$39,300
Capital Outlay	\$0	\$0	\$0
Interest Expense	\$0	\$0	\$0
Other Expenses	\$0	\$0	\$0
Total Expenses	\$33,487	\$39,200	\$39,300
Net Income/Loss	-\$3,275	-\$549	\$3,500

Source: CSCO, 2017.

In 2017, the County of Mendocino disbursed a share of Proposition 172 funds to eligible fire agencies within the County. The formula for funding allocations was developed by the Mendocino County Association of Fire Districts and incorporates a minimum distribution per district, plus a population-based proportional allocation. The Piercy FPD received approximately \$8,430 in FY 2016-17 and anticipates approximately \$10,406 in FY 2017-18 (BOS, 2018). Future disbursements are unknown at this time. The District also receives approximately \$25,000 to \$30,000 from the Piercy Volunteer Fire Department fundraising activities each year (LAFCo, 2016a).

1.2.3.2 MSR Determinations

The following table summarizes the MSR Determinations contained in the 2016 MSR and includes updated information shown as underlined text for additions and strikethrough text for deletions.

Table 1.2 MSR Determination Updates
Growth and population projections for the affected area
<ol style="list-style-type: none"> There are approximately 200 residents within the Piercy Fire Protection District boundary, based on District estimates and Federal Census zip code data. The population of the District has not increased over the past few years, and is not expected to increase in the foreseeable future.
The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence
<ol style="list-style-type: none"> There are no Disadvantaged Unincorporated Communities (DUCs) within the District Sphere of Influence.
Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies
<ol style="list-style-type: none"> The Main Fire Station is in poor condition, is substandard, and needs to be replaced. The District is marginally capable of providing services within the District boundary; and is in no position to provide services outside the District boundary. Water supply for firefighting is limited to apparatus with water tank capability, and drawing from the South Fork of the Eel River. Additional water tanks at strategic locations throughout the District would be beneficial.
Financial ability of agencies to provide services

7. In order to increase revenue to a sustainable level, the District could consider the following actions:
 - Adopt an ordinance and fee schedule which charges out-of-District residents for services provided; especially for response to traffic accidents on Highway 101.
 - Given the high median family income of District residents, the District could consider a special tax (property assessment) ballot measure, which would require a two-thirds approval.
8. The District should immediately undertake efforts to have a bi-annual Audit prepared by a qualified Certified Public Accountant for the 2013-2014 and 2014-2015 Fiscal Years.

Status of, and opportunities for, shared facilities

9. The District collaborates with other fire service providers through mutual aid agreements.

Accountability for community service needs, including governmental structure and operational efficiencies

10. In order to reduce the Board of Directors to three members, formal action pursuant to Health and Safety Code Sections 13842 and 13845(a) would be required.
11. The District does not have a website. Establishing a website and the posting of agendas, minutes, budgets, and financial data would provide better transparency.
12. A new directional sign at the driveway entrance from State Route 271 identifying the fire station would be helpful.
13. Service priorities should be given to properties and residents within the District boundary. Given the limited resources available to the District, services to the so-called 100 square mile Service Area are no longer viable. These areas should be put on notice that PFPD will no longer respond to these areas.
14. A formal Automatic Aid Agreement with Richardson Grove State Park should be developed which spells out services to be provided and charges for such services.
15. The agency demonstrated accountability in its cooperation with Mendocino LAFCo information requests.

Source: LAFCo, 2016a.

1.2.4 SOI DETERMINATIONS

It is recommended that the Commission affirm the existing Sphere of Influence for the Piercy Fire Protection District that is coterminous with the District boundary. The following statements have been prepared in support of this recommendation.

1.2.4.1 Land Uses

GC §56425(e)(1): The present and planned land uses in the area, including agricultural and open space lands.

