

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafo.org | Web: www.mendolafo.org

COMMISSIONERS

Tony Orth, Chair
Brooktrails Township CSD

Scott Ignacio, Vice-Chair
Point Arena City Council

Gerald Ward, Treasurer
Public Member

Matthew Froneberger
Special District Member

Gerardo Gonzalez
Willits City Council

Glenn McGourty
County Board of Supervisors

Maureen "Mo" Mulheren
County Board of Supervisors

Jenifer Bazzani, Alternate
Ukiah Valley Fire District

John Haschak, Alternate
County Board of Supervisors

Mari Rodin, Alternate
City Member

Richard Weinkle, Alternate
Public Member

STAFF

Executive Officer
Uma Hinman

Analyst
Larkyn Feiler

Commission Clerk
Kristen Meadows

Counsel
Scott Browne

REGULAR MEETINGS

First Monday of each month
at 9:00 AM in the
Mendocino County
Board of Supervisors
Chambers
501 Low Gap Road, Ukiah

A G E N D A

Regular Meeting of **Monday, September 13, 2021** at 9:00 AM
County Board of Supervisors Chambers 501 Low Gap Road, Ukiah, California

*Live web streaming and recordings of Regular Commission meetings are available via the
[Mendocino County YouTube Channel](#).*

*Links to recordings, approved minutes, and meeting documents are available on the LAFCo
website: <https://www.mendolafo.org/commission-meetings>*

Important Notice

Pursuant to State Executive Order N-29-20 pertaining to the convening of public meetings in response to the COVID-19 pandemic, effective April 5, 2020, the Mendocino Local Agency Formation Commission (LAFCo) meetings will be conducted via Zoom and will not be available for in person public participation until further notice. See website [meeting documents](#) webpage for participation information.

Zoom meeting link: <https://mendocinocounty.zoom.us/j/81299956418>

By phone: (669) 900-9128; Meeting ID 812 9995 6418

Submit **written comments** electronically to eo@mendolafo.org by 8:00 a.m. on September 13. In the subject line, specify the agenda item number for your comments, "To be read aloud" if desired, and in the body of the email include your name. If to be read aloud, please keep your comments to 500 words or less. All written comments will be provided as soon as feasible to the Commission and posted on the [meeting documents](#) webpage.

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. See public participation information above.

3. 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.

3a) Approval of the July 12, 2021 Regular Meeting Summary

3b) Approval of the July 2021 Claims & Financial Report

3c) Approval of the August 2021 Claims & Financial Report

4. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

4a) Mendocino County Drought Coordination and Emergency Response

Commission will receive an informational report from staff on activities and out of area water transfers, and a presentation from Josh Metz, Mendocino County Water Agency, on Countywide coordination efforts to address the drought emergency. The Commission will also consider direction to staff regarding Government Code §56133.

5. PUBLIC HEARING ITEMS

5a) Covelo Community Services District MSR/SOI Update

The Commission will consider a Municipal Service Review and Sphere of Influence Update as required by LAFCo law. The final report includes written determinations on the level and scope of services provided by Covelo Community Services District. RECOMMENDED ACTIONS: 1) Find the Covelo Community Services District Municipal Service Review and Sphere of Influence Update is exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations §15306 and §15061(b)(3) and approve the Notice of Exemption for filing; and 2) Adopt LAFCo Resolution 2021-22-01, approving the Covelo Community Services District Municipal Service Review and Sphere of Influence Update and affirming a coterminous sphere.

6. WORKSHOP ITEMS

6a) Ukiah Valley Fire District MSR/SOI Update

The Commission will hold a Workshop on the Draft Ukiah Valley Fire District Municipal Service Review (MSR) and Sphere of Influence (SOI) Update. The Commission will review and discuss the Draft and welcomes public comment on the document. No formal action on the MSR/SOI will be taken at this meeting; a public hearing will be scheduled for formal consideration by the Commission.

7. 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.

7a) **Work Plan, Current and Future Proposals** (Written)

7b) **Countywide Planning Activities Report**

7c) **Correspondence** (Copies provided upon request)

7d) **Executive Officer's Report** (Verbal)

7e) **Committee Reports (Executive Committee, Policies & Procedures, Work Plan Ad Hoc)** (Verbal)

7f) **Commissioner Reports, Comments or Questions** (Verbal)

7g) **CALAFCO Business and Legislative Report**

ADJOURNMENT

The next Regular Commission Meeting is scheduled for Monday, **October 4, 2021** at 9:00 AM
Location to be determined based on current State and local mandates related to the COVID-19 pandemic.

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

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: Because the meeting is being held by teleconference, if you are hearing impaired or otherwise would have difficulty participating, please contact the LAFCo office as soon as possible so that special arrangements can be made for participation, if reasonably feasible.

Fair Political Practice Commission (FPPC) Notice: State Law requires that a participant in LAFCo proceedings who has a financial interest in a Commission decision and who has made a campaign contribution to any Commissioner in the past year must disclose the contribution. If you are affected, please notify the Commission before the hearing.

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First Monday of each month

at 9:00 AM in the

Mendocino County

Board of Supervisors

Chambers

501 Low Gap Road, Ukiah

Agenda Item No. 3a

DRAFT MINUTES

Local Agency Formation Commission of Mendocino County

Regular Meeting of Monday, July 12, 2021

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

1. **CALL TO ORDER and ROLL CALL** (Video Time 0:56)

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

Regular Commissioners Present: Tony Orth, Scott Ignacio, Gerardo Gonzalez, Matthew Froneberger, and Maureen Mulheren

Regular Commissioners Absent: Glenn McGourty and Gerald Ward

Alternate Commissioners Present: Mari Rodin

Alternate Commissioners Absent: Jenifer Bazzani, Richard Weinkle, and John Haschak

Staff Present: Uma Hinman, Executive Officer; Larkyn Feiler, Analyst; Kristen Meadows, Clerk; and Scott Browne, Legal Counsel

2. **PUBLIC EXPRESSION** None

3. **CONSENT CALENDAR** (Video Time 2:53)

3a) Approval of the June 7, 2021 Regular Meeting Summary

3b) Approval of the June 2021 Claims & Financial Report

June 2021 Claims totaling:		16,614.66
Hinman & Associates Consulting	\$	12,092.00
P. Scott Browne	\$	2,294.30
Newspapers	\$	275.73
County of Mendocino	\$	1145.00
Ukiah Valley Conference Center	\$	467.64
Streamline	\$	50.00
Comcast	\$	189.00
Commissioner Stipends	\$	100.00

3c) Approval of SDRMA Insurance Payment for Fiscal Year 2021-22

Commissioner Gonzalez asked for clarification on the amount of increase in insurance premium to which EO Hinman responded approximately \$100. She explained it was listed as a separate agenda item so as to approve payment by the due date and to facilitate tracking in the fiscal year to which it applies.

3d) Ratification of AB 1581 CALAFCO Omnibus Bill Support Letter

Motion by Commissioner Gonzalez: Approve the Consent Calendar Items

Second by Commissioner Ignacio.

Approved by roll call vote: unanimous.

Ayes: (5) Froneberger, Gonzalez, Ignacio, Mulheren, Orth

4. WORKSHOP ITEMS (Video Time 4:56)

4a) Covelo Community Services District (CCSD or District) MSR/SOI Update

EO Hinman gave a brief overview of the Municipal Service Review and Sphere of Influence (MSR/SOI) Update development and public review process. The MSR/SOI Update is the second review of the Covelo CSD (CCSD), the first being in 2010. The District has had success in obtaining a number of grants over the years that has allowed them to update the water treatment plant (2008) and has been awarded a grant to improve its collection system (2021). Additional grant funding has been awarded for various improvements to the ozone unit and has been applications submitted for well and pump station replacement. The improvements will address a service moratorium on new connections due to capacity limitations and infiltration issues.

Staff is recommending a coterminous SOI based on service capacities, limited growth, and low demand for additional services projected over the next 5 years.

EO Hinman thanked Dane Downing, CCSD General Manager and Gail Cook, Board Secretary, for their assistance in preparing the document.

Questions (Q), Comments, and Corrections (C) from the Commission. (Video Time 10:38)

Commissioner Froneberger:

Q: What is the population served by the District?

A: Approximately 460.

Chair Orth:

C: Report indicates that there is only one wastewater service in the area. There are two including the Round Valley Indian Tribes Reservation's treatment plant. He also noted that the District receives many grants because it is a severely disadvantaged community. He asked EO Hinman to explain the difference between disadvantaged and severely disadvantaged communities.

A: Defined by the Department of Water Resources, severely disadvantaged communities are defined by communities with a median household income (MHI) of less than 60% of the State's average, whereas disadvantaged communities have less than 80% of the State's MHI.

Q: Of the funds available to the District, is the grant money dedicated to specific uses?

A: Yes, grant money is limited to the specified project; however, District Manager Downing can provide more detailed information.

(Although in attendance, due to technical difficulties with the microphone function of the Zoom meeting, Mr. Downing was unable to respond to questions. EO Hinman will follow up with him post meeting.)

Q: Are business that sustained fire damage/destruction subject to the moratorium or can they rebuild and regain access to the sewer system since they were a prior customer?

Q: What financial challenges does the District face that cause the enterprise services to operate at an annual net loss and how will it overcome them balance the budget?

C: Chair Orth noted that the report indicates, "no out of area services," however there is reference to accepting hauling from sewer trucks from outside of district boundaries. He suggested that the revenue may be listed under "other income" and separating that amount to identify earnings from that service.

Commissioner Rodin suggested a few grammar and punctuation edits.

Q: How does this report impact the community and/or help the District overcome its challenges? She noted the District's website compliance as an example.

A: When a District's update and review reveal issues that are concerning to the Commission, it will direct staff follow up and provide a report within a specific time frame to track progress toward reaching a resolution and/or improvement. Resources can be provided to the district, as in the case of the website, to help them regain compliance. State legislators and local agencies review these reports when development is proposed. (e.g., the Round Valley Area Municipal Advisory Committee (RVAMAC), created last year, may review the report when considering community needs.)

Commissioner Mulheren:

Q: Are there any plans to create consistent zoning in the area?

A: That may be something that the RVAMAC is looking into.

Commissioner Mulheren noted the importance for public agencies to refer to general plans when working on community planning items.

EO Hinman noted that accurate population data collection is a challenge for the District. The actual population is likely much higher than what is recorded in the census data and may affect the District's sewer capacity.

Additionally, the District's 2019-20 Audit should be completed within the next few weeks and will be incorporated into the Public Hearing Draft, if available.

Commissioner Gonzalez:

Q: Why does the District have trouble recruiting directors to serve on its board?

A: The District has a transient population, is in a very rural area, and many of the commercial property owners are not residents of the community, making them ineligible to serve on the board. Chair Orth added that the County Board of Supervisors can help recruit and/or appoint members to the board when necessary and asked EO Hinman to inform Commissioner Haschak, District Supervisor.

There was no comment from the public.

5. MATTERS FOR DISCUSSION AND POSSIBLE ACTION None

6. INFORMATION/REPORT ITEMS (Video Time 36:36)

EO Hinman presented the Executive Officer's report first. See item 6d. (Agenda item numbering issue noted.)

6a) Work Plan, Current, and Future Proposals (Video Time: 51:41)

Active Proposals:

1. City of Ukiah Detachment of Ukiah Valley Sanitation District (UVSD) Served Areas: Appeal filed by the City then placed on hold pending sphere policy amendments in progress.
2. City of Ukiah Annexation of City-Owned Properties: A letter identifying additional information needs was sent to the City of Ukiah on March 23, 2021. Waiting for response.
3. Ukiah Valley Fire District Annexation of the City of Ukiah: A portion of the annexation application and sphere amendment was received by LAFCo on June 29, 2021. The deadline to report jurisdictional changes to the State Board of Equalization is December 1. In recognition of time sensitivities, staff initiated the tax share agreement process on July 2, 2021.
4. City of Ukiah Pre-Application for Annexation of Areas North of the City: no change.
5. Millview County Water District Pre-Application for Annexation of Masonite Properties: no change.

Future Proposal(s):

1. City of Ukiah Annexation of the Western Hills Home Properties: no change

Work Plan:

- Ukiah Valley Sanitation District (UVSD) – Staff is working with the City and UVSD.
- City of Ukiah (City) - The MOU and draft contract are being negotiated between City and LAFCo attorneys.
- CSA 3 – Staff has received and is reviewing a draft map of the district from County GIS.
- Covelo CSD – Staff plans to notice and hold a public hearing during the September meeting.
- Ukiah Valley Fire District (UVFD) – The Administrative Draft MSR is in process and will track concurrently with the annexation application and the Sphere Amendment.

6b) Countywide Planning Activities Report None.

6c) Correspondence None.

6d) Executive Officer's Report (Video Time: 37:14)

EO Hinman shared a summary of the City of Pismo Beach (City) vs. San Luis Obispo (SLO) LAFCo Case ruling that ruled that LAFCo has no authority to require indemnification. SLO LAFCo requested support from CALAFCO which filed an

amicus letter to the State Supreme Court to consider the appeal request. The State Supreme Court denied the petition for review, as well as the depublication request.

According to a summary provided by CALAFCO, the matter is being referred to its legal committee and Board for a potential future fix. Additionally, SLO LAFCo and SDRMA (Special District Risk Management Authority) are considering alternative administrative options.

Each individual LAFCo with its legal counsel must decide how to move forward. Mendocino LAFCo has chosen to process applications with a voluntary indemnification clause.

Following EO Hinman's invitation to comment, Scott Browne (Legal Counsel) responded that he does not foresee any possible appeal to the court's decision and no potential relief for the next two years.

Upon Commissioner Mulheren's request for clarification on what was meant by "relief," Counsel Browne responded that he was referring to the "administrative options" being considered by SDRMA. However, as far as he knows, there is no further appeal of the judicial decision. The only available potential relief is through the legislature, which will take time. The statute needs to be clarified to support LAFCo's ability to seek indemnification.

EO Hinman continued her informational report. (Video Time: 42:33)

A recent rash of cyberattacks on special districts and agencies that provide utilities (water, wastewater, power, etc.) have triggered discussion amongst LAFCos statewide as to whether MSR/SOI reviews should include determinations addressing cybersecurity protection measures. The topic will most likely be discussed at the CALAFCO Conference.

Staff level discussions with the Mendocino City Community Services District have occurred regarding provision of water to residents during the drought. Staff's response has been that since the District is already providing water to some residences, they may continue to assist additional residences with dry wells during the emergency.

Chair Orth noted a current proposal for water hauling by railway from Willits to Fort Bragg to support coastal communities during the drought emergency and invited Commissioner Gonzalez to comment. Commissioner Gonzalez noted that staff is still exploring the possibility. Chair Orth noted the potential need for an emergency ordinance for water service support.

Commissioner Froneberger asked how the customers are getting water if no infrastructure is being added. EO Hinman answered that water is being provided from the existing well and storage tank and the District is looking into options including securing temporary water tanks for customers use. She clarified that the District is authorized to provide water services as a latent power, however, they do not have water storage, supply, or infrastructure. Commissioner Froneberger asked how the need is determined. EO Hinman responded that she will follow up with the District.

The County is waiving residential permitting requirements for 5,000-gallon water tank placement, underscoring the severity of the water issue in Mendocino County.

Discussions with the UVSD and City are taking place on how to best move forward with the projects on hold over the past few months.

The office is open for scheduled appointments on Tuesday and Friday mornings between 9 a.m. and 1 p.m. Staff has been making the transition from Pacific Internet service to separate service providers for phone, internet, and email hosting.

EO Hinman presented item 6a (see above)

6e) Committee Reports (Executive Committee/Policies & Procedures) None.

6f) Commissioners Reports, Comments or Questions (Video Time: 55:58)

Chair Orth reported that Brooktrails Township CSD received a planning grant to recycle water for domestic use as an alternative to expensive dam reconstruction.

Commissioner Rodin commented on the City's recycled water system that provides three times the amount of surface water, significantly reducing water taken from Lake Mendocino. Chair Orth asked if the City is looking to provide domestic recycled water. Commissioner Rodin said that currently the City is looking to expand the use of recycled water (e.g., the golf course).

Following EO Hinman's invitation, Commissioner Rodin announced that on July 13, 2021, at 9 a.m. she will host the pilot episode of *Citizen U*, a new radio show on KZYX Mendocino County Public Broadcasting. She and EO Hinman will talk about LAFCo – what it is and its impact on the community. Chair Orth requested a link to a recording of the interview be shared with the Commission.

6g) CALAFCO Business and Legislation Report (Video Time: 1:01:50)

EO Hinman referenced the items included in the agenda packet:

- Annual Conference in Newport Beach, October 6-8, 2021: Early registration is the end of August. The budget allows for 3-4 Commissioners to attend. Commissioner Mulheren expressed interest in attending.
- Nominations for CALAFCO Board of Directors: Two seats are available for the Northern area
- CALAFCO Legislative Report: included in packet
- CALAFCO U Fire 2021 Series Flyer: EO Hinman and Analyst Feiler will participate
- CALAFCO Announcement of its Executive Director retirement at the end of the year and recruitment

ADJOURNMENT (Video Time: 1:05:57)

There being no further business, the meeting adjourned at 10:06 a.m. The next regular meeting is scheduled for Monday, August 2, 2021, at 9:00 a.m. The location is to be determined based on guidelines recommended by the Mendocino County Public Health Officer and Executive Orders regarding the COVID-19 pandemic.

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MENDOCINO Local Agency Formation Commission Staff Report

DATE: August 2, 2021
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: **Financial Report and Claims for July 2021**

RECOMMENDED ACTION

Approve the July 2021 claims and financial report.

Name	Account Description	Amount	Total
Hinman & Associates Consulting, Inc.	5300 Basics Services	\$ 10,493.00	\$ 14,691.63
	5601 Office Supplies (QB)	\$ 91.82	
	5700 Internet & Website Costs	\$ 102.81	
	6200 Bookkeeping	\$ 80.00	
	7000 Work Plan (UVSD, CSA 3, Covelo CSD)	\$ 1,768.00	
	8025 City of Ukiah Annex City Owned Props	\$ 34.00	
	8026 UVFD Annex City of Ukiah	\$ 1,272.00	
	8601 SALC Grant Reimbursed	\$ 850.00	
P. Scott Browne	6300 Legal Counsel - General Services	\$ 900.00	\$ 900.00
Ukiah Valley Conf. Center	5502 Office Space	\$ 464.00	\$ 478.28
	5600 Postage	\$ 14.28	
Pacific Internet	5600 Phone Service (Final Invoice)	\$ 86.96	\$ 86.96
Streamline	5700 Website Hosting (Aug)	\$ 50.00	\$ 50.00
Comcast	5700 Internet	\$ 90.04	\$ 90.04
SDRMA	6500 Insurance - General Liability	\$ 2,600.87	\$ 2,600.87
CALAFCO	6600 Membership Dues	\$ 2,220.00	\$ 2,220.00
County of Mendocino	6000 Televising Meetings (June)	\$ 180.69	\$ 180.69
	Total:		\$ 21,298.47

Deposits: SALC Grant \$600.00, \$250.00; City of Ukiah \$6,017.50; WestAmerica (Reserves) \$9,500.00

Attachments:

- Budget Tracking Spreadsheet
- Work Plan Tracking
- Invoices: Hinman & Associates Consulting, Browne

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

Mendocino Local Agency Formation Commission
 FY 2020-21 Budget and Application Tracking

Acct #	Task	FY 21-22 Adopted Budget	July	August	Sept	1st Qtr Subtotals	Year to Date	Remaining Budget	% of Budget Expended
EXPENSES									
5300	Basic Services - EO/Analyst/Clerk	\$108,000	\$10,493.00			\$10,493.00	\$10,493.00	\$97,507.00	10%
	Unfunded Mandates	\$0							
5500	Rent	\$5,775	\$464.00			\$464.00	\$464.00	\$5,311.00	8%
5600	Office Expenses	\$3,300	\$193.06			\$193.06	\$193.06	\$3,106.94	6%
5700	Internet & Website Costs	\$2,500	\$242.85			\$242.85	\$242.85	\$2,257.15	10%
5900	Publication & Legal Notices	\$2,000				\$0.00	\$0.00	\$2,000.00	0%
6000	Televising Meetings	\$2,000	\$180.69			\$180.69	\$180.69	\$1,819.31	9%
6100	Audit Services	\$3,500				\$0.00	\$0.00	\$3,500.00	0%
6200	Bookkeeping	\$4,500	\$80.00			\$80.00	\$80.00	\$4,420.00	2%
6300	Legal Counsel (S Browne)	\$19,000	\$900.00			\$900.00	\$900.00	\$18,100.00	5%
6400	A-87 Costs County Services	\$2,100				\$0.00	\$0.00	\$2,100.00	0%
6500	Insurance - General Liability	\$2,450	\$2,600.87			\$2,600.87	\$2,600.87	\$-150.87	106%
6600	Memberships (CALAFCO/CSDA)	\$3,525	\$2,220.00			\$2,220.00	\$2,220.00	\$1,305.00	63%
6670	GIS Contract with County	\$2,500				\$0.00	\$0.00	\$2,500.00	0%
6740	In-County Travel & Stipends	\$4,000				\$0.00	\$0.00	\$4,000.00	0%
6750	Travel & Lodging Expenses	\$6,250				\$0.00	\$0.00	\$6,250.00	0%
6800	Conferences (Registrations)	\$4,100				\$0.00	\$0.00	\$4,100.00	0%
7000	Work Plan (MSRs and SOIs)	\$51,500	\$1,768.00			\$1,768.00	\$1,768.00	\$49,732.00	3%
Monthly/ Year to Date Totals		\$227,000.00	\$19,142.47	\$0.00	\$0.00	\$19,142.47	\$19,142.47	\$207,857.53	8%

APPLICATIONS		DEPOSIT (total by application)	July	August	Sept	1st Qtr Subtotals	Project Total to Date	Remaining Budget	Notes
D-2014-8010	City of Ukiah Detachment of UVSD lands	\$11,532.75				\$0.00	\$15,080.75	\$-3,548.00	
P-2020-01 (8022)	City of Ukiah North Annexation Pre-Application	\$1,500.00				\$0.00	\$1,122.00	\$378.00	
P-2020-04 (8024)	Millview CWD Annexation Pre-Application	\$3,500.00				\$0.00	\$2,721.50	\$778.50	
A-2021-01 (8025)	City of Ukiah Annexation of City-Owned Properties	\$5,000.00	\$34.00			\$34.00	\$1,815.00	\$3,185.00	
A-2021-02 (8026)	UVFD Annexation of City of Ukiah	\$6,500.00	\$1,272.00			\$1,272.00	\$1,680.00	\$4,820.00	
8601	Sustainable Ag Lands Committee Grant Project	\$5,100.00	\$850.00			\$850.00	\$1,425.00	\$3,675.00	
Application Totals		\$33,132.75	\$2,156.00	\$0.00	\$0.00	\$2,156.00			
EXPENSES AND APPLICATION TOTALS		\$260,132.75	\$21,298.47	\$0.00	\$0.00	\$21,298.47			

DEPOSITS

7/6/2021	City of Ukiah (A-2021-02)	\$ 6,017.50
7/6/2021	Mendocino RCD (SALC Grant)	\$ 600.00
7/12/2021	Westamerica (transfer from reserves)	\$ 9,500.00
7/30/2021	Mendocino RCD (SALC Grant)	\$ 250.00

ACCOUNT BALANCES

County of Mendocino Account Balance	\$ 103,494	MUNIS report balance as of	8/2/2021
Operations (Checking) Account Balance	\$ 162	Quickbooks balance as of	8/2/2021
Legal Reserve Balance	\$ 50,000	As of	8/2/2021
Operations Reserve Balance	\$ 31,006	As of	8/2/2021
Total	\$ 184,662		

Mendocino LAFCo
FY 2021-22 Estimated Work Plan Implementation Schedule and Cost Tracking
 July 2021

Subject to Change: The estimated schedule and costs for the Fiscal Year 2021-22 Work Plan are subject to change based on agency responsiveness, timely provision of requested information, complexity of issues, level of public and affected agency controversy, and changing needs and priorities.

CEQA: Based on LAFCo practice, the work plan assumes minimal costs for CEQA compliance related to preparing a Notice of Exemption, unless an agency proposes a non-coterminous SOI and pays for any necessary studies and preparation of a Negative Declaration or Environmental Impact Report.

Rolling Work Plan: It is difficult to completely contain staff activities in a single fiscal year; therefore, completion of a study may roll over to the next fiscal year. This estimated work plan implementation schedule and cost tracking table is intended to enhance communication and transparency.

Agency	Request for Information	Admin Draft	Public Workshop	Public Hearing	Final Study	Cost Estimate ¹	FY 2021-22 Budget	FY 2021-22 Expenses	Cost to Date ²
Ukiah Valley Sanitation District	Complete	In progress	TBD	TBD	TBD	\$40,000	\$20,000	\$51	\$3,792
City of Ukiah	Pending	Pending	TBD	TBD	TBD	\$25,000	\$12,500	\$0	\$4,270
Ukiah Valley Fire District	Complete	Pending	TBD	TBD	TBD	\$7,000	\$6,000	\$0	\$1,768
County Service Area 3	In progress	In progress	TBD	TBD	TBD	\$10,000	\$6,000	\$867	\$4,862
Covelo CSD	Complete	Complete	7/12/21	9/13/21	TBD	\$8,000	\$3,000	\$850	\$8,392
Estimated Total						\$90,000	\$51,500	\$1,768	\$23,084

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

² Column indicates a running total for actual expenses incurred to date for each study in process and is not limited to a specific fiscal year.



PAID

8/9/21

Hinman & Associates Consulting

PO Box 1251 | Cedar Ridge, CA 95924
 (916) 813-0818
 uhinman@comcast.net

Date	August 2, 2021	Invoice No.	589
To	Mendocino LAFCo	Invoice Total	\$ 14,691.63
Project	Executive Officer Services		
Work Period	July 1 - 31, 2021		

Account Description	Staff/Hours			Other (At Cost)	Totals
	Executive Officer \$100	Analyst \$68	Clerk \$40		
5300 Basic Services Public Records Act Requests	75.75	11.00	54.25		\$ 10,493.00
5601 Office Supplies Quickbooks Online Fee Office Equipment (Phone)				\$ 70.00 \$ 21.82	\$ 91.82
5700 Internet & Website Costs (Hostinger)				\$ 102.81	\$ 102.81
6200 Bookkeeping			2.00		\$ 80.00
7000 Work Plan (MSR/SOI/Special Studies) UVFD City of Ukiah UVSD CSA 3 Covelo CSD	8.50	0.75 12.75			\$ - \$ - \$ 51.00 \$ 867.00 \$ 850.00
8010 City of Ukiah Detachment Application					\$ -
8022 City of Ukiah North Annex Pre-App					\$ -
8024 Millview CWD Annex Pre-App					\$ -
8025 City of Ukiah Annex City Properties		0.50			\$ 34.00
8026 UVFD Annex City of Ukiah	1.50	16.50			\$ 1,272.00
8601 SALC Project (grant reimbursed)	8.50				\$ 850.00
Totals	\$ 9,425.00	\$ 2,822.00	\$ 2,250.00	\$ 194.63	\$ 14,691.63

5300 Basic Services

Administrative tasks and Clerk duties. File research and maintenance. Comprehensive city/special District directory update. Implement new internet/domain/email/phone systems. July claims. Communications with Commissioners, public inquiries, etc. Agenda packet development for July 12 Commission meeting. Scheduling August Executive Committee meetings. Coordination with Ukiah and UVSD on next steps for Work Plan efforts. Communications with Commissioners, legal counsel, agencies and County regarding water deliveries and water connections.

6200 Bookkeeping

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

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

Preparation of Public Draft Covelo CSD MSR/SOI Update for Sept 13th public hearing. Coordinated with GIS to develop a current map of CSA 3. Researched CSA 3 history and powers; communications with Commissioners and legal counsel. Research UVSD SOI history.

8010 City of Ukiah Detachment of UVSD Area

8022 City of Ukiah North Annex Pre-App

8025 City of Ukiah Annexation of City-owned Properties

Coordinate with County Auditor and Assessor on the APN list for the tax share negotiation process.

8026 UVFD Annexation of City of Ukiah

Reviewed plan for services submittal and coordinated with County Assessor and Auditor regarding the tax share negotiation process. Coordinated with County GIS for APN list. Coordination phone call with City and UVFD staff.

8601 Sustainable Agricultural Lands Committee Grant Project

Participated in January, February, March, April, May monthly meetings.

HG31653333 / 05/25/2021

Receipt has been paid at 05/25/2021

Buyer:

Name: Kristen Meadows

Country: United States

Address:

Seller:

Company: Hostinger International

Address: 61 Lordou Vironos, Larnaca, CY, 6023

Country: Cyprus

VAT: 10301365E

Phone: +62 81533832199

#	Item	Quantity (Period)	Price	Discount	Total
1	Domain Transfer - mendolafco.org	1	\$13.17	-	\$13.17
2	Enterprise Email	Annually (Pay Every 12 Months)	\$7.47	-	\$89.64
Total			\$102.81		

Invoice Date: -

Account: clerk@mendolafco.org

Account: #2929490

Invoice: #11850406

MENDOCINO LAFCO
ATTN: KRISTEN MEADOWS
21
SAND, CA 95410
UNITED STATES

Billing Summary

Previous Balance	\$0.00
Payments	-\$21.82
Balance	-\$21.82
Adjustments	\$0.00
New Charges	\$21.82
Amount Due	\$0.00
Payment Due Date	On Receipt

Please see additional pages for billing detail.

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- Logon to <http://www.phone.com/>
- Choose "Payment" from the My Account tab.
- We accept Visa, MasterCard, American Express, and Discover.

TO PAY BY CHECK OR MONEY ORDER:

- Payments must be in U.S. dollars, drawn on a U.S. bank.
- Enclose this bottom portion with your payment.
- Make checks payable to:

Phone.com
Payment Processing Center
PO BOX 1808
Poway, CA 92074-1808

MENDOCINO LAFCO
ATTN: KRISTEN MEADOWS
21
SAND, CA 95410
UNITED STATES

Account:	clerk@mendolafco.org
Amount Due:	\$0.00
Invoice #:	11850406
Payment Due Date:	On Receipt
Billing Date:	-

BALANCE \$0.00 - DO NOT PAY

Thank You - We Appreciate Your Business!

Previous balance **\$0.00**

Payments **Total: -\$21.82**

06/30/2021	Credit card payment received: 0384	-\$16.51
06/30/2021	Credit card payment received: 0384	-\$5.31

Adjustments **Total: \$0.00**

No adjustments have been made this period.

New Charges **Total: \$21.82**

06/30/2021 - 06/30/2021	FUSF (VoIP)	\$2.76
06/30/2021 - 06/30/2021	FCC regulatory fee (VoIP)	\$0.04
06/30/2021	Regulatory recovery fee	\$0.33
07/01/2021 - 08/01/2021	Telephone number: (707) 463-4470	\$5.15
06/30/2021 - 07/01/2021	Universal Lifeline Telephone Service Charge (VoIP) - CA	\$0.32
06/30/2021 - 07/01/2021	CASF (VoIP) - CA Advanced Services Fund	\$0.08
06/30/2021 - 07/01/2021	CA High Cost fund A (VoIP)	\$0.07
06/30/2021 - 07/01/2021	CA Teleconnect fund (VoIP)	\$0.07
07/01/2021	TRS (VoIP)	\$0.01
06/30/2021 - 08/01/2021	User plan: User plan	\$0.00
06/30/2021	Number Setup Fee: 424-551-2819 (one-time payment)	\$0.00
06/30/2021 - 08/01/2021	Telephone number: 424-551-2819 (monthly fee)	\$0.00
06/30/2021 - 08/01/2021	Basic User with tiered pricing: Basic User	\$12.99
06/30/2021 - 08/01/2021	Virtual extension: VOIP_LIMITED_VIRTUAL_COMPANYINBOX	\$0.00

Amount due **Total: \$0.00**

End of Invoice

From: Intuit QuickBooks Team <intuit@notifications.intuit.com>
Sent: Monday, July 19, 2021 7:54 AM
To: eo@mendolafco.org
Subject: We received your QuickBooks subscription payment!



Payment success

Executive Officer, thank you for your payment.

Invoice number:
10001109105069
Invoice date: 07/19/2021
Total: \$70.00
Payment method: VISA ending
in

Sign in to QuickBooks where you can see your billing history and view, save, and print your invoice.

[View billing history](#)

Account details

Billed to: Mendocino LAFCo
Company ID ending:
Items on this invoice: QuickBooks Online Plus

(1) For subscriptions, your payment method on file will be automatically charged monthly/annually at the then-current list price until you cancel. If you have a discount it will apply to the then-current list price until it expires. To cancel your subscription at any time, go to [Account & Settings](#) and cancel the subscription. (2) For one-time services, your payment method on file will reflect the charge in the amount referenced in this invoice. Terms, conditions, pricing, features, service, and support options are subject to change without notice.

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



8/9/21

July 15, 2021

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

Invoice Number: 952
Invoice Period: 06-16-2021 - 07-15-2021

Payment due by the 15th of next month.

RE: Mendocino LAFCo - General
Mendocino LAFCo - General

Mendocino LAFCo - General

Time Details

Date	Staff Member	Description	Hours
06-16-2021	PSB	Monthly flat rate, as agreed upon in Legal Representation Agreement	
06-28-2021	PSB	Email from Uma re: Mendocino CSD letter;	0.50
07-07-2021	PSB	Review email from Uma; Call from Uma re Mendocino City CSD water issue; Overall discussion of other issues	1.00
07-12-2021	PSB	Meeting of commission via Zoom; Email to Uma re: Covelo CSD;	1.80
07-15-2021	PSB	Conference call with Uma and Larkyn	1.00
			Total 900.00
			Total for this Invoice 900.00
			Total Amount to Pay 900.00

We appreciate your business.

Page 1 of 2

Project Statement of Account

As of 07-15-2021

Project	Balance Due
Mendocino LAFCo - General	900.00
Total Amount to Pay	900.00

Mendocino LAFCo - General

Transactions

Date	Transaction	Applied	Invoice	Amount
06-15-2021	Previous Balance			921.80
07-15-2021	Payment Received - Reference ck# 1672			(921.80)
07-15-2021	Payment Applied	921.80	928	
07-15-2021	Invoice 952			900.00
			Balance	900.00

We appreciate your business.

Page 2 of 2

MENDOCINO Local Agency Formation Commission Staff Report

DATE: September 13, 2021
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: **Financial Report and Claims for August 2021**

RECOMMENDED ACTION

Approve the August 2021 claims and financial report.

Name	Account Description	Amount	Total
Hinman & Associates Consulting, Inc.	5300 Basics Services	\$ 8,317.00	\$ 17,473.58
	5601 Office Supplies (QB)	\$ 357.58	
	6200 Bookkeeping	\$ 180.00	
	7000 Work Plan (UVFD, City of Ukiah, UVSD, CSA	\$ 6,940.00	
	8026 UVFD Annex City of Ukiah	\$ 1,679.00	
P. Scott Browne	6300 Legal Counsel - General Services	\$ 900.00	\$ 900.00
PNP CPA	6100 Audit Services	\$ 1,760.00	\$ 1,760.00
Comcast	5700 Internet	\$ 90.04	\$ 90.04
Streamline	5700 Website Hosting	\$ 50.00	\$ 50.00
Ukiah Valley Conf. Center	5502 Office Space	\$ 464.00	\$ 476.72
	5600 Postage	\$ 12.72	
Total:			\$ 20,750.34

Deposits: County of Mendocino, \$100,000

Attachments:

- Budget Tracking Spreadsheet
- Work Plan Tracking
- Invoices: Hinman & Associates Consulting

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

Mendocino Local Agency Formation Commission
FY 2020-21 Budget and Application Tracking