The Piercy FPD boundary contains a variety of land uses including residential and commercial development at various places along State Highway 271 and the South Fork of the Eel River, transitioning to rural residential and agricultural lands, including orchards, vineyards, and grazing, and large tracts of forest and timber production lands in outlying areas. The Reynolds Wayside Campground Park is within the District boundary. Mendocino County has land use authority over privately-owned lands within the District boundary and makes land-use decisions based on the County General Plan and Zoning Regulations.

1.2.4.2 Need for Facilities and Services

GC §56425(e)(2): The present and probable need for public facilities and services in the area.

The Piercy FPD provides the following services: structural fire protection, first responder for emergency medical services, rescue and extrication, first responder for hazardous materials incidents, and wildland fire protection as a secondary provider.

As determined in the 2016 MSR prepared for Piercy FPD, the District serves approximately 200 full-time residents and an additional 500-1,000 transient residents during local festivals and seasonal events, such as Reggae on the River, which occurs immediately north of the District boundary at French's Camp in Humboldt County and draws thousands of attendees. Population growth within the County of Mendocino is expected to increase at an annual rate of approximately 0.2% (DOT, 2016). The population of the District is not expected to increase significantly and no substantial new development is anticipated in the foreseeable future. The District provides a critical service to the public. The residents and visitors currently receiving fire protection services from the District will continue to need this public service.

As detailed in the 2016 MSR prepared for Piercy FPD, motor vehicle accidents account for approximately 80% of the District's service calls (averaging 50 total calls per year). The District reports that a considerable amount of District resources are used in providing medical response to motor vehicle accidents on US Highway 101. While these service calls are within the District boundary, they place a financial burden on the tax base of the District because the majority of individuals served are not residents and are travelling through the area along the public highway system.

1.2.4.3 Capacity of Facilities and Adequacy of Services

GC §56425(e)(3): The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

As detailed in the 2016 MSR prepared for Piercy FPD, the District previously had an ISO rating of 9, which has been downgraded to a 10. The District operates one fire station located at 80401 State Highway 271 in Piercy, which is an approximately 8,000 square foot basic metal building with four apparatus bays, a meeting/training room, bathroom, and storage area. This main station is in poor condition and needs to be replaced. The District has one Type 1 Structure Engine, one Type 3 Wildland Fire Engine, and one 1,800-gallon Water Tender which date from 1974, 1984, and 1993 and eventually need to be replaced. The District is planning to acquire a new Rescue Vehicle. There are no water or hydrant systems within the District. Water for fire protection is supplied by on-board tanks on each engine, the 1,800-gallon Water Tender, and other available water supplies such as the Eel River, ponds, swimming pools, and cisterns. Additional water storage tanks in strategic locations throughout the District would be very beneficial.

As determined in the 2016 MSR prepared for Piercy FPD and updated based on this SOI Update, the District has limited capacity for providing services within the District boundary and it is not financially viable for the District to respond to service calls outside the District boundary. The Main Fire Station is clean and safe for storing gear, equipment, and vehicles but will need to be replaced eventually. The District's equipment is well maintained and the volunteer firefighters are trained and prepared to respond to the variety of service calls the District receives. The District should consider options for increasing revenue to a sustainable level, such as establishing a fee schedule to charge out-of-District residents for services provided and a ballot measure to create a special tax or property assessment.

It is suggested that the District prepare a capital plan that identifies current and long-term District facility and equipment needs, including upgrades, renovations, and major maintenance, capital improvements and purchases, and facility expansions, and identifies potential revenue sources for addressing those

capital needs. It is also suggested that the District consider the feasibility of increased collaboration, such as formation of a Joint Powers Authority (JPA), with adjacent fire agencies to provide services more cost effectively and to enhance volunteer resources. Finally, it is suggested that the District create an agency website which can be a helpful communication tool to enhance government transparency and accountability.

1.2.4.4 Communities of Interest

GC §56425(e)(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.

The small unserved area along the US Highway 101 corridor located between the District’s southern boundary line and the Leggett Valley Fire Protection District will be re-evaluated for suitability of inclusion in the District SOI in the next MSR/SOI Update.