Acct #	Task	FY 21-22 Adopted Budget	July	August	Sept	1st Qtr Subtotals	Year to Date	Remaining Budget	% of Budget Expended
EXPENSES									
5300	Basic Services - EO/Analyst/Clerk	\$108,000	\$10,493.00	\$8,317.00		\$18,810.00	\$18,810.00	\$89,190.00	17%
	Unfunded Mandates	\$0							
5500	Rent	\$5,775	\$464.00	\$464.00		\$928.00	\$928.00	\$4,847.00	16%
5600	Office Expenses	\$3,300	\$193.06	\$370.30		\$563.36	\$563.36	\$2,736.64	17%
5700	Internet & Website Costs	\$2,500	\$242.85	\$140.04		\$382.89	\$382.89	\$2,117.11	15%
5900	Publication & Legal Notices	\$2,000				\$0.00	\$0.00	\$2,000.00	0%
6000	Televising Meetings	\$2,000	\$180.69			\$180.69	\$180.69	\$1,819.31	9%
6100	Audit Services	\$3,500		\$1,760.00		\$1,760.00	\$1,760.00	\$1,740.00	50%
6200	Bookkeeping	\$4,500	\$80.00	\$180.00		\$260.00	\$260.00	\$4,240.00	6%
6300	Legal Counsel (S Browne)	\$19,000	\$900.00	\$900.00		\$1,800.00	\$1,800.00	\$17,200.00	9%
6400	A-87 Costs County Services	\$2,100				\$0.00	\$0.00	\$2,100.00	0%
6500	Insurance - General Liability	\$2,450	\$2,600.87			\$2,600.87	\$2,600.87	\$-150.87	106%
6600	Memberships (CALAFCO/CSDA)	\$3,525	\$2,220.00			\$2,220.00	\$2,220.00	\$1,305.00	63%
6670	GIS Contract with County	\$2,500				\$0.00	\$0.00	\$2,500.00	0%
6740	In-County Travel & Stipends	\$4,000				\$0.00	\$0.00	\$4,000.00	0%
6750	Travel & Lodging Expenses	\$6,250				\$0.00	\$0.00	\$6,250.00	0%
6800	Conferences (Registrations)	\$4,100				\$0.00	\$0.00	\$4,100.00	0%
7000	Work Plan (MSRs and SOIs)	\$51,500	\$1,768.00	\$6,940.00		\$8,708.00	\$8,708.00	\$42,792.00	17%
Monthly/ Year to Date Totals		\$227,000.00	\$19,142.47	\$19,071.34	\$0.00	\$38,213.81	\$38,213.81	\$188,786.19	17%
APPLICATIONS									
		DEPOSIT (total by application)	July	August	Sept	1st Qtr Subtotals	Project Total to Date	Remaining Budget	Notes
D-2014-8010	City of Ukiah Detachment of UVSD lands	\$11,532.75				\$0.00	\$15,080.75	\$-3,548.00	
P-2020-01 (8022)	City of Ukiah North Annexation Pre-Application	\$1,500.00				\$0.00	\$1,122.00	\$378.00	
P-2020-04 (8024)	Millview CWD Annexation Pre-Application	\$3,500.00				\$0.00	\$2,721.50	\$778.50	
A-2021-01 (8025)	City of Ukiah Annexation of City-Owned Properties	\$5,000.00	\$34.00			\$34.00	\$1,815.00	\$3,185.00	
A-2021-02 (8026)	UVFD Annexation of City of Ukiah	\$6,500.00	\$1,272.00	\$1,679.00		\$2,951.00	\$3,359.00	\$3,141.00	
8601	Sustainable Ag Lands Committee Grant Project	\$5,100.00	\$850.00			\$850.00	\$1,425.00	\$3,675.00	
Application Totals		\$33,132.75	\$2,156.00	\$1,679.00	\$0.00	\$3,835.00			
EXPENSES AND APPLICATION TOTALS		\$260,132.75	\$21,298.47	\$20,750.34	\$0.00	\$42,048.81			

DEPOSITS

8/10/2021 County of Mendocino \$ 100,000.00

ACCOUNT BALANCES

County of Mendocino Account Balance	\$ 3,494	Est. balance as of	9/1/2021
Operations (Checking) Account Balance	\$ 82,685	Bank Statement as of	8/31/2021
Legal Reserve Balance	\$ 50,000	Bank Statement as of	7/30/2021
Operations Reserve Balance	\$ 31,011	Bank Statement as of	7/30/2021
Total	\$ 167,190		

Mendocino LAFCo
FY 2021-22 Estimated Work Plan Implementation Schedule and Cost Tracking
 August 2021

Subject to Change: The estimated schedule and costs for the Fiscal Year 2021-22 Work Plan are subject to change based on agency responsiveness, timely provision of requested information, complexity of issues, level of public and affected agency controversy, and changing needs and priorities.

CEQA: Based on LAFCo practice, the work plan assumes minimal costs for CEQA compliance related to preparing a Notice of Exemption, unless an agency proposes a non-coterminous SOI and pays for any necessary studies and preparation of a Negative Declaration or Environmental Impact Report.

Rolling Work Plan: It is difficult to completely contain staff activities in a single fiscal year; therefore, completion of a study may roll over to the next fiscal year. This estimated work plan implementation schedule and cost tracking table is intended to enhance communication and transparency.

Agency	Request for Information	Admin Draft	Public Workshop	Public Hearing	Final Study	Cost Estimate ¹	FY 2021-22 Budget	FY 2021-22 Expenses	Cost to Date ²
Ukiah Valley Sanitation District	Complete	In progress	TBD	TBD	TBD	\$40,000	\$20,000	\$251	\$3,992
City of Ukiah	Pending	Pending	TBD	TBD	TBD	\$25,000	\$12,500	\$125	\$4,395
Ukiah Valley Fire District	Complete	Pending	TBD	TBD	TBD	\$7,000	\$6,000	\$5,991	\$9,068
County Service Area 3	In progress	In progress	TBD	TBD	TBD	\$10,000	\$6,000	\$1,162	\$5,259
Covelo CSD	Complete	Complete	7/12/21	9/13/21	TBD	\$8,000	\$3,000	\$1,179	\$8,619
Estimated Total						\$90,000	\$51,500	\$8,708	\$31,333

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

² Column indicates a running total for actual expenses incurred to date for each study in process and is not limited to a specific fiscal year.



Hinman & Associates Consulting

PO Box 1251 | Cedar Ridge, CA 95924
 (916) 813-0818
 uhinman@comcast.net

Date	September 1, 2021	Invoice No.	605
To	Mendocino LAFCo	Invoice Total	\$ 17,473.58
Project	Executive Officer Services		
Work Period	August 1 - 31, 2021		

Account Description	Staff/Hours			Other (At Cost)	Totals
	Executive Officer \$100	Analyst \$68	Clerk \$40		
5300 Basic Services	59.50	4.25	46.25		\$ 8,317.00
Public Records Act Requests	1.00	1.00	1.50		
5601 Office Supplies					
Quickbooks Online Fee				\$ 80.00	\$ 357.58
Office Equipment (Phone, file recovery)				\$ 277.58	
6200 Bookkeeping	1.00		2.00		\$ 180.00
7000 Work Plan (MSR/SOI/Special Studies)					
UVFD		23.25		\$ 4,410.00	\$ 5,991.00
City of Ukiah	1.25				\$ 125.00
UVSD	2.00				\$ 200.00
CSA 3	1.25	2.50			\$ 295.00
Covelo CSD	1.25	3.00			\$ 329.00
8010 City of Ukiah Detachment Application					\$ -
8022 City of Ukiah North Annex Pre-App					\$ -
8024 Millview CWD Annex Pre-App					\$ -
8025 City of Ukiah Annex City Properties					\$ -
8026 UVFD Annex City of Ukiah	2.00	21.75			\$ 1,679.00
8601 SALC Project (grant reimbursed)					\$ -
Totals	\$ 6,925.00	\$ 3,791.00	\$ 1,990.00	\$ 4,767.58	\$ 17,473.58

5300 Basic Services

Administrative tasks and Clerk duties. File research and maintenance. Comprehensive city/special District directory update. Implement new phone system. August claims. Communications with Commissioners, public inquiries, etc. Agenda packet development for August Executive Committee meeting and September 13 Commission meeting. Coordination with Ukiah on next steps for Work Plan efforts. Communications with Commissioners, legal counsel, agencies and County regarding water deliveries and water connections. Participated in countywide drought coordination meetings. Research records in response to Public Records Act request.

6200 Bookkeeping

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

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

Preparation of Public Draft Covelo CSD MSR/SOI Update for Sept 13th public hearing. Coordinated with GIS to develop a current map of CSA 3. Researched CSA 3 history and powers; communications with Commissioners and legal counsel. Research UVSD SOI history. Discussions with the City of Ukiah regarding implementing the SOI Update. Drafted the Administrative Draft UVFD MSR/SOI Update and provided to City/UVFD staff for review.

8010 City of Ukiah Detachment of UVSD Area

No activity.

8022 City of Ukiah North Annex Pre-App

No activity.

8025 City of Ukiah Annexation of City-owned Properties

No activity.

8026 UVFD Annexation of City of Ukiah

Regular conference calls with City and UVFD staff regarding application processing, information needs, and process steps. Coordinated with County Assessor and Auditor regarding the tax share negotiation process. Reviewed and processed application, tied in to UVFD MSR/SOI Update.

8601 Sustainable Agricultural Lands Committee Grant Project

No activity

From: Intuit QuickBooks Team <intuit@notifications.intuit.com>
Sent: Thursday, August 19, 2021 5:40 PM
To: eo@mendolafco.org
Subject: We received your QuickBooks subscription payment!

Flag Status: Flagged



Payment success

Executive Officer, thank you for your payment.

Invoice number:
10001113669743
Invoice date: 08/19/2021
Total: \$80.00
Payment method: VISA ending
in

Sign in to QuickBooks where you can see your billing history and view, save, and print your invoice.

[View billing history](#)

Account details

Billed to: Mendocino LAFCo
Company ID ending:
Items on this invoice: QuickBooks Online Plus

(1) For subscriptions, your payment method on file will be automatically charged monthly/annually at the then-current list price until you cancel. If you have a discount it will apply to the then-current list price until it expires. To cancel your subscription at any time, go to [Account & Settings](#) and cancel the subscription. (2) For one-time services, your payment method on file will reflect the charge in the amount referenced in this invoice. Terms, conditions, pricing, features, service, and support options are subject to change without notice.

Invoice Date: 08/01/2021

Account: clerk@mendolafco.org

Account: #2929490

Invoice: #11868787

MENDOCINO LAFCO
ATTN: UMA HINMAN
200 S. SCHOOL ST. STE. N-12
UKIAH, CA 95482
UNITED STATES

Billing Summary

Previous Balance	\$0.00
Payments	\$0.00
Balance	\$0.00
Adjustments	\$0.00
New Charges	\$179.58
Amount Due	\$179.58
Payment Due Date	On Receipt

Your credit card ending in 4XXX-XXXX-XXXX- will be billed \$179.58 on 08/02/2021. A late fee of \$10.00 will be assessed if payment is not received by 08/31/2021.

Please see additional pages for billing detail.

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PLEASE DO NOT SEND CASH

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- Logon to <http://www.phone.com/>
- Choose "Payment" from the My Account tab.
- We accept Visa, MasterCard, American Express, and Discover.

TO PAY BY CHECK OR MONEY ORDER:

- Payments must be in U.S. dollars, drawn on a U.S. bank.
- Enclose this bottom portion with your payment.
- Make checks payable to:

Phone.com
Payment Processing Center
PO BOX 1808
Poway, CA 92074-1808

MENDOCINO LAFCO
ATTN: UMA HINMAN
200 S. SCHOOL ST. STE. N-12
UKIAH, CA 95482
UNITED STATES

Account:	clerk@mendolafco.org
Amount Due:	\$179.58
Invoice #:	11868787
Payment Due Date:	On Receipt
Billing Date:	08/01/2021

Amount Enclosed: \$ _____

Thank You - We Appreciate Your Business!
Page 23 of 233

Previous balance **\$0.00**

Payments **Total: \$0.00**

No payments have been made this period.

Adjustments **Total: \$0.00**

No adjustments have been made this period.

New Charges **Total: \$179.58**

08/02/2021 - 08/01/2022	User plan	\$0.00
08/02/2021 - 08/01/2022	Basic User with tiered pricing: 100 - Kristen Meadows	\$124.68
08/02/2021 - 08/01/2022	Virtual extension: 500 - Mendocino LAFCo	\$0.00
08/02/2021 - 08/01/2022	Telephone number: (707) 463-4470	\$0.00
07/01/2021 - 07/31/2021	Additional usage	\$0.00
07/01/2021 - 07/31/2021	Extra call recording minutes	\$0.00
08/03/2021	Regulatory recovery fee	\$3.12
08/03/2021	E911 recovery fee	\$21.00
08/02/2021 - 08/03/2021	FUSF (VoIP)	\$26.39
08/02/2021 - 08/03/2021	Universal Lifeline Telephone Service Charge (VoIP) - CA	\$2.50
08/02/2021 - 08/03/2021	CASF (VoIP) - CA Advanced Services Fund	\$0.55
08/02/2021 - 08/03/2021	CA High Cost fund A (VoIP)	\$0.38
08/02/2021 - 08/03/2021	CA Teleconnect fund (VoIP)	\$0.42
08/02/2021 - 08/03/2021	FCC regulatory fee (VoIP)	\$0.27
08/02/2021 - 08/03/2021	TRS (VoIP)	\$0.27

Amount due **Total: \$179.58**

End of Invoice



Details for Order #114-6703351-5916217

[Print this page for your records.](#)

Order Placed: August 2, 2021

Amazon.com order number: 114-6703351-5916217

Order Total: \$43.15

Not Yet Shipped

Items Ordered

1 of: *Grandstream GS-HT802 2 Port Analog Telephone Adapter VoIP Phone & Device, Black* \$40.00

Sold by: Flytec Computers ([seller profile](#))

Condition: New

Shipping Address:

Uma Hinman

United States

Shipping Speed:

FREE Prime Delivery

Payment information

Payment Method:

Visa | Last digits:

Item(s) Subtotal: \$40.00

Shipping & Handling: \$0.00

Total before tax: \$40.00

Estimated tax to be collected: \$3.15

Grand Total: \$43.15

Billing address

Uma Hinman
PO Box 1251
Cedar Ridge, CA 95924
United States

To view the status of your order, return to [Order Summary](#).

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INVOICE



RetroFloppy

512 Cranborne Lane, Cary, NC 27519, UNITED STATES
orders@retrofloppy.com; Website: https://retrofloppy.com

Invoice No#: 9251
Invoice Date: Aug 6, 2021
Due Date: Aug 6, 2021



\$54.85
AMOUNT DUE

BILL TO

clerk@mendolafco.org

#	ITEMS & DESCRIPTION	QTY/HRS	PRICE	AMOUNT(\$)
1	FXCT Disk Extraction - CTOS Format	1	\$45.90	\$45.90
			Subtotal	\$45.90
			Shipping	\$8.95
			TOTAL	\$54.85 USD

NOTES TO CUSTOMER

All done - thank you!

Law Office of P. Scott Browne

131 South Auburn Street
Grass Valley, CA 95945
5302724250

Tax ID: 68-0348904

August 15, 2021

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

Invoice Number: 983

Invoice Period: 07-16-2021 - 08-15-2021

Payment due by the 15th of next month.

RE: Multiple Projects

CALAFCo

Mendocino LAFCo - General

CALAFCo

Time Details

Date	Staff Member	Description	Hours
07-22-2021	PSB	Leg Committee meeting (Time split between all LAFCo clients)	0.10
			Total 0.00

Mendocino LAFCo - General

Time Details

Date	Staff Member	Description	Hours
07-16-2021	PSB	Monthly flat rate, as agreed upon in Legal Representation Agreement	
07-22-2021	PSB	Respond to questions from Uma re: non-potable water transfers	0.60
07-26-2021	PSB	Review and respond re emergency out of agency approvals	0.90
07-28-2021	PSB	CSA3 - Review memo from Uma; Review documents; Research; Email to Uma	2.00
08-02-2021	PSB	Review emails; Review proposed letter to BOS re: CSA 3; Send revisions;	0.65
08-03-2021	PSB	Review emails	0.25

We appreciate your business.

Page 1 of 3

Date	Staff Member	Description	Hours	
08-09-2021	PSB	Telephone call from Christian Curtis re: CSA 3	0.40	
08-10-2021	PSB	Telephone call from Uma re CSA 3 and misc issuses; Attend Executive Committee Meeting by Zoom; Memo to Uma re meeting	2.80	
08-12-2021	PSB	Revew emails; Telephone call from Christian Curtis, County Counsel	0.75	
			Total	900.00
			Total for this Invoice	900.00
			Total Amount to Pay	900.00

We appreciate your business.

Page 2 of 3

Project Statement of Account

As of 08-15-2021

Project	Balance Due
Mendocino LAFCo - General	900.00
Total Amount to Pay	900.00

CALAFCo

Transactions

Date	Transaction	Applied	Invoice	Amount
05-15-2021	Previous Balance			0.00
08-15-2021	Invoice 983			0.00
			Balance	0.00

Mendocino LAFCo - General

Transactions

Date	Transaction	Applied	Invoice	Amount
07-15-2021	Previous Balance			900.00
08-15-2021	Payment Received - Reference Check # 1681			(900.00)
08-15-2021	Invoice 983			900.00
			Balance	900.00

We appreciate your business.

Page 3 of 3

MENDOCINO Local Agency Formation Commission

Staff Report

MEETING September 13, 2021
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Mendocino County Drought Coordination and Emergency Response**

RECOMMENDATION

- A. The Commission will receive a presentation from the Mendocino County Water Agency and an informational report on countywide coordination efforts to address the drought emergency plans, out of agency water transfers, and staff activities.
- B. Provide direction to staff regarding LAFCo's role in the drought response and temporary emergency water hauling.

DISCUSSION

Most of California, including Mendocino County, is experiencing an increasing severity of drought conditions. On April 21, 2021, Governor Newsom declared a drought emergency for the Russian River Watershed and Klamath Basin. On May 10, 2021, Governor Newsom expanded the drought declaration to 41 counties. On July 8, Governor Newsom expanded the drought declaration again to another 9 counties for a total of 50 counties under the drought state of emergency. The U.S. Drought Monitor has classified most of California, including Mendocino County, as being in an exceptional drought condition. At the local level, Mendocino County is experiencing drought conditions which are resulting in increased occurrences of dry wells or wells with water quality concerns.

The Mendocino County Board of Supervisors assigned a Drought Ad Hoc Committee and has activated the Mendocino County Water Agency to coordinate identification of needs and options to support communities experiencing water supply emergencies due to the drought. Water agencies countywide have been supporting each other by coordinating development of plans for inter-agency aid through deliveries of water to communities in need, particularly from inland agencies to the coastal communities.

With a record 25 wells reported dry in the town of Mendocino this past month, during a [Special Meeting August 24th](#) the Mendocino County Board of Supervisors approved up to \$1.5 million to cover potential water hauling program costs for coastal communities. PG&E Settlement funds will serve as initial funds to start the program while grant funds and State reimbursements are sought. Mendocino County is currently soliciting potable water haulers to begin operations.

Mendocino Coast Updates

The community of Mendocino declared a [Stage 4 Water Shortage](#) on August 24 and reports 25 wells went dry last month and water thefts have been reported. Water is being provided to some residences by the Mendocino Unified School District. The Mendocino City Community Services District (MCCSD) has been allowing nearby residents with dry wells to use water from the District's own water tank. The County has also coordinated the delivery of pallets of water to the MCCSD to distribute as needed. Until recently,

residents of the community of Mendocino have relied on hauled water from the City of Fort Bragg, Irish Beach County Water District and the Elk County Water District.

Fort Bragg, which depends on three sources, including water rights from the Noyo River, issued [Stage 3 water restrictions](#) in August and will be considering implementing [Stage 4 water restrictions](#) at its September 13, 2021 Council meeting. A desalination plant has been ordered to address brackish water resulting from low river flows combined with high tides and is expected the third week in September.

In late August/early September, the Cities of Fort Bragg and Ukiah entered into a [Mutual Aid Agreement](#) with the County to establish a mutual aid plan during the drought emergency to: (a) maximize the utilization of available water supplies, distribution facilities, equipment, and personnel to conserve, allocate, and distribute water equitably, (b) sustain the safe and reliable operation of wholesale and retail water systems and wells and water systems serving individual residents and businesses in the County, and (c) avoid any catastrophic interruption to normal production and/or delivery facilities. The Agreement is written so as to allow other entities to be added in the future. No time limits were identified in the Mutual Aid Agreement.