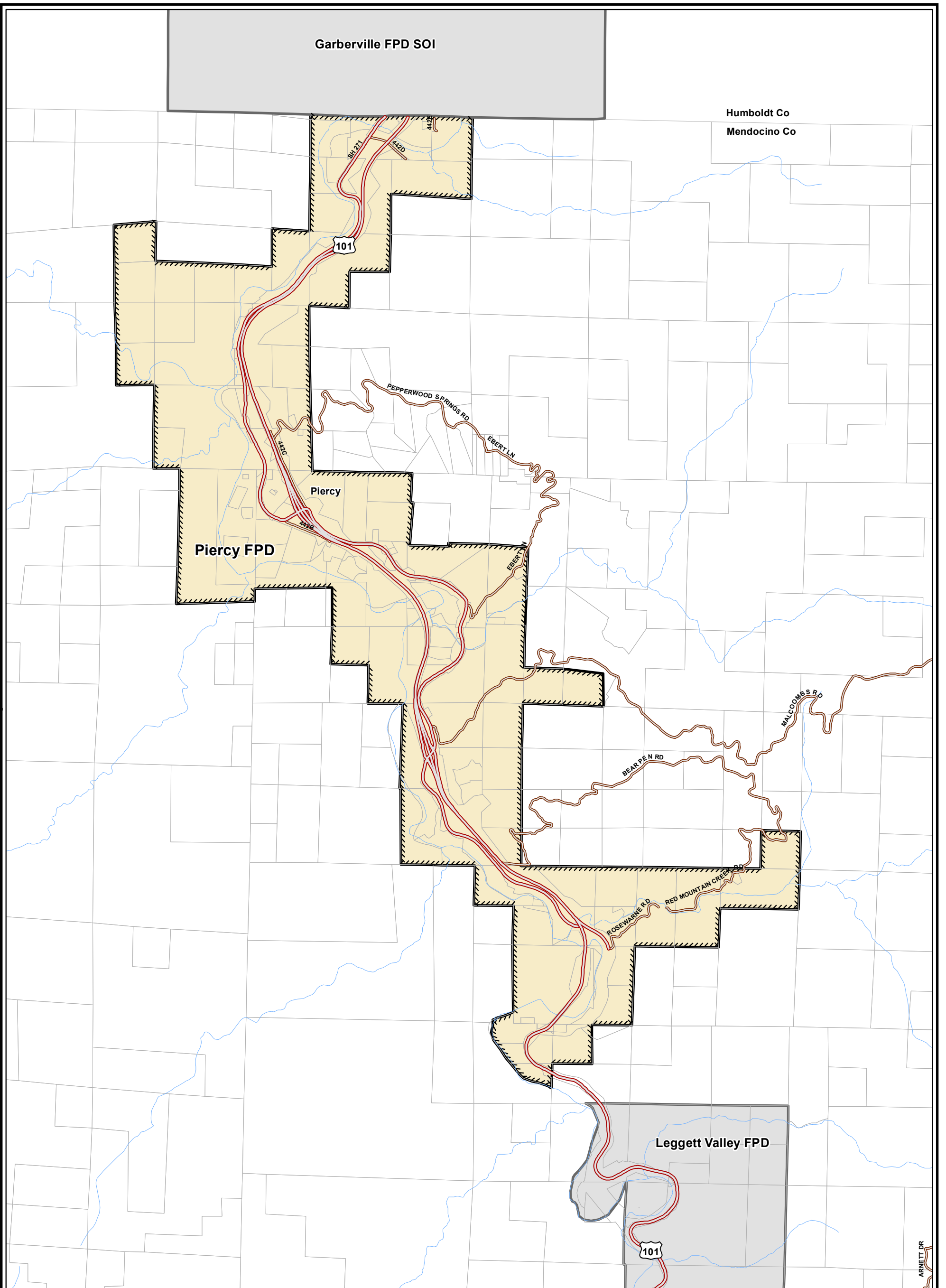
No other social or economic communities of interest have been identified in the preparation of this SOI Update that should be included in the District boundary.