Other locations are reporting limited but stable water supplies for household use and groundwater levels in many places are remaining fairly constant. However, local businesses, especially inns and hotels, are suffering, as almost no water is currently available to buy. Many businesses have limited the use of public bathrooms and/or installed portable potties to reduce water use. Elk County and Irish Beach Water Districts had to stop supplying water to water haulers two weeks ago due to lack of adequate stream flow and no surplus water. Until then, the districts were able to supply about 45,000 gallons of combined surplus water per day. However, the district manager reports that they can still supply small amounts of water to individuals who can provide a 300-gallon carboy or smaller.

Inland Updates

The State Water Board has begun conducting field inspections related to their August 2nd curtailment order for the upper Russian River. Redwood Valley County Water District shut off agricultural deliveries in May and customers are restricted to 55 gallons per person per day; the District is reporting an increase of dry wells. Calpella, Millview, and Willow County Water Districts, Hopland Public Utility District and River Estates Mutual Water Company are all at 50% mandatory conservation.

Round Valley County Water District is receiving increased reports of dry wells and concerns over illegal water hauling. Willits has implemented Phase 1 restrictions and usage is down. Brooktrails is at 75% capacity and is doing a portable reuse study.

The City of Ukiah reduced its diversions by 25% from the Russian River to an overall 80% before the curtailment and is depending primarily on groundwater for its supplies. This week the State Water Board amended its previous curtailment orders to allow the City of Ukiah to draw up to 50 acre-feet (16.3 million gallons) of water from the Russian River for emergency supplies and to expedite water deliveries to coastal communities. Water deliveries under the [Mutual Aid Agreement](#) from the City of Ukiah to Fort Bragg started on September 8th. It is anticipated that additional entities in the County will sign on to the mutual aid agreement in the coming weeks and months.

LAFCO ROLE

The LAFCo role in the drought emergency response relates to the powers granted under the [Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000](#) to authorize services and jurisdictional boundary changes such as annexations and extensions of service outside jurisdictional boundaries and even outside of adopted spheres of influence when addressing public health and safety concerns

([Government Code \(GC\) §56133](#)). Typically, LAFCo addresses this issue by either processing annexations into a city or district, or authorizing an extension of services (a much less expensive and faster solution during an emergency situation).

Under GC §56133, LAFCo review involves a number of steps, first of which is to determine whether the services to be extended qualify as an exemption. For example, while transfer of raw, non-potable or untreated water is an exemption under §56133(e)(2), the transfer of potable water outside a provider's jurisdiction requires LAFCo approval. Both GC §56133 and [Mendocino LAFCo Policy 12.2.5](#) requires LAFCo to review any proposal for either a determination of exemption or approval before any such extensions of service are provided.

In emergency situations, GC §56133(d) and [Mendocino LAFCo Policy 12.2.4](#) authorizes the Executive Officer to administratively approve a city or district request for extended services by contract or agreement if there is an existing and urgent public health or safety emergency as identified in writing from the local public health officer. The policy states that the Commission shall ratify the Executive Officer's determination at the next regularly scheduled meeting.

To communicate LAFCo's State-mandated responsibilities, on July 23, 2021, staff distributed written notice of these requirements and requested participation in future discussions as plans to address the water emergencies are developed. Staff have also been participating in the Mendocino County Drought Coordinating Committee meetings. It will be important for LAFCo to be involved in the implementation of temporary out-of-agency supplemental water deliveries to address emergency conditions.

The Countywide coordination, planning and implementation of plans to support communities experiencing drought-related water supply shortages is commendable and it is important that LAFCo support those efforts and be part of the solution. It is unknown the extent to which prolonged drought conditions will continue to impact water service providers in the coming years and the potential long-term implications of a new trend towards overall dryer conditions necessitating more resilient water systems.

It is also important to keep in mind that LAFCo is responsible for balancing logical and orderly development with the efficient provision of municipal services when preparing municipal service reviews, amending spheres of influence, and considering proposed changes of organization. In order to fulfill our legislative mandates, the Commission needs sufficient data to evaluate the ability of an agency to serve current and future populations within their service area. Water is considered a growth-inducing service; therefore, it is important that Commission decisions regarding agency capacity and growth account for historic, current, and future reliance on water hauling to meet service demands, which has not been studied in relevant MSRs to date.

In carrying out the mandates for which LAFCo is responsible, it is important that the Commission determine how best to address the issue of emergency water deliveries and GC 56133. A number of options have been identified for the Commission's consideration:

- Develop a policy addressing temporary emergency water hauling
- Consider a blanket out of agency service agreement (OASA) for temporary emergency water hauling with subsequent individual administrative reviews for consistency
- Require an application for out of agency service agreements per GC 56133 for each hauling instance
- Waive application requirements for temporary emergency water hauling associated with the declaration of drought emergency and coordinate with the County Drought Ad Hoc Committee and affected agencies to obtain data and reporting

The issue of water hauling has been discussed amongst LAFCOs across the State and it is common stance that GC 56133 is not waived in these instances. LAFCo's essential charge is to facilitate orderly growth relative to local conditions and recognizing and measuring the increasing fragility of existing water supplies and municipal systems is part of the equation.

Attachment 1. LAFCo letters to agencies regarding Government Code Section 56133

Attachment 2. Drought Ad Hoc Committee Update, August 31, 2021

Attachment 3. Regional and Local news articles on local water emergency

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafco.org | Web: www.mendolafco.org

Date: July 23, 2021

To: Cities and Independent Special Districts of Mendocino County

From: Uma Hinman, Executive Officer

RE: **Emergency Water Supplies, Out of Agency Services and Government Code §56133**

As local agencies seek solutions to continue providing adequate water to their customers during the unprecedented drought conditions we are experiencing, we applaud the County and water service agencies' efforts to support each other in addressing water shortages for residents in our County. We are aware that a number of options are being considered for inland agencies to support some of their coastal neighbors in providing hauled water, as well as inter-agency support for some of the inland water agencies.

As you may not be aware of the regulations under which Local Agency Formation Commissions (LAFCo) operate, [Government Code \(GC\) §56133](#) mandates that LAFCo review and provide authorization for any provision of services outside an agency's boundaries. LAFCo review pursuant to GC §56133 involves a number of steps, first of which is to determine whether the services to be extended qualify as an exemption. For example, while transfer of raw, non-potable or untreated water is an exemption under §56133(e)(2), the transfer of potable water outside a provider's jurisdiction requires LAFCo approval. Please be advised that GC §56133 and [Mendocino LAFCo Policy 12.2.5](#) requires LAFCo review for either a determination of exemption or approval before any such extensions of service are provided.

Please understand that LAFCo is supportive of the important effort to expeditiously provide temporary water deliveries to agencies and their customers affected by the emergency drought conditions. If your agency is considering providing or receiving supplemental water supply outside of your jurisdiction, please contact me to discuss options being considered so that we may advise on LAFCo process and requirements.

It is important to note that while the agencies and County have met regularly to address water supply issues during this drought emergency, LAFCo has not participated in this dialogue. I am confident that if the County, LAFCo and the agencies work together, a plan can be developed that will allow temporary out-of-agency supplemental water deliveries to address emergency conditions.

I look forward to working with the County and water service agencies in addressing these emergency conditions. In the meantime, it is a State mandate that the County and agencies seek necessary LAFCo review and approval before providing out-of-agency water deliveries. Please contact me at eo@mendolafco.org or (916) 813-0818 with any questions.

Regards,



Uma Hinman
Executive Officer

cc: Josh Metz, Program Manager, Mendocino County Water Agency

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafco.org | Web: www.mendolafco.org

July 23, 2021

Josh Metz, Program Manager
Mendocino County Water Agency
County of Mendocino
501 Low Gap Road
Ukiah, CA 95482

RE: Out of Agency Services and Government Code §56133

Dear Mr. Josh Metz:

As agencies seek solutions to continue providing adequate water to their customers during the unprecedented drought conditions we are experiencing, we applaud the County and water service agencies' efforts to support each other in addressing water shortages for residents in our County. We are aware that a number of options are being considered for inland agencies to support some of our coastal neighbors in providing hauled water, as well as inter-agency support for some of the inland water agencies.

As you may not be aware of the regulations under which Local Agency Formation Commissions (LAFCo) operate, [Government Code \(GC\) §56133](#) mandates that LAFCo review and provide authorization for any provision of services outside an agency's boundaries. LAFCo review pursuant to GC §56133 involves a number of steps, first of which is to determine whether the services to be extended qualify as an exemption. For example, while transfer of raw, non-potable or untreated water is an exemption under §56133(e)(2), the transfer of potable water outside a provider's jurisdiction requires LAFCo approval. Please be advised that GC §56133 and [Mendocino LAFCo Policy 12.2.5](#) requires LAFCo review for either a determination of exemption or approval before any such extensions of service are provided.

Please understand that LAFCo is supportive of the important effort to expeditiously provide temporary water deliveries to agencies and their customers affected by the emergency drought conditions. I request a meeting with you to discuss the current efforts being considered for supplemental delivery of out-of-agency water supply and to develop a plan that meets the needs of all affected agencies and LAFCo requirements.

It is important to note that while the agencies and County have met regularly to address water supply issues during this drought emergency, LAFCo has not participated in this dialogue. I am confident that if the County, LAFCo and the agencies work together, a plan can be developed that will allow temporary out-of-agency supplemental water deliveries to address emergency conditions.

I look forward to working with the County and water service agencies in addressing these emergency conditions. In the meantime, it is a State mandate that the County and agencies seek necessary LAFCo review and approval before providing out-of-agency water deliveries.

Regards,



Uma Hinman
Executive Officer



Mendocino County
Board of Supervisors
Regular Meeting
Drought Ad Hoc Committee Update



August 31, 2021



- Water Supply Replacement Project (WSRP)
- WSRP Cost Model
- Policy Considerations
- Recommendations
- Discussion





- **Project Overview**
 - Long Haul water from City of Ukiah to City of Fort Bragg
 - Treated through City of Fort Bragg
 - Made available for unincorporated hauling
- **Potential State Funding for Health & Human Safety**
 - Domestic Price = *Water + Local Haul*
 - Commercial Price = *Water + Long Haul + Local Haul*
- Designed to be **scalable** to other area if needed



WSRP Cost Model



Cost Items	Estimated Values**
Potential Daily Demand (Gal)	118,500
Water Cost	\$0.03
Haul Cost/Gal	\$0.24
Total Cost*/Gal	\$0.27
Total Cost* /Day	\$31,995
Total Cost*/Month	\$959,850

**Water sold to commercial customers may include long haul costs – which could be returned to the County. Water sold to domestic users may exclude long haul costs and may be reimbursable under State programs.*

***Estimated values. Actual values may vary.*





- Department of Water Resources – Drought Relief Grant Program *may* provide grant funds to support hauling water for domestic uses
- State Division of Drinking Water – Urgent Drinking Water Needs Program *may* provide grant relief for domestic use by low-income residents
- ***No current State or Federal drought relief grant programs support commercial use***





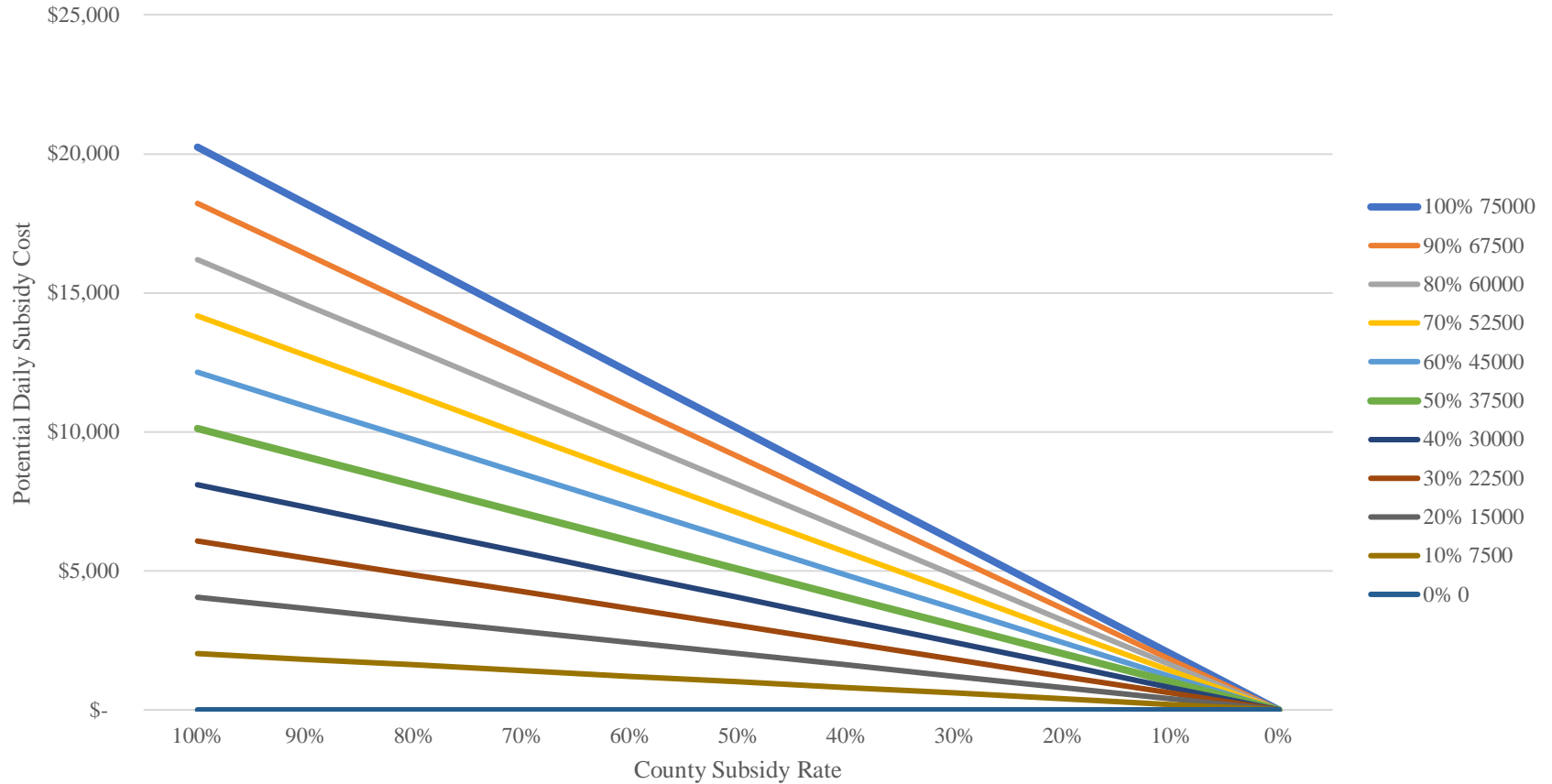
- **Transient Occupancy Tax Yields ~\$5.5M Annually to County General Fund**
 - Coastal TOT ~75% of total or \$4.1M
- **Sept-Oct is high season on the coast**
 - Representing ~20% annual TOT revenue
- **Most businesses have not historically needed to purchase external water**
 - Records indicate ~75,000/gal/day max late season demand in “normal” dry (non-drought) years (Domestic + Commercial)
- **Subsidizing hauling cost to coast could stabilize projected TOT revenues vs. potential shutdown & economic impacts**
 - Actual commercial water demand unknown



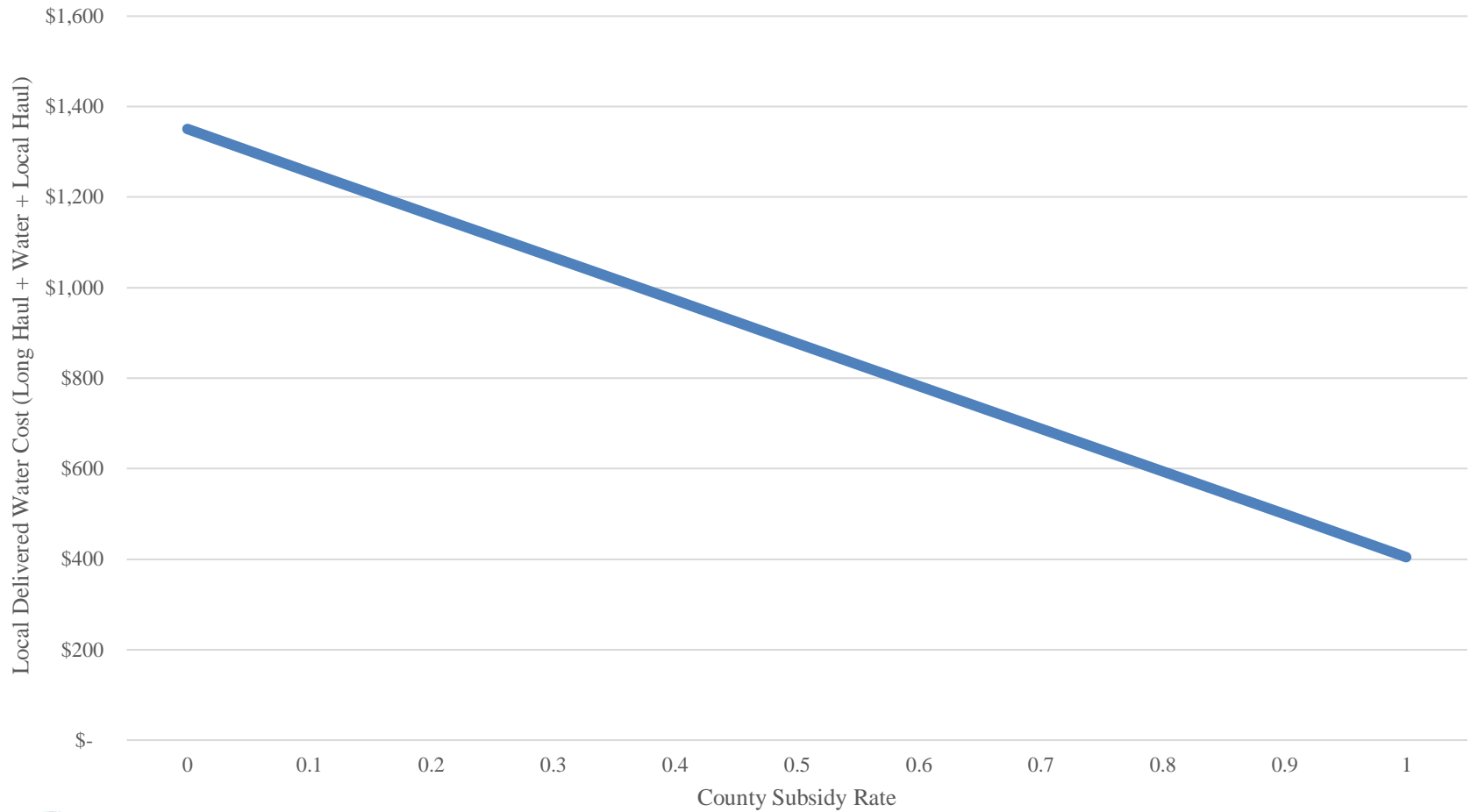
Policy Considerations



Potential Daily Subsidy Cost at Different Commercial Use Rates & Subsidy Scenarios



Policy Considerations





- Consider subsidy for long haul water cost to the coast
- Consider TOT allocation to fund program
- Monitor use pattern and adjust policy going forward





Joshua Metz

jmetz@rgs.ca.gov

(650) 587-7300 x27

[c] (707) 206-2111

Drought Hotline

(707) 234-6363

Drought@MendocinoCounty.org

Report Dry Wells

[mydrywatersupply.water
.ca.gov/report/](http://mydrywatersupply.water.ca.gov/report/)



Attachment 3

Below are a number of articles from local and regional news sources related to the Mendocino County emergency water shortages:

- Ukiah Daily Journal:
 - [Drought on Mendocino Coast: State Water Board amends curtailment orders to expedite water deliveries](#)
 - [City of Ukiah plans to defy state curtailment orders to deliver water to the coast](#)
 - [City of Ukiah approves plan to send water to coast](#)
- Press Democrat:
 - [As surplus water sales evaporate, Mendocino Coast scrambles to keep from going dry](#)
- Fort Bragg Advocate News:
 - [Supes approve trucking water from Ukiah to Mendocino](#)
- Mendocino Voice:
 - [Supervisors make PG&E funds available to truck water to the coast](#)
 - [A response to the critical water shortage in Mendocino](#)
 - [Fort Bragg City Council spends \\$155K on desalination gear for shallow well at Redwood Elementary](#)
 - [Supes approve partial subsidy to haul water for coastal businesses](#)
 - [Ukiah plans to resume drawing water from Russian River to help coast](#)

MENDOCINO

Local Agency Formation Commission

Staff Report

MEETING September 13, 2021
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Public Hearing** to Consider Adoption of a Resolution Approving the Covelo Community Services District Municipal Service Review and Sphere of Influence Update

RECOMMENDATION

- 1) Find the Covelo Community Services District Municipal Service Review and Sphere of Influence Update is exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations §15306 and §15061(b)(3) and approve the Notice of Exemption for filing; and
- 2) Adopt LAFCo Resolution 2021-22-02, approving the Covelo Community Services District Municipal Service Review and Sphere of Influence Update and affirming a coterminous sphere for the District.