1.2.4.5 Disadvantaged Unincorporated Communities








GC §56425(e)(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.

A Disadvantaged Unincorporated Community (DUC) is an area with 12 or more registered voters with a Median Household Income (MHI) that is less than 80% of the State MHI of \$61,632. The unincorporated community of Piercy is the population center within the District. Piercy does not qualify as a DUC because this area has a MHI of \$114,542 which is 185.8% of the State MHI (LAFCo, 2016a). The areas surrounding Piercy might qualify as a DUC.

All future proposed annexations to the District will require consideration of any DUC in proximity to the annexation area. The District does not provide water or sewer services, and is therefore not responsible for ensuring that these services are adequately provided to the community.

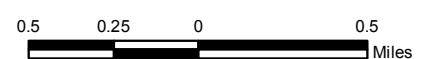


Piercy Fire Protection District SOI

-  Piercy FPD SOI
-  Piercy FPD
-  Adjacent Fire Protection Services
-  Parcels
-  Highways
-  Roads
-  Streams

Source: This map was prepared by the Mendocino County Division of Information Services GIS Program, January 2018.

Note: This map is not a survey product.



2 REFERENCES

Board of Supervisors, County of Mendocino (BOS). January 23, 2018. Meeting Agenda Item 4c, Attachment A- Corrected Footnote. [Online]. Available at: <https://mendocino.legistar.com/Calendar.aspx>. Accessed January 26, 2018.

California Department of Transportation (DOT). 2016. Mendocino County Economic Forecast. [Online]. Available at: http://www.dot.ca.gov/hq/tpp/offices/eab/index_files/2016/Mendocino2016.pdf. Accessed December 29, 2017.

California State Controller's Office (CSCO). October 17, 2017. Special Districts Raw Data for Fiscal Years 2003 - 2016. [Online]. Available at: <https://bythenumbers.sco.ca.gov/Raw-Data/Special-Districts-Raw-Data-for-Fiscal-Years-2003-2/vi4x-fbus>. Accessed January 4, 2018.

LAFCo, County of Mendocino. April 4, 2016 (2016a). Multi-District Fire Protection Services Municipal Service Review. [Online]. Available at: <http://mendolafco.org/msr/Final%20Fire%20MSR%20for%20Hearing%2004-04-16.pdf>. Accessed June 28, 2017.

LAFCo, County of Mendocino. January 4, 2016 (2016b). Policies & Procedures Manual. [Online]. Available at: <http://mendolafco.org/documents/Policies%20and%20Procedures%20Adopted%20January%202016.pdf>. Accessed December 29, 2017.

Mendocino County Fire Chief's Association (MCFCA). 2015. Mendocino County Community Wildfire Protection Plan. [Online]. Available at: <https://www.co.mendocino.ca.us/bos/meetings/28658/28666/28667/28988/29050/ProtectionPlan29050.pdf>. Accessed June 28, 2017.

3 ACKNOWLEDGEMENTS

3.1 ASSISTANCE AND SUPPORT

This Sphere of Influence Update could not have been completed without the assistance and support from the following organizations and individuals.

Hinman & Associates Consulting, Inc.	Uma Hinman, LAFCo Executive Officer Larkyn Feiler, LAFCo Analyst Beth Salomone, LAFCo Commission Clerk
Piercy Fire Protection District	Larry Casteel, Board Secretary/Treasurer

MENDOCINO Local Agency Formation Commission

Staff Report

DATE: February 5, 2018
TO: Mendocino Local Agency Formation Commission
FROM: Uma Hinman, Executive Officer
SUBJECT: Introduction to AB 54 LAFCO Requirements for Mutual Water Companies

Background

Assembly Bill (AB) 54 became effective January 1, 2012 and described new requirements for mutual water companies' cooperation with LAFCo. "Mutual water companies" are private corporations organized for or engaged in the business of selling, distributing, supplying, or delivering water for irrigation purposes or for domestic use. Until AB 54 became effective, mutual water companies were completely outside the purview of LAFCo.