BACKGROUND

This is a Public Hearing to consider public testimony and proposed adoption of the Covelo Community Services District Municipal Service Review (MSR) and Sphere of Influence (SOI) Update.

The Commission held a Workshop on July 12, 2021 to hear public comments and provide direction on revisions to the draft study in preparation for this Public Hearing item.

The following is a list of revisions from the Commission requested during the workshop:

- a) Clarify the financial section of the report, describing any financial challenges the District faces that may cause the enterprise services to operate at an annual net loss and how will it overcome them to balance the budget.
- b) Clarify that the Round Valley Indian Tribes also owns and operates its own wastewater treatment plant in Round Valley.
- c) Clarify whether the District's provision of sewage dump services is an out of agency service.

The comments have been addressed in the attached Public Hearing Draft document.

Sphere of Influence

In 2010, the Commission approved a SOI sufficient to include two annexations, which were immediately approved upon adoption of the SOI. The SOI reflects the area that the wastewater treatment plant has the capacity to serve. There have been no changes to the District boundary or SOI since then.

The District has confirmed that their current boundary reflects existing service needs and projected service demands over the next five years. There have been no annexations since 2010, there is no planned urban development, and there is low projected growth and demand for services. The District's SOI is recommended to be affirmed as a coterminous sphere, which is a sphere that is the same as the jurisdictional boundary.

Public Comments

No public comments have been received to date.

- Attachments:** (1) Covelo CSD MSR/SOI Update
(2) Proof of Publication
(3) Notice of Exemption
(4) LAFCo Resolution No. 2021-22-01

PUBLIC HEARING DRAFT



(The Press Democrat, 2012)

COVELO COMMUNITY SERVICES DISTRICT

Municipal Service Review and Sphere of Influence Update

Prepared for:

MENDOCINO LAFCO

200 South School Street

Ukiah, California 95482

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

Workshop: July 12, 2021

Public Hearing: September 13, 2021

Adopted:

LAFCo Resolution No:

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1 INTRODUCTION

1.1 LOCAL AGENCY FORMATION COMMISSION

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

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

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

1.2 MENDOCINO LAFCO

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

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

1.3 SPHERE OF INFLUENCE

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

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

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

facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

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

1.4 MUNICIPAL SERVICE REVIEW

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

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

An MSR must address the following seven factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

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

1.5 MENDOCINO LAFCO POLICIES

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

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

10.1.1 Legislative Authority and Intent

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

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

10.1.2 Definitions

The Commission incorporates the following definitions:

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

10.1.3 Sphere Updates

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

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

10.1.4 Reduced Spheres

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

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

10.1.5 Zero Spheres

LAFCo may adopt a “zero” sphere of influence encompassing no territory for an agency. This occurs if LAFCo determines that the public service functions of the agency are either nonexistent, no longer

needed, or should be reallocated to some other agency (e.g., mergers, consolidations). The local agency which has been assigned a zero sphere should ultimately be dissolved.

10.1.6 Service Specific Spheres

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

10.1.7 Agriculture and Open Space Lands

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

10.1.8 Annexations Are Not Mandatory

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

10.1.9 Islands or Corridors

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

10.1.10 Overlapping Spheres

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

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

Territory placed within a city’s sphere indicates that the city is the most logical provider of urban services. LAFCo encourages annexation of developing territory (i.e., area not currently receiving services) that is currently within a city’s sphere to that city rather than to one or more single-purpose special districts. LAFCo discourages the formation of special districts within a city’s sphere. To promote efficient and coordinated planning among the county’s various agencies, districts that provide the same type of service shall not have overlapping spheres.

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

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

10.1.12 Areas of Interest

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

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

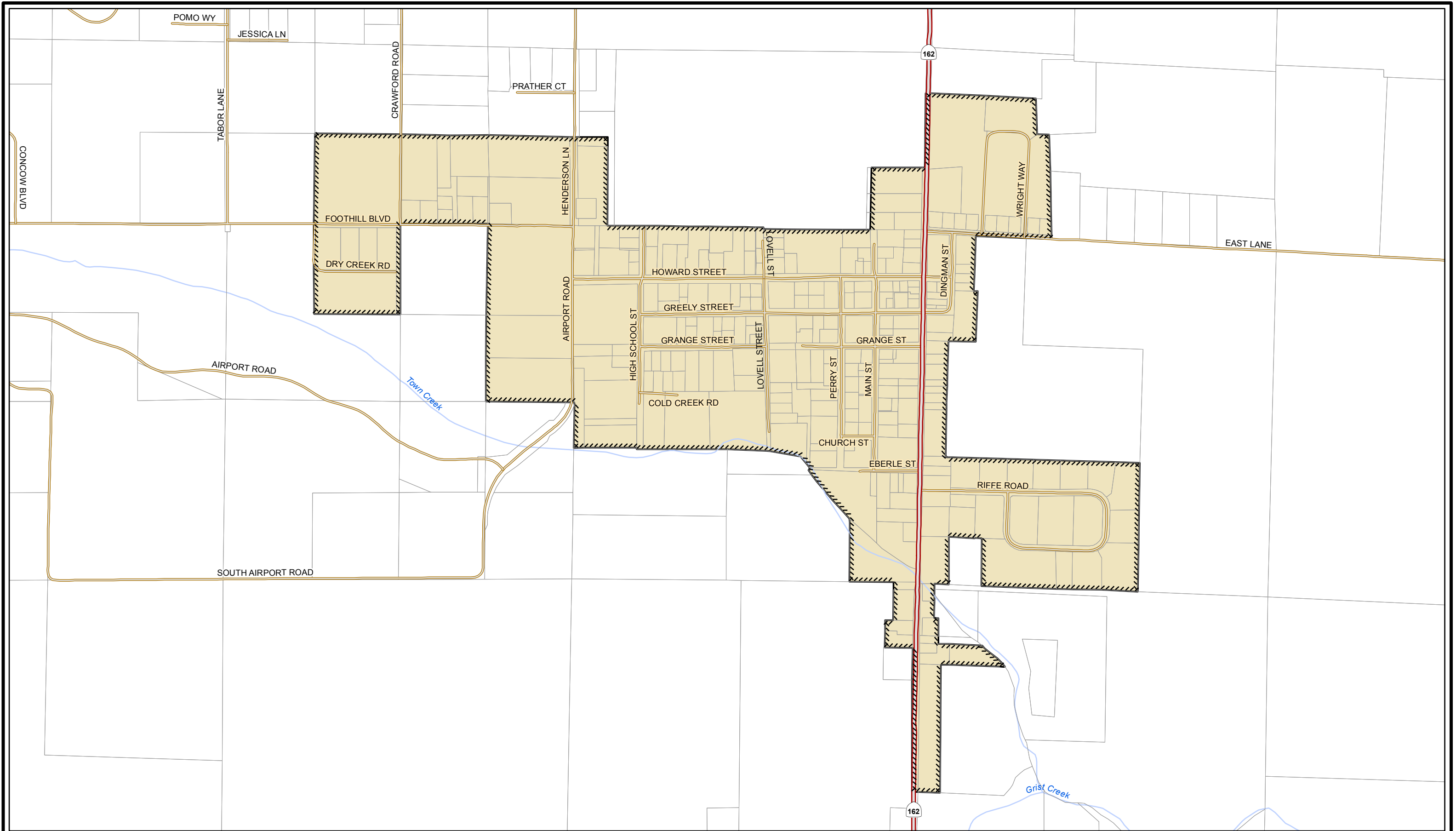
(LAFCo, 2018)

1.6 SENATE BILL 215

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

Mendocino County is not located within an MPO boundary and therefore is not subject to the provisions of SB 375. However, the Mendocino Council of Governments (MCOG) supports and coordinates the local planning efforts of Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits to address regional housing and transportation needs and helps provide a framework for sustainable regional growth patterns through the 2018 Mendocino County Regional Housing Needs Allocation (RHNA) Plan and Vision Mendocino 2030 Blueprint Plan. MCOG is also responsible for allocating regional transportation funding to transportation improvement projects consistent with the 2017 RTP for Mendocino County.

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



Covelo Community Services District Sphere of Influence

Source: This map was prepared by the Mendocino County Information Services Department GIS Program, May 2021.
Note: This map is not a survey product.

- Covelo CSD
- Covelo CSD SOI
- Parcels
- Highway
- Roads
- Streams

Figure 1-1 Covelo CSD Boundary and Sphere of Influence Map

2 AGENCY OVERVIEW

Table 2.1 CCSD Profile

Agency Name:	Covelo Community Services District
Phone Number:	(707) 983-6888
Mailing Address:	P.O. Box 65, Covelo, CA 95428
District Office:	23950 Grange Street, Covelo, CA 95428
Website:	http://ccsd.roundvalley.org/
General Email:	covelocsd@hotmail.com
Date of Formation:	April 5, 1960
Agency Type:	Independent Special District, Multi-Service Provider
Enabling Legislation:	Community Services District Law: Government Code §61000 et seq.
Board Meeting Schedule:	2nd Thursday of the month at 6:00 p.m. at the District Office (Alternate: 2nd Wednesday of the month as needed)

Source: CCSD, 2020a.

2.1 HISTORY

2.1.1 FORMATION

The Covelo Community Services District (Covelo CSD, District, or CCSD) was formed on April 5, 1960 to protect the health and safety of the Covelo community associated with well water contamination from private septic systems. (LAFCo, 2010a)

2.1.2 BOUNDARY

The District is located in the northeast region of Mendocino County between the Mendocino National Forest to the east and the Eel River to the west. The Covelo CSD boundary encompasses approximately 264 acres and includes the central or core portion of the unincorporated community of Covelo within the greater Round Valley area (see Figure 2-1).

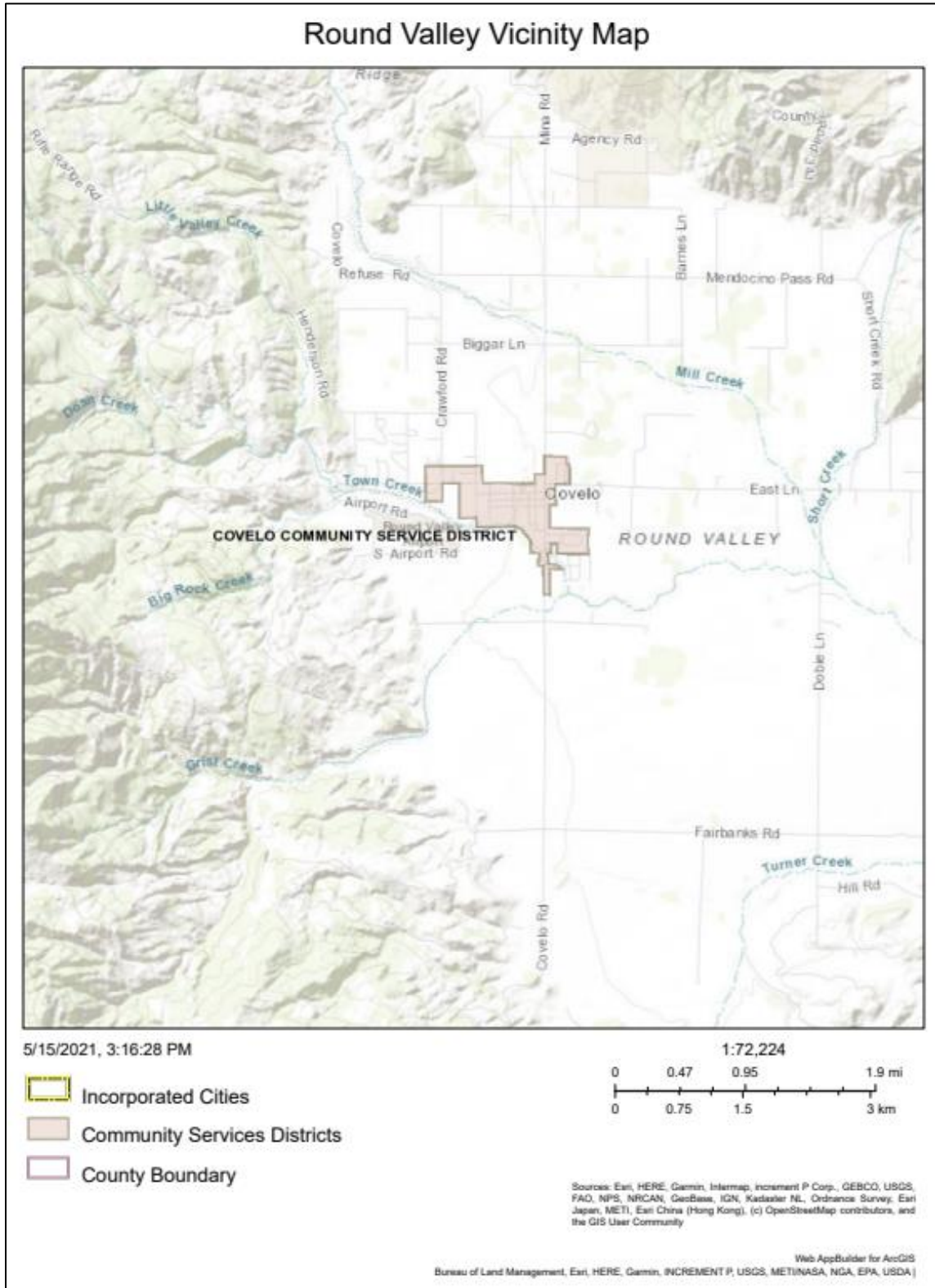
Round Valley is approximately 23 square miles in size and is a north-south trending valley surrounded by rugged mountains. It is located in the upper Eel River basin above the confluence of the Main Stem Eel River and the Middle Fork Eel River. Communities within the valley are Covelo, which is located in the central portion of the valley, and the [Round Valley Indian Reservation](#), which is located in the northwestern portion of the valley.

Access to the District is from State Highway 162, which traverses northeast from US Highway 101 for approximately 29 miles. Covelo is located approximately 35 miles northeast of the City of Willits.

Much of the developed area of Covelo is within the District boundary; however, there are many structures and small parcels adjacent to the District's boundary. The District's wastewater treatment plant property is outside the District boundary and is located southeast of the District (see Figure 2-2).

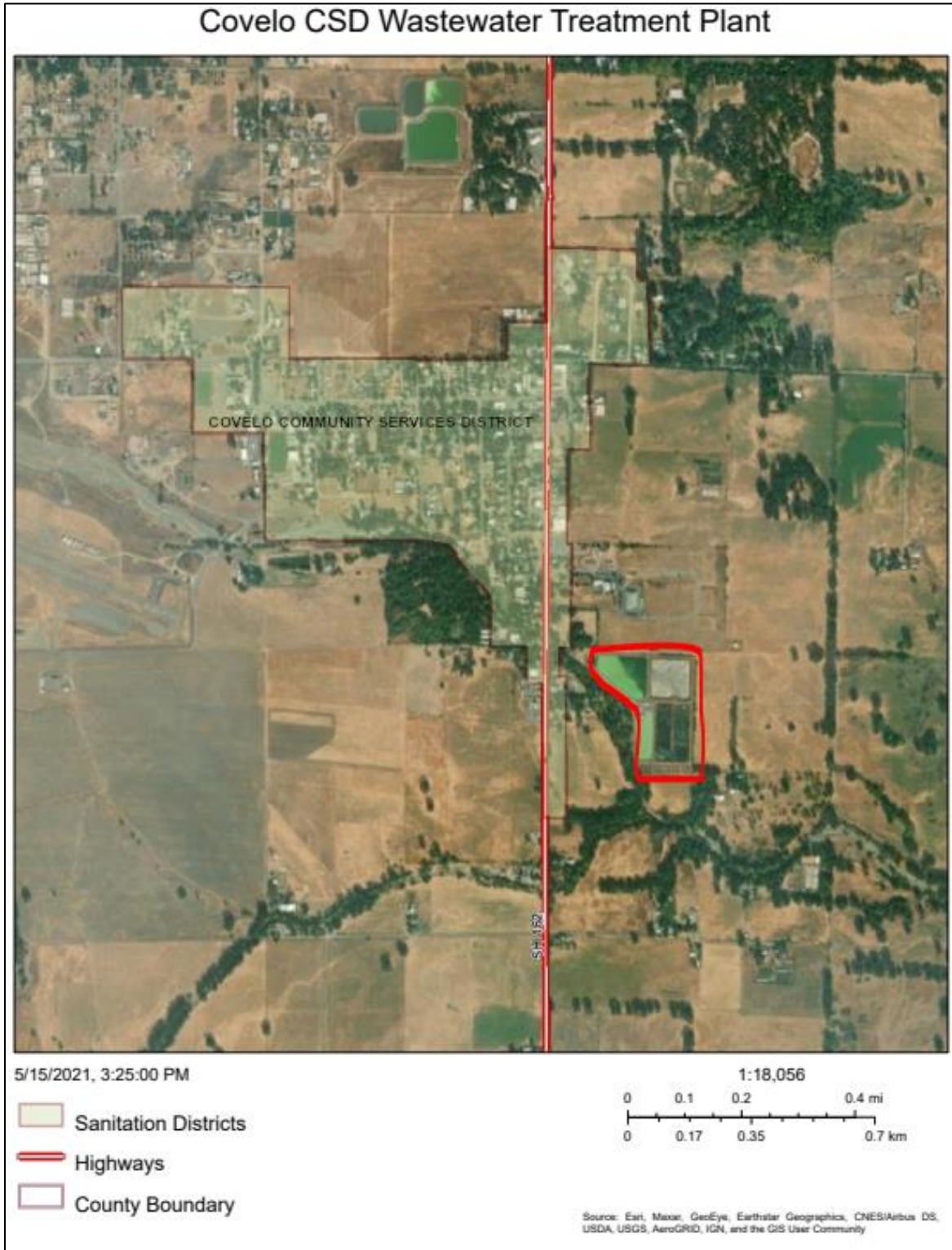
The District boundaries include some Tribal Lands within the western portion of the District boundaries.

Figure 2-1 Round Valley Vicinity Map



Source: Mendocino County, 2021.

Figure 2-2 Location of Covelo CSD Wastewater Treatment Plant



Source: Mendocino County, 2021.

2.1.2.1 Boundary Changes

There have been two changes to the District boundary that were approved immediately following adoption of the 2010 MSR/SOI Update, as shown in Table 2.2 below, annexing a total of approximately 62 acres.

Year	File Name	Acreage	Status	LAFCo Reso No.
2010	Travis Annexation	10.14	Completed	2010-02
2010	Covelo Community Services District Reorganization 2010	52.06	Completed	2010-03

(LAFCo, 2010b and 2010c)

2.1.3 SERVICES

The Covelo CSD is a single-service district providing wastewater services. For more information regarding this service refer to Chapter 3. For more information regarding other services provided by contract or agreement refer to Section 2.3.4.

2.1.3.1 Senate Bill 135

The Community Services District (CSD) Principal Act was comprehensively updated by Senate Bill (SB) 135 which took effect January 1, 2006. SB 135 consolidated the provisions for CSDs into a list of 31 services and facilities and also changed the definition of latent powers.

Under the CSD statutes at the time of District formation, latent powers were those services or powers authorized by the Principal Act but not designated in the petition for formation.

SB 135 redefined latent powers as those services and facilities authorized by the new CSD Principal Act that were not provided before January 1, 2006, as determined by LAFCo. Therefore, SB 135 effectively grandfathered in all services and facilities that CSDs provided before January 1, 2006.

The old CSD Principal Act from 1955 required voter approval of latent powers and predated the statewide creation of LAFCo in 1963. With SB 135, all powers authorized for CSDs but not being exercised became latent powers, regardless of the initial formation petition.

2.1.3.2 Active Powers

Consistent with SB 135, on December 29, 2005 LAFCo staff determined that the current services provided by Covelo CSD were as follows.

1. Collection and treatment of sewage, wastewater, recycled water and storm water in the same manner as a Sanitary District with a plant located at 76001 Covelo Road.

The 2010 MSR/SOI study prepared for the District reaffirmed the above list of active powers. There have been no changes to the District's active powers since that time.

(LAFCo, 2010a)

2.2 GOVERNMENT STRUCTURE

2.2.1 GOVERNING BODY

The Board of Directors is the legislative body for the District and is responsible for establishing policy, adopting and amending the annual budget, enacting ordinances, adopting resolutions, and appointing committees. The District is governed by a five-member Board of Directors elected at-large to serve staggered four-year terms (Table 2.3). In 2018, the District requested to consolidate elections and was approved by the County of Mendocino Board and Elections Office to move its elections to align with the General Election cycle, automatically extending the current terms of sitting Directors by one year. Board elections will now be held in even numbered years starting in 2024. (CCSD, 2019)

In order to be elected to the Board, candidates must be registered voters residing within the District boundaries. If there are insufficient candidates for election of Board vacancies, or if the number of filed candidates is equal to the number of Board vacancies, then District Board members may be appointed in lieu of election by the County Board of Supervisors per Elections Code §10515. New Board members take office at noon on the first Friday in December following their election. (County of Mendocino, 2019)

Government Code §1780-1782 governs the process for appointment of Board of Director seats vacated prior to the scheduled term expiration date. The District Board of Directors has 60 days to appoint an interested and qualified individual to a vacant seat if proper notice requirements have been met. If the District cannot fill the seat within the 60-day period, the Mendocino County Board of Supervisors can appoint a Director to the District Board during a 30-day period following the initial 60-day period. If the vacant seat is not filled during the total 90-day period, the vacant seat remains empty until the next election.

The District Board of Directors elects Officers annually at the January regular meeting. Officers include a Chair and Vice-Chair elected and served by Board members, and a Treasurer and Secretary appointed by the Board and served by District staff. The Board may create additional offices and elect Board members to fill those offices, provided that no Board member holds more than one office. District Board members do not receive compensation for their public service. Staff support for the Board includes a General Manager and Bookkeeper/Office Manager. The current District Board of Directors is shown in Table 2.3 below.

(CCSD, 2020a)

Name	Office/Position	Term Expiration	First Year of Service	Serving Consecutive Terms
Joseph Gauder	Chair	Nov. 2024	2005	Yes
Sherrie Lee	Vice Chair	Nov. 2024	2019	No
Paul Filler	Director	Nov. 2022	2006	Yes
Vacant	Director	N/A	N/A	N/A
Vacant	Director	N/A	N/A	N/A

Source: CCSD, 2020a.

The District has difficulty filling vacancies, but has retained two long-term Board members. The last time the Board had five members was in Fiscal Year 2010-11.

Prior to serving as the District General Manager (since 2017), Dane Downing served on the District Board of Directors, and was the Chair during the preparation of the 2010 MSR/SOI Update. (LAFCo, 2010a)

2.2.2 PUBLIC MEETINGS

Regularly scheduled meetings for the Board of Directors are held on the second Thursday of the month at 6:00 p.m. at the District Office located at 23950 Grange Street in Covelo. Alternatively, the District Board meets on the second Wednesday of the month as needed, according to District staff. During the COVID-19 pandemic, meetings have been held via Zoom for Board members and the public; staff continues to meet in the office following current health order protocols.

In accordance with the Brown Act, all District Board meetings are open to the public and are publicly posted a minimum of 72 hours prior to regular meetings, or a minimum of 24 hours prior to special meetings. Meeting notices are posted outside the District office, at the Covelo Post Office bulletin board, Round Valley Library Commons bulletin board, and the Keith's Family Market bulletin board.

The District maintains public notices regarding Board Director vacancies at its office, the Round Valley Library Commons, Covelo Post Office, and the local radio station provides a "bulletin board" report which includes the public notice on vacancies.

Public meeting information including past agendas and approved meeting minutes are posted on the District's website and are available at the District's office upon request.

Minutes are kept for all public Board meetings and are adopted at a subsequent meeting.

2.2.3 STANDING COMMITTEES

Committees may be assigned to assist in carrying out various functions of local government. The District does not currently have any standing committees (CCSD, 2020a).

2.2.4 PUBLIC OUTREACH

The District has a website at <https://ccsd.roundvalley.org>, which can be a helpful communication tool to enhance government transparency and accountability. The District's website has the District's contact information and agendas and minutes from District Board meetings from October 2019 to June 2020. The website is not current and does not appear to be maintained. (CCSD, n.d.(a))

The District's website would be enhanced by keeping it current; posting the regular Board meeting agenda, time, and location; posting the Board member contact information; and incorporating a content management system, such as DocuShare, to provide a searchable and chronologically organized document archive system for Board meeting packets and adopted ordinances, resolutions, annual budgets, financial audit reports, and other digital records. The website would also benefit from a search engine prioritization overhaul to improve the website ranking and site traffic, as the website does not currently appear in Google, Bing, or other searches for "Covelo Community Services District." The District should also consider maintaining additional social media outlets, and linking to relevant outside sources such as the Round Valley Library Commons and Mendocino LAFCo's website.

With the passage of SB 929, all District's are required to be established and maintained with specific information and accessibility requirements; a website compliance handout is provided in Appendix B.

2.2.5 COMPLAINTS

The public can submit written or provide verbal comments or complaints on the District website, in person or by phone at the District office during business hours, Monday through Friday from 8:00 a.m. to 3:00 p.m., or at the District Board of Directors meetings during the general public comment period. The District received two complaints in the last two years, each one by individuals regarding suspected violation(s) of District policies. Each complaint was addressed by conducting on-site visits of the parcels in question. The District sent letters to the property owners requesting that they abate the violations per District Ordinances. No complaints were received regarding the District's conduct of business. (CCSD, 2020a)

2.2.6 TRANSPARENCY AND ACCOUNTABILITY

The District adopted a Policy Handbook at its July 12, 2006 regular Board meeting. The Handbook addresses the Board of Directors elections, officers, meeting conduct, conflicts of interest, decisions, rules of order, and responsibilities. This is in addition to general operating policies and procedures for the District, financial policies, and personnel policies that define the obligations, rights, privileges, benefits, and prohibitions placed upon all District employees.

The Political Reform Act requires all state and local government agencies to adopt and promulgate a Conflict of Interest Code pursuant to Government Code §81000 et seq. The Political Reform Act also requires persons who hold office to disclose their investments, interests in real property, and incomes by filing a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to Government Code §87203. The District complies with the above requirements (CCSD, 2020a).

According to AB 1234, if a local agency provides compensation or reimbursement of expenses to local government officials, then all local officials are required to receive two hours of training on public service ethics laws and principles at least once every two years and establish a written policy on reimbursements pursuant to Government Code §53235. Although the District does not compensate its Board members, its directors and staff attend Brown Act/Ethics trainings regularly.

Refer to Appendix A for a brief list of educational resources regarding open government laws and Appendix B for a website compliance handout.

2.3 OPERATIONAL EFFICIENCY

2.3.1 MANAGEMENT AND STAFFING

The Board of Directors appoints a District Manager to support their efforts and oversee the daily operations of the District to ensure that the Board's policies, programs, and priorities are implemented. The District Manager is the Executive Officer and Treasurer of the District. The responsibilities and specific duties of the District Manager include the following:

- Management and control of operations and works of the District, subject to the approval of the Board of Directors.
- Attendance at all meetings of the District's Board and other meetings as the Board determines necessary.
- The appointment, supervision, training, evaluation, discipline, and dismissal of the District's employees, consistent with the employee relations system established by the Board of Directors.
- The day-to-day supervision and leadership of the District's facilities and services.
- Maintenance of good customer service and customer and employee relationships.

- Supervision of the District's finances, including investing District funds, maintaining the District's insurance policies, and formulating budgets for the district.
- Implementation of the policies established by the Board of Directors for the operation of the District. (CCSD, n.d.(b))

General government services provided under the direction of the District Manager include administration, finance, and planning. Financial activities include accounting, utility billing, purchasing, payroll, collections, and assisting with the annual audit process. Administrative activities include preparing for public meetings, providing customer service at the District office and other outreach opportunities, and maintaining the District's official records such as meeting minutes, ordinances, resolutions, legal documents, and legal opinions. Planning activities include participating in the building permit process, working with engineers to develop repair and maintenance designs for grant funded projects, grant development and procurement.

District personnel include full-time and part-time employees for a total staffing level of two Full Time Equivalent (FTE) positions. Table 2.4 shows District staffing levels by personnel groups. The District has one full-time position and two part-time employees as follows: one General Manager (full-time), one Bookkeeper/Office Manager (part-time), and one Plant Operator/Collection Manager (part-time). In addition, the District employs a contract Certified Public Accountant (CPA) and legal counsel on an annual basis. As needed the District also enters into contracts with engineers, construction contractors, construction monitors, and others.

(CCSD, 2020a)

Personnel Groups	FTE
General Manager	1.0
Bookkeeping/Office Manager	0.5
Plant Operator/Collection System Manager	0.5
Total	2.0

Source: CCSD, 2020a.

2.3.2 AGENCY PERFORMANCE

A component of monitoring agency performance is routinely evaluating staff productivity. The District conducts organizational assessments and staff reviews annually upon negotiating the Employee Agreements, which are finalized before the final budget is approved each fiscal year. The General Manager also tracks non-salaried employee workload through bi-weekly timesheets. Employee workload assessments are conducted at times daily to aid and support the proper functioning of the District.

The District has Board of Director oversight and provides input and suggestions deemed to improve daily operations of the District. The General Manager also has authority to modify operations to increase efficiency and safety. (CCSD, 2020a)

2.3.3 REGIONAL AND SERVICE-SPECIFIC PARTICIPATION

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

- The District General Manager participates in the California Special Districts Association.
- The District General Manager participates in the Special District Risk Management Authority.

(CCSD, 2020a)

2.3.4 INTERAGENCY COLLABORATION

Below are examples of the District's interagency collaborative arrangements:

- The District collaborates with other public agencies by sharing the office and Board meeting location with the Round Valley County Water District (RVCWD).
- The District is developing a Memorandum of Understanding (MOU) with the RVCWD to share office space with the Round Valley Area Municipal Advisory Council (RVMAC) for document storage.
- The District participates in the Special District Risk Management Association (SDRMA) for the purpose of pooled insurance for providing liability, workers compensation for its facilities, operations, and employees.

(CCSD, 2020a)

2.3.5 CONTRACT OR JPA SERVICES

No similar municipal services are provided to District residents by other public agencies or non-profit organizations through agreements or Joint Powers Authority (JPA), or by private businesses through service contracts.

2.3.6 SHARED SERVICES AND FACILITIES

Other than sharing office space with the RVCWD and RVMAC as described above, the District does not have agreement with other local agencies to jointly provide public services or jointly own, manage, or fund public facilities.

2.3.7 ENHANCED SERVICE DELIVERY OPTIONS

The District is the only agency providing wastewater services to the Covelo community, which primarily cover the Covelo core area. The Round Valley Indian Tribes (RVIT) own and operate its own wastewater facility to the north of Covelo that serves Tribal lands and development.

The County of Mendocino provides law enforcement, code enforcement, transportation, and stormwater collection services within the District. RVCWD provides flood control and stream restoration services to landowners in the Round Valley watershed. Firefighting and prevention services are provided by the Covelo Fire Protection District. There is no water purveyor in the Covelo/Round Valley area. Ambulance service in the Covelo and the greater Round Valley area are provided by Medstar Ambulance and by the Covelo Fire Protection District. Additionally, the County of Mendocino is in the process of establishing an Exclusive Operating Area contract for ambulance services covering the inland area of Mendocino County including Covelo. There is no redundancy in the provision of municipal services to the District.

As a CSD, the District has the opportunity to provide additional municipal services upon activation of latent powers through Mendocino LAFCo. Given the recent establishment of the RVMAC and the issues identified in the Covelo area, there may be opportunity for the District to serve as a vehicle for achieving some of the goals that are otherwise unattainable in such a rural, unincorporated area.

No new opportunities for the District to achieve organizational or operational efficiencies were identified during the preparation of this MSR.

2.3.8 GOVERNMENT RESTRUCTURE OPTIONS

Government restructure options should be pursued if there are potential benefits in terms of reduced costs, greater efficiency, better accountability or representation, or other advantages to the public. There is no recommendation for a reorganization of local municipal service providers in the area at this time.

2.4 FINANCES

The District's financial resources are accounted for in different funds based on organizational units such as programs, functions, and services. The District's governmental activities, including administration, finance, and planning, are accounted for in governmental funds. The District has one type of fund, the Proprietary Fund, which is an enterprise fund that reports the business-type operations, but provides more detail and additional information such as cash flows. The cost of providing enterprise services is intended to be recovered through sewer fees. (Robertson, 2019)

2.4.1 CURRENT FISCAL HEALTH

2.4.1.1 Financial Summary

The District prepares and adopts an annual budget prior to the beginning of each fiscal year (July 1), which serves as a financial planning tool and an expense control system. Expenses cannot exceed the authorized budgeted amounts unless the budget is amended by the Board of Directors by resolution during the fiscal year. The District also has annually audited financial statements prepared by a CPA which serves as financial assurance for the use of public funds. This section includes District financial information for Fiscal Year (FY) 2015-16, 2016-17, 2017-18, and 2018-19, and highlights specific revenue sources and long-term financial considerations.

The following table (Table 2.5) provides year-end (not budget) financial information for the District. This table summarizes the Statement of Revenues, Expenses, and Changes in Fund Net Position prepared by Robertson & Associates, CPAs. The financial information in the table below represents the short-term financial standing of the District based on reporting annual income, expenses, and profits/losses using the accrual basis of accounting, which is an accounting method where revenue or expenses are recorded when a transaction occurs rather than when payment is received or made.

Table 2.5 CCSD Financial Summary				
	FY 15-16	FY 16-17	FY 17-18	FY 18-19
Beginning Net Position	\$3,101,344	\$3,018,013	\$2,872,182	\$2,668,820
Prior Period Adjustments	\$0	\$0	\$0	\$110,463
Ending Net Position	\$3,018,013	\$2,872,182	\$2,779,283	\$2,569,942
Operating Revenues				
Sewer Fees	\$211,300	\$205,640	\$268,515	\$269,495
Other operating revenue	\$9,578	\$9,707	\$13,133	\$19,318
Total Operating Revenues	\$220,878	\$215,347	\$281,648	\$288,813
Operating Expenses				
Salaries	\$70,645	\$82,582	\$105,883	\$122,673
Casual labor	\$195	\$642	\$611	\$516

Table 2.5 CCSD Financial Summary				
	FY 15-16	FY 16-17	FY 17-18	FY 18-19
Employee benefits	\$8,021	\$18,353	\$21,380	\$21,751
Payroll taxes	\$6,141	\$7,684	\$9,704	\$13,465
Professional services	\$12,813	\$14,240	\$14,569	\$12,425
Vehicle expenses	\$2,366	\$3,284	\$1,059	\$3,221
Insurance	\$8,248	\$8,371	\$9,429	\$10,540
Supplies	\$4,926	\$6,386	\$12,117	\$,6236
Licenses and fees	\$7,497	\$7,959	\$7,104	\$8,529
Maintenance	\$3,768	\$2,453	\$6,033	\$8,847
Monitoring	\$9,614	\$22,501	\$12,371	\$6,709
Utilities	\$26,266	\$31,759	\$22,683	\$30,713
Office expenses	\$3,581	\$12,873	\$6,118	\$5,197
Equipment	\$528	\$1,694	\$6,450	\$1,825
Depreciation expense	(\$114,204)	(\$114,256)	(\$110,305)	(\$112,282)
Other expenses	\$1	\$1,119	\$4,088	\$1,442
Total Operating Expenses	\$278,814	\$336,156	\$349,904	\$363,487
Net Income/(Loss)	(\$57,936)	(\$120,809)	(\$68,256)	(\$74,674)
Other Non-Operating Revenues (Expenses)				
Interest Income	\$64	\$75	\$49	\$68
Interest Expense	(\$25,459)	(\$25,097)	(\$24,692)	(\$24,272)
Total Non-Operating Revenue (Expenses)	(\$25,395)	(\$25,022)	(\$24,643)	(\$24,204)
Change in Net Position from Prior FY	(\$83,331)	(\$145,831)	(\$92,899)	(\$98,878)

Source: Robertson: 2016, 2017, 2018, 2019.