Mutual water companies are organized under California Corporations Code 14300, regulated under the US EPA Safe Drinking Water Act, report to LAFCo's, and operate under a local, state, and federal rules and regulations. They are private organizations owned and controlled by their customers, and are often formed in connection with real estate subdivisions, and some operate through the organization of a homeowners' association. In California, there are approximately 1,200 mutual water companies, of which 1,100 operate as water-specific organizations and 100 perform multiple functions as homeowners' associations.

AB 54 subjects mutual water companies to a broad range of regulation by LAFCo. Traditionally, LAFCo's have provided limited oversight of local government entities that provide water service, while the California Public Utilities Commission (CPUC) has comprehensively regulated the operations of investor-owned utilities. Mutual water companies have not been regulated by either of those agencies, although they have been subject to regulation by the California Department of Public Health if they operate a public water system, the California Department of Real Estate if they are formed to serve a residential subdivision, and the California State Water Resources Control Board related to water rights.

LAFCo's authorities relating to mutual water companies include the following:

- Corporations Code § 14301.1 requires that each mutual water company submit to the LAFCo for its county a map showing its service area by December 31, 2012. In addition, a mutual must respond to a request for non-confidential information from a LAFCo in conjunction with that agency's preparation of a municipal service review or sphere of influence. The statute does not require the mutual to undertake a new study or investigation, but merely turn over information already generated. It also does not require a mutual to disclose information about shareholders, such as their names, addresses or water usage.

- Government Code § 56375(r) grants authority to a LAFCo to approve the annexation of a mutual water company's service area to a city or special district. This provision does not insulate a city or district from having to pay just compensation for any mutual water company property taken by eminent domain, including, apparently, any compensation due under the Service Duplication Law (Cal. Pub. Util. Code §§ 1501 *et seq.*).
- Government Code § 56430(c) and (d) allows a LAFCo conducting a municipal service review to investigate whether a mutual water company that operates a public water system is in compliance with the federal and state Safe Drinking Water Acts. This new power overlaps with the existing jurisdiction of the Department of Public Health over public water systems.

Although the discovery process is still ongoing, staff have identified 11 mutual water companies to date. The information will be compiled into brief profiles and maps for each of the mutual water companies and presented to the Commission.

MENDOCINO Local Agency Formation Commission

Staff Report

DATE: February 5, 2018
TO: Mendocino Local Agency Formation Commission
FROM: Uma Hinman, Executive Officer
SUBJECT: Status of Applications, Future Projects, MSR & SOI Updates

Active Applications

Active applications on file with the Commission are listed below with any updates noted and the date of last activity.

- City of Ukiah Detachment of Ukiah Valley Sanitation District (UVSD) Served Areas
Last activity: December 2014

Pre- Applications

Pre-applications on file with the Commission are listed below with any updates noted and the date of last activity.

- Pre-Application Request Millview County Water District Annexation
Completed January 2018.

Future Projects

Potential project proposals that have been brought to LAFCo's attention are listed below with any updates noted and the date of last activity.

- Anderson Valley CSD Proposed Activation of Latent Powers to Provide Water and Sewer Services
Last Activity: September 2017
- Proposed Consolidation of Five Water Districts in the Ukiah Valley area
Last Activity: December 2016

(Continued...)

MSR & SOI UPDATES:

The following provides an update on the 2017/2018 Work Plan:

MSR	SOI	MSR/SOI	Targeted Workshop Date	Status
	X	Fire Districts (13)	Varies	Staff continues to follow up with districts to obtain information. SOI updates will be brought to workshop for individual districts as they are ready.
		Albion-Little River FPD	12/4/17	Workshop completed
		Comptche CSD	8/1/17	
		Elk CSD	10/2/17	
		Little Lake FPD	6/5/17	
		South Coast FPD	12/4/17	
		Long Valley FPD	2/5/17	Workshop scheduled
		Piercy FPD	2/5/17	
		Leggett Valley FPD	2/5/17	
		Covelo FPD	3/5/17	Pending District review of Administrative Draft
		Potter Valley CSD	3/5/17	
		Mendocino FPD	3/5/17	No response to RFI
		Redwood Valley-Calpella FPD	3/5/17	
		Hopland FPD	3/5/17	
X	X	Ukiah Valley FPD	FY 18-19	The MSR was completed in 2013 and changes since then, including a new JPA with the City of Ukiah, warrant an MSR Update in addition to the SOI study. This MSR/SOI Update will be completed in FY 2018-19.
	X	City of Willits		In progress; waiting for City to provide information on SOI.
X	X	Brooktrails CSD	4/2/17	Awaiting additional information from District
X	X	Redwood Coast FPD	3/5/17	In Progress
X	X	Fort Bragg Rural FPD		Pending
X	X	Covelo CSD		Pending
X	X	Mendocino City CSD		Pending
X	X	Mendocino Coast RPD		Pending
		Mutual Water Companies		Profiles only; information being received and compilation in progress.
X	X	City of Fort Bragg	--	Completed – Adopted 12/4/17

2018 Events Calendar

JANUARY

- 17-19 League New Mayor & Council Academy (Sacramento)
- 19 **CALAFCO Legislative Committee** (San Diego)
- 22 **CALAFCO U (Sacramento) Legislation Implementation & Transparency**
- 24-26 CA Assn. of Sanitation Agencies Conference (Palm Springs)

FEBRUARY

- 16 **CALAFCO Legislative Committee** (Sacramento)
- 23 **CALAFCO Board of Directors Meeting** (San Diego)

MARCH

- 14 Assn. of CA Water Agencies Legislative Symposium (Sacramento)
- 15-18 Local Government Commission Ahwahnee Conference (Yosemite)
- 16 **CALAFCO Legislative Committee** (Irvine)

APRIL

- 11-13 **CALAFCO Staff Workshop (San Rafael)**
- 11-13 Fire District Assn. Annual Meeting (Monterey)
- 18 League of Cities Legislative Day (Sacramento)

MAY

- 4 **CALAFCO Legislative Committee** (Sacramento)
- 11 **CALAFCO Board of Directors Meeting** (Sacramento)
- 8-11 Assn. of CA Water Agencies Conference (Sacramento)
- 16-17 CA State Assn. of Counties Legislative Days (Sacramento)
- 22-23 CA Special Districts Assn. Legislative Days (Sacramento)

Sharing Information and Resources

CALIFORNIA ASSOCIATION OF
LOCAL AGENCY FORMATION
COMMISSIONS

1215 K Street, Suite 1650
Sacramento, CA 95814
916-442-6536

JUNE

- 8 **CALAFCO Legislative Committee** (Conference call)
- 27-28 League Mayor & Council Executive Forum (Monterey)

JULY

- 20 **CALAFCO Board of Directors Meeting** (Ontario)
- 27 **CALAFCO Legislative Committee** (Conference call)

AUGUST

- 8-10 CA Assn. of Sanitation Agencies Annual Conference (Monterey)
- 17 **CALAFCO Legislative Committee** (Conference call)

SEPTEMBER

- 12-14 League Annual Conference (Long Beach)
- 19-21 Regional Council of Rural Counties Annual Conference (Napa)
- 24-27 CA Special Districts Assn. Annual Conference (Indian Wells)

OCTOBER

- 3-5 **CALAFCO Annual Conference** (Yosemite)
- 4 **CALAFCO Annual Business Meeting** (Yosemite)
- 5 **CALAFCO Board of Directors Meeting** (Yosemite)
- 26 **CALAFCO Legislative Committee (2019)** (Conference call)

NOVEMBER

- 9 **CALAFCO Legislative Committee (2019)** (Sacramento)
- 27-30 CA State Assn. of Counties Annual Conference (San Diego)
- 27-30 Assn. of CA Water Agencies Conference (San Diego)

DECEMBER

- 7 **CALAFCO Board of Directors Meeting** (Sacramento)