The financial information in the table above involves depreciation expense, which is a method of spreading the cost of a capital asset over its estimated useful life, as opposed to recognizing the full cost of a capital asset as an expenditure at the date of acquisition.

The District's annual financial reports define a capital asset as a fixed asset (land, buildings and improvements, equipment, and vehicles) with an initial cost greater than \$1,000. Additions, improvements, and other capital outlays that significantly extend the useful life of an asset are also capitalized. The length of useful life for each asset type is defined in the financial reports (Robertson, 2019).

According to the audited financial information in the table above, the District's change in net position over the last four fiscal years has been a decrease, using the depreciation expense method. Although a decrease in net position signals a weakening in financial position, it does not always indicate a problem.

Refer to Figure 2-3 below for the most recent Statement of Net Position, which represents the long-term financial standing, or net position, of the District based on reporting the difference between the District's assets and liabilities.

Year-end revenue over expenses is an important measure of an agency's financial performance during a fiscal year. When an agency operates at a net income, annual revenue exceeds annual expenses producing a surplus. When an agency operates at a net loss, annual expenses exceed annual revenue producing a deficit. When year-end revenue over expenses is compared with the adopted budget, it shows whether the agency is generating sufficient annual revenue to continue the current level of operations.

If depreciation expense is removed, then the District's year-end revenue over expenses results in a net income of \$30,873 for FY 2015-16, a net loss of \$31,575 for 2016-17, a net income of \$17,406 for 2017-18, and a net income of \$13,404 for 2018-19. The general trend of net income is a key measure of fiscal health and indicates that the District does not need to utilize reserve funds to balance the budget or meet current operating costs. Net income or revenue gain also indicates that the District maintains a sufficient fund balance to protect against unexpected costs and/or build reserves to fund capital improvements and equipment maintenance.

The District reports that capital improvements and equipment maintenance have been completed at the Treatment Plant which were funded from the Maintenance Reserve and Capital Reserve accounts and that were incorrectly identified as expense items funded from the operating budget in Note 2F in the 2016 Audit report. The Auditor agrees with the District's identification of this accounting error and will take corrective action in the FY 2019-20 annual audit, which is currently being prepared.

2.4.1.2 Enterprise Activities

The District's operational type is considered an enterprise activity in that they are financed and operated in a manner similar to private business operations enterprises where the intent is that the costs (including depreciation) to provide the wastewater services to the general public are financed or recovered primarily through user charges. These enterprise activities are accounted for in Enterprise Funds. The District reviews rates and fees during the annual budget development process and proposes an increase, when necessary, to support the on-going delivery of services. The District Board of Directors adopts rates and fees annually at a duly noticed Public Hearing based on actual expenditures and cost recovery.

The District's adopted Rates and Fees per Resolution No. 2017-001 is a monthly wastewater rate per equivalent dwelling unit is \$65. (CCSD, 2020b) The District's enterprise services are currently operating at a net loss, and the District has indicated that the community cannot, generally speaking, pay more for services than the current fees. Covelo CDP is a Severely Disadvantaged Community as described in more detail in Section 2.5.2.

The following resolutions were passed in Fiscal Year 2019-20 regarding fees:

- Resolution 2019-003: "fees" amended the Residential Equivalent Unit Rate Schedule, which defines how many Residential Equivalent Units (REU) are assessed per category of residential and non-residential use;
- Resolution 2020-003 Eliminating Vacant Rate Category";
- RES 2020-004 Established the Capacity Fee per Residential Equivalent Unit", meaning the fee to connect to the sewer system; and
- RES 2020-006 "Establishing the Septage Disposal Fee and After-Hours Gate Fee for all Septage Haulers"

The District is not subject to the Gann Limit or Proposition 4 because it does not receive tax revenues. All revenues for the District are from user charges, fees, and penalties, as well as interest on the current fund balance.

2.4.2 LONG TERM FINANCIAL CONSIDERATIONS

2.4.2.1 Reserves, Cash and Equivalents, and Investments

The District has two reserve accounts established for capital replacement and routine maintenance of the wastewater treatment plant. These accounts are not governed by formal policy or resolution and are considered unrestricted. (Robertson, 2019)

- Capital Reserve: A capital reserve account in the Proprietary Fund for the purpose of funding any needed expansion of capital facilities or the acquisition of capital equipment. The Capital Reserve account has an approximate current balance of \$76,700.
- Maintenance Reserve: A maintenance account in the Proprietary Fund provides for maintenance, repair, and replacement of equipment and/or capital assets. Large infrastructure repairs and improvements have in the past been funded with grants and loan packages. The Maintenance Reserve Account has an approximate current balance of \$23,400.

(CCSD, 2020a and 2020b)

In addition to these reserve accounts, the District maintains funds within an investment account with the State of California called the Local Agency Investment Fund (LAIF) the State of California. The LAIF account currently has approximately \$6,700, with interest accruing in the last budget year at \$100 annually.

Figure 2-3 shows the District's Balance Sheet for Fiscal Year End June 20, 2020. (CCSD, 2021)

10:02 AM

Covelo Community Services District

06/24/21

Balance Sheet

Accrual Basis

As of June 30, 2020

	<u>Jun 30, 20</u>
ASSETS	
Current Assets	
Checking/Savings	
1B 11010 CCSD General Checking	84,906.94
1B 11021 USDA Installment Pmt	10.00
1B 11022 USDA Payment Reserve	38,214.91
1B 11030 LAIF	6,284.04
1B 11070 Community Foundation (Community Foundation Grant 2019 \$8,000)	8,000.00
1B 11080-Maintenance	21,873.88
1B 11090-Capital (Savings account)	76,760.05
Covelo Community Services Distr	-5.00
Total Checking/Savings	<u>236,044.82</u>
Accounts Receivable	
3R 11050 Accounts Receivable	60,453.85
Total Accounts Receivable	<u>60,453.85</u>
Other Current Assets	
1C 11051 A/R Other	-0.50
1C 11052 Allow for dbtful accts (Allowance Uncollectible A/R)	-1,172.92
1C 11060 Prepaid Insurance	340.36
1C 11062 Other Current Asset	817.33
Total Other Current Assets	<u>-15.73</u>
Total Current Assets	<u>296,482.94</u>
Fixed Assets	
12000 Land	39,640.00
12050 1960 Sewage Plant	157,496.49
12051 1976 Sewage Plant	843,876.94
12052 Treatment plant upgrade	1,429,563.86
12054 East Lane Sewer Line	25,936.47
12055 Howard/162 Collection Upg	2,288,983.69
12060 Water Wells (Water Wells)	19,076.25
12065 LAFCO Annexation Maps	5,940.50
12090 Equipment	95,333.93
Total Fixed Assets	<u>4,905,848.13</u>
Other Assets	
1C 13000 Accumulated Depr	-1,804,411.69
Total Other Assets	<u>-1,804,411.69</u>
TOTAL ASSETS	<u>3,397,919.38</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2P 21020 Accounts Payable	1,330.65
Total Accounts Payable	<u>1,330.65</u>
Other Current Liabilities	
21030 Accounts Payable-Other	-368.88
21050 Accrued P/R Taxes Payable	7,784.39
21100 P/R/ Taxes Payable-Other	-57.04
21500 Accrued Interest Payable	7,299.54
Total Other Current Liabilities	<u>14,658.01</u>
Total Current Liabilities	<u>15,988.66</u>
Long Term Liabilities	
1L 22020-Note PayableUSDA (4.125% - 40 years)	572,400.01

2.4.2.2 Outstanding Debt

The District has a 2007 loan of \$677,000 from the United States Department of Agriculture (USDA). This loan was used to complete Phase 1 of the Covelo Wastewater Facilities Improvement Project to upgrade the collection system for wastewater to the treatment plant. The annual interest rate on the loan, compounded semiannually, is 4.125 percent. The District has no other outstanding loans or debt obligations.

Figure 2-4 shows the District's long-term debt activity and schedule of future principal and interest as of FY 2019-20 under the USDA loan. The District will be obligated through 2048 for current debt payments.

Figure 2-4 Long-term Debt Activity for FY 2019-20

<u>For the Year Ended June 30:</u>	<u>Principal</u>	<u>Interest</u>	<u>Payment</u>
2020	\$ 10,800	\$ 23,835	\$ 34,635
2021	11,200	23,381	34,581
2022	11,700	22,908	34,608
2023	12,200	22,415	34,615
2024	12,700	21,902	34,602
2025 - 2029	71,700	101,041	172,741
2030 - 2034	87,800	84,649	172,449
2035 - 2039	107,500	64,577	172,077
2040 - 2044	131,500	40,012	171,512
2045 - 2048	126,100	10,669	136,769
Totals	\$ 583,200	\$ 415,389	\$ 998,589

Source: Robertson, 2019.

2.4.2.3 Grant Funds

The District has received financial assistance from federal and state agencies in the form of grants. The disbursement of funds received under these programs generally require compliance with terms and conditions specified in the grant agreements and are subject to audit by the grantor agencies. Any disallowed claims resulting from such audits could become a liability of the Community Services Fund. However, the District has indicated that any such disallowed claims should not have a material adverse effect on the overall financial position of the District.

The NCRP Grant is a California Department of Water Resources (DWR) Grant that was administered by NCRP to solicit and select grantees. The grant is being administered by Humboldt County and awards \$750,000 to the CCSD for repair of three sections of the collection system identified to be significant contributors to groundwater inflow. Wet winter years create tremendous strain on the wastewater treatment plant (WWTP/plant) to accommodate the high levels of inflows. The second component is construction of a roof cover for the disinfecting ozone unit. Additionally, solar panels will be mounted to the roof structure and will generate approximately 16 kilowatts per hour. The solar system is designed to be expandable, which will allow for additional panels and wind generators as resources become available. The District anticipates that the cost savings from these improvements, which are scheduled for implementation in FY 2021-22, will allow the District to include repairing the wastewater treatment plant restroom facilities.

An additional grant through the Mendocino Community Foundation contributes \$8,000 toward installation of the ozone roof structure. The Community Foundation has also provided reporting extensions, necessary due to delays with DWR funding.

The CCSD was also awarded a \$250,000 California Technical Assistance Grant, which funded a team of engineers and support staff in assembling a preliminary funding package for a CA Waterboards Grant. The CCSD is now positioned to procure a California State Waterboard Grant to fund the project, which will allow the District to replace the influent well and pumping station. The comprehensive grant packet has been completed and is expected to be considered by the Waterboard within the 2020/2021 fiscal year. No matching funds are required for the grants; however, the CCSD has authorized covering cost overages in the ozone unit roof construction.

2.4.2.4 Capital Improvement Plan

The District is responsible for prioritizing and budgeting for long-term capital needs in addition to ongoing operations and maintenance costs. The District does not have a Capital Improvement Plan (CIP). The District defines capital improvement priorities on an as-needed basis and in the annual budget process. Capital improvements are primarily funded in one of two ways. Small to mid-range projects that have not been defined in District policy are scheduled for the upcoming fiscal year through a capital outlay appropriation, while the District seeks loans or grants for larger projects. Two currently unused funding mechanisms available to the District to finance capital facilities and improvements include Proposition 218 bond measures and Development Impact Fees pursuant to the Mitigation Fee Act (GOV 66000 et seq.). Routine maintenance of equipment and facilities is generally performed based upon the manufacturer's recommended schedule, industry best practices, and actual need, and is funded through the budget development process. (CCSD, 2020a)

2.5 GROWTH

2.5.1 PRESENT AND PLANNED LAND USE AND DEVELOPMENT

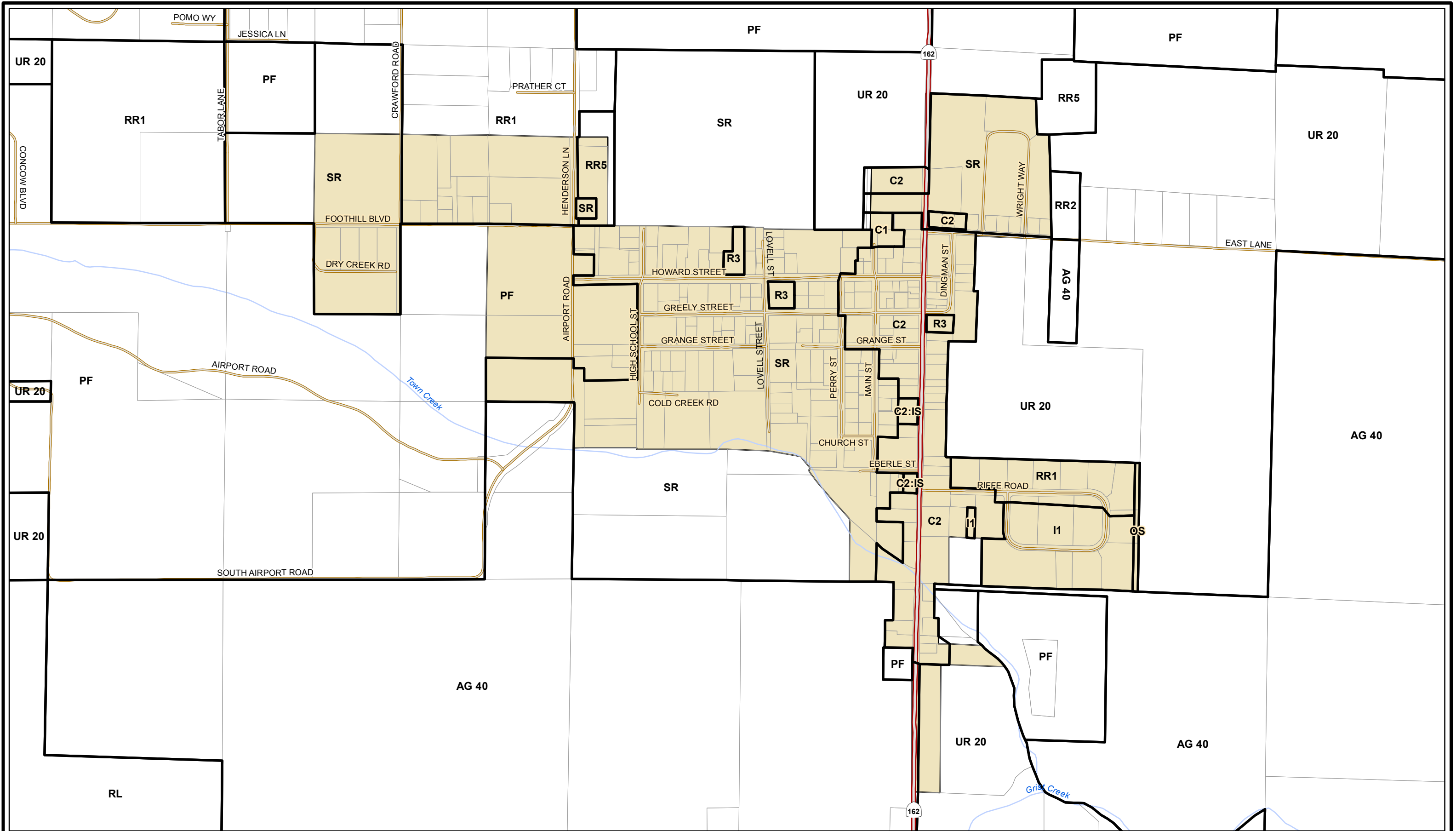
The District is located in the unincorporated community of Covelo, a census-designated place (CDP) and a commercial hub of the larger Round Valley area. The CDP has a total area of 7.1 square miles or approximately 4,544 acres. Round Valley is a remote area devoted to agricultural uses including grazing lands and orchards, and rural residential home sites. The Round Valley Indian Reservation, including the Hidden Oaks Casino, Round Valley Indian Health Center and housing developments, covers 405 acres of the CDP at the north end of Round Valley, with forest and rangelands extending further to the north. (Mendocino County, 2009)

2.5.1.1 Land Use

The specific zoning designations for Covelo are listed below and are based on the Mendocino County Zoning Ordinance (Figure 2-5):

- AG Agricultural Lands
- C-1 Limited Commercial
- C2 Inland General Commercial
- C2-IS Inland General Commercial (Isolated Service)
- FL Forest Land
- I1 Inland Limited Industrial

- PF Public Facilities
- R-3 Multiple-family Residential
- RL Rangeland
- RR1 Rural Residential
- RR10 Rural Residential
- RR5 Rural Residential
- SR Suburban Residential
- TP Timberland Production
- UR Upland Residential



Covelo Community Services District Zoning

Source: This map was prepared by the Mendocino County Information Services Department GIS Program, May 2021.
 Note: This map is not a survey product.

- Covelo CSD
- Zoning
- Parcels

- Highway
- Roads
- Streams

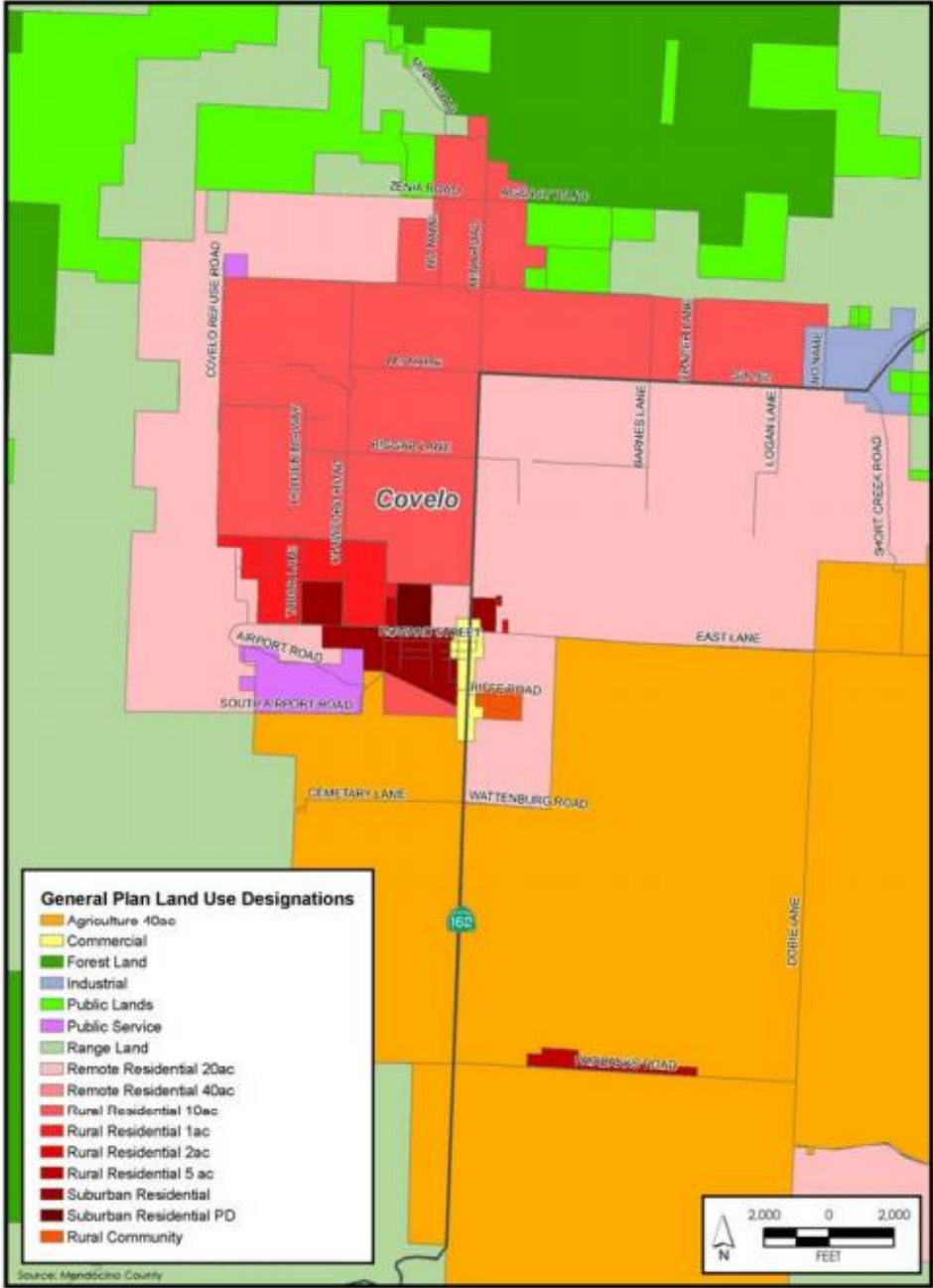
- SR Suburban Residential
- R3 Multi Family Residential
- RR1 Rural Residential 1ac min
- RR2 Rural Residential 2ac min
- RR5 Rural Residential 5ac min
- C1 Limited Commercial

- C2 General Commercial
- C2:IS General Commercial Isolated Service
- I1 Limited Industrial
- PF Public Facility
- UR 20 Upland Residential 20ac min
- AG 40 Agriculture 40ac min

Figure 2-5 Covelo CSD Zoning Map

As shown in Figure 2-6 below, the Community Plan Map for Covelo designates a commercial core area around State Route 162, surrounded by residential uses that become less dense farther from the commercial core. Outside of the District boundaries, agricultural uses and rural residential home sites prevail, with RL Rangeland (livestock grazing, protection of natural resources), TP Timberland Production (growing and production of timber), SR Suburban Residential (residential with some commercial uses), UR Upland Residential (low-density agricultural/residential uses), and PF Public Facilities (airport and school uses) predominating. (Mendocino 2013)

Figure 2-6 Covelo Community Map



Source: Mendocino County, 2009.

The following goals, policies, and action items from the Mendocino General Plan Community-Specific chapter could apply to public services and wastewater in particular in the Covelo area.

Covelo Community Goals

Goal CP-C-1: Conserve Round Valley’s natural, visual and historical resources while maintaining agricultural operations including grazing lands.

Goal CP-C-2: Expand economic opportunities in Round Valley consistent with the desired rural character of the valley.

Goal CP-C-3: Maintain compact development patterns by focusing commercial, residential and community uses in Covelo.

Covelo Community Area Policies

Policy CP-C-1: Preserve and enhance the established historic character of downtown Covelo.

Action Item CP-C-1.1: Enhance Covelo’s downtown and incorporate beautification improvements through circulation, streetscapes, signage, landscaping and other means.

Policy CP-C-2: Retain and restore historic buildings and sites.

Policy CP-C-4: Discourage subdivision activity in the outlying Rural and Remote Residential lands, including on lands adjacent to Rangelands and Forest Lands.

Policy CP-C-5: Encourage higher density residential uses, including affordable housing units, in or near the commercial centers as part of a mixed-use strategy.

Policy CP-C-6: Encourage improvements to existing residential structures.

Policy CP-C-7: Establish places and facilities that create a sense of community.

Action Item CP-C-7.1: Revitalize the commercial core of Covelo as the focal point of the community, with mixed-use potential for convenience retail, office and residential uses, focusing on the State Route 162 (Covelo Road) corridor and Greely Street.

Action Item CP-C-7.2: Consider installation of a central plaza or gazebo in the downtown.

Policy CP-C-8: Expand and diversify economic ventures.

Policy CP-C-9: The County encourages the expansion of commercial uses in Covelo.

Policy CP-C-10: Commercial uses should be focused near the established core areas along State Route 162.

Policy CP-C-11: Actively pursue light industrial manufacturing employers for Round Valley.

Action Item CP-C-11.2: Designate the mill site northwest of the town center as a study area to consider a range of future land uses, including industrial, light industrial, commercial and other uses supporting jobs creation for local residents

Policy CP-C-12: Increase economic and social ties with the Round Valley Indian Tribes.

Policy CP-C-13: Encourage joint-use opportunities with Round Valley Indian Reservation.

Policy CP-C-14: Support a community fire hydrant system to facilitate economic and public safety.

Policy CP-C-15: Encourage the Covelo CSD to plan for the provision of a public water system.

Action Item CP-C-15.1: Assist the Covelo Community Services District (CSD) in its efforts to serve future growth with water capacity consistent with the land use patterns and densities established in the General Plan.

Policy CP-C-16: Consider upgrades to the Round Valley Airport to support economic development and emergency services.

In addition to these policies, the County amended its cannabis regulations on December 4, 2018 to allow Cannabis Accommodation combining districts which apply in the Covelo core area and on Fairbanks Road in Round Valley. Commercial Cannabis Accommodation Combining Districts (Opt-In Districts) are areas intended to support continued operations by existing growers. From January 3, 2019 to July 1, 2019, the Department of Agriculture accepted applications for cultivation permits within the Cannabis Accommodation Combining Districts. (Mendocino County, n.d.)

2.5.1.2 Development

The District is centered on the core of the Covelo community area as shown in Figure 2-1. The population at the 2010 census was 1,255 people, an increase of 80 people from the 2000 census. (Current Community Survey 5-Year Estimates show an estimated population of 1,140 with a margin of error ± 239 (USCB, 2019b).) However, the population is likely much higher and, common with transient populations, fluctuates throughout the year. Covelo contains a range of commercial enterprises, churches, a lodging establishment, food establishments, grocery store, convenience store, gas station, Post Office, the Round Valley Airport, Round Valley Public Library, Round Valley Elementary School (K–8), Round Valley High School (9-12), Eel River Charter School (K-8), and residential areas interspersed throughout the community. A majority of the land within the District consists of a mixture of commercial and residential uses, with some agricultural and grazing lands on the outskirts. The core area of Covelo until recently retained the historic character embodied by older commercial buildings and residences. In 2019 a fire destroyed the majority of a remaining block of historic buildings. Rebuilding has not yet been initiated.

The community proper is a mixture of commercial uses (retail, office, etc.) and limited industrial uses. The remainder of the valley is developed as a mix of suburban residential, rural residential, and agricultural land uses. Agricultural land uses are predominantly pastureland devoted to cattle grazing, with a relatively small pear orchard on the south end of the valley.

The Round Valley Indian Reservation occupies the north end of Round Valley and is home to the [Round Valley Indian Tribes \(RVIT\)](#), which is made of several Native American tribes. The RVIT is a federally recognized, sovereign nation of confederated tribes: the Yuki, who were the original inhabitants of Round Valley, as well as the Pit River, Pomo, Nomlaki, Concow, and Wailacki tribes, who were forced onto the reservation with Yuki. The Reservation was one of five reservations in California legislated by the United States Government in 1870 pursuant to the Four Reservations Act of 1864. (Mendocino County, 2008a)

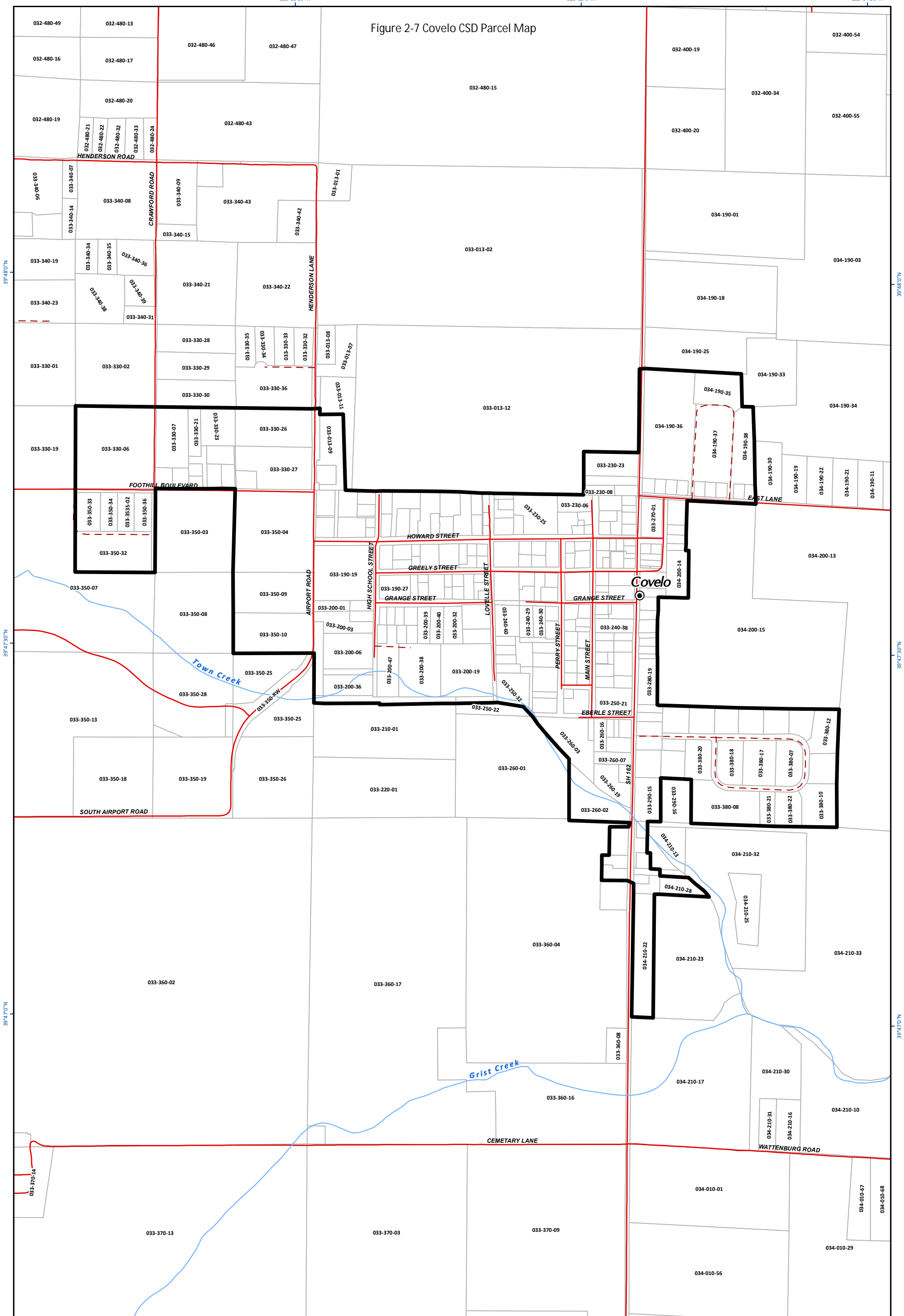
Residents have expressed interest in retaining Covelo’s historic nature and the rural character of the valley, while increasing economic development and affordable housing opportunities. Historically, Covelo’s economy was focused on the timber industry. The Round Valley Flour Mill is an identified historical resource in the Mendocino County General Plan.

Covelo is accessed by State Route 162 and Round Valley Airport. Mendocino National Forest borders the community of Covelo to the north and east. 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.

The [Round Valley Area Municipal Advisory Council](#) is comprised of citizens of Round Valley and acts as a liaison between the community and Mendocino County and State agencies. The RVAMAC is a County recognized and community-driven forum for engaging in both County-wide and local topics and by presenting the needs and ideas of the community to decision making officials.

Figure 2-7 Covelo CSD Parcel Map



39°48'0"N

39°47'30"N

39°47'0"N

123°15'30"W

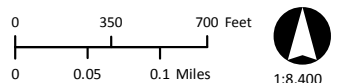
123°15'0"W

123°14'30"W

Coordinate System: NAD 83, Calif. State Plane Zone II
 Projection: Lambert Conformal Conic
 Parcel Data: Mendocino County Info Svcs., October, 2014
 Aerial Imagery: US Dept. of Agriculture, NAIP series, unless otherwise indicated
 Topographic Data: USGS 7.5 minute quad series
 Flood Data: FEMA FIRM Maps, June 2011

- Rivers
- Private Roads
- Covelo CSD Boundary
- Public Roads
- Parcels 10-14

COVELO COMMUNITY SERVICES DISTRICT



Some factors affecting community growth include limited vehicular access, distance to employment centers such as Willits and Ukiah, lack of a public water system, and limited wastewater capacity provided by the Covelo Community Services District. Covelo is also the site of an alluvial basin that is locally susceptible to liquefaction. (Mendocino County, 2009)

Infrastructure and other nonresidential and residential development located along Town Creek is susceptible to flooding. Town Creek runs through Covelo in a generally west to east direction, as well as much of the area south and east of Covelo, as shown on Figure 2-8. The RVCWD is responsible for flood control and stream restoration on Town Creek.

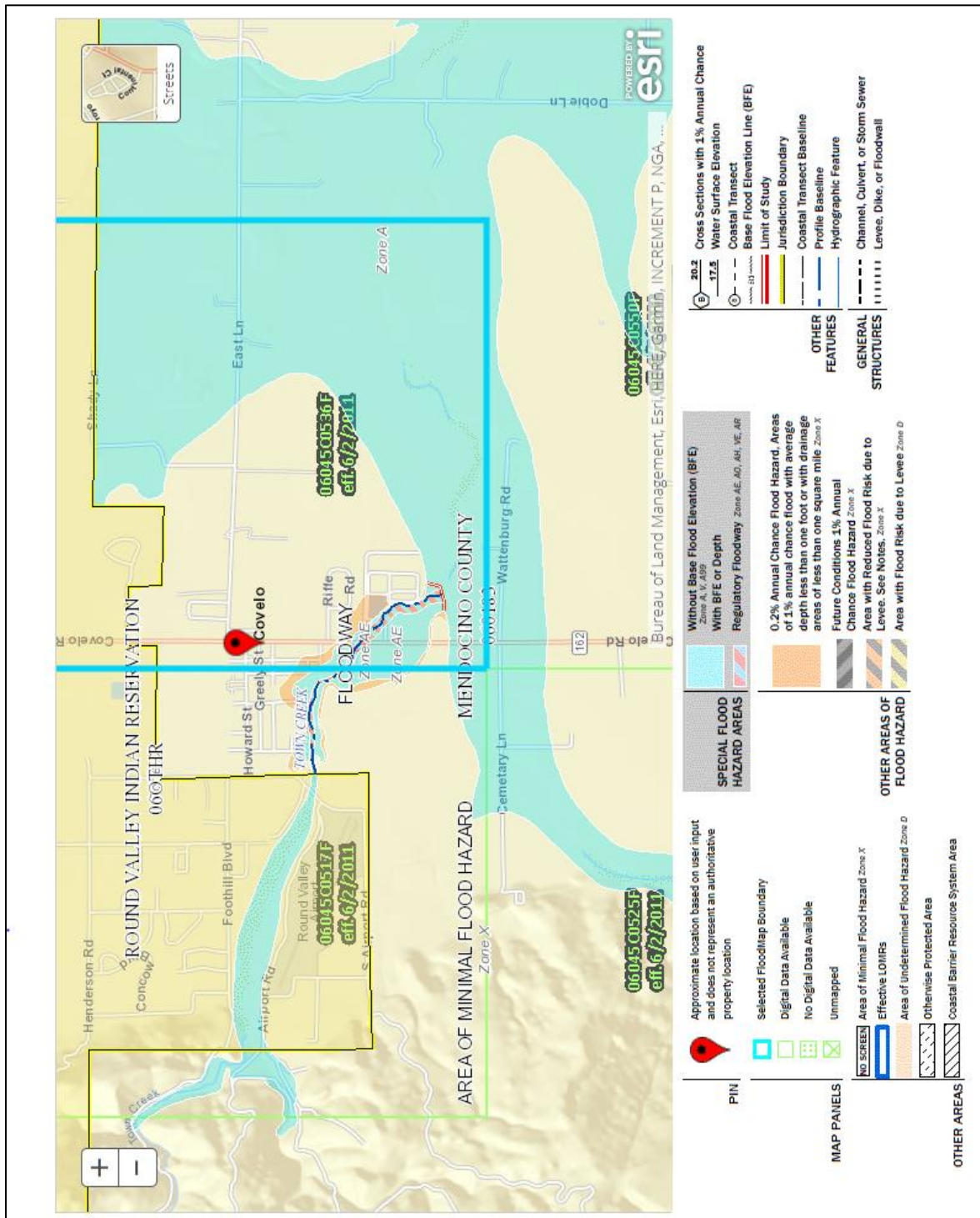
The most recent Housing Element adopted by Mendocino County in 2015 conducted an analysis of development potential for Covelo. Although there are many parcels throughout Covelo that are vacant or underutilized, only three were included in the Housing Element inventory due to development restrictions such as zoning and lack of centralized water services. See Figure 2-9 below. At the time of the 2015 Housing Element, it was reported that the District was pursuing expansion of its authority to include water service, initially for fire hydrants and suppression and in the longer term for a potable water system. The RVMAC has also recently expressed interest in these services for the benefit of the community. However, such an expansion has not materialized, primarily due to concerns of placing a large revenue burden on the residents of the District. In addition to a lack of water, the three parcels evaluated in the Housing Element are also close to the airport, which poses an additional development constraint with noise and safety impacts to any new residences.

Mitigating this challenge somewhat is the presence of a large, easily accessible aquifer that could be tapped by individual or communal wells to serve new multifamily structures. Three sites in the core of the Covelo currently have multifamily zoning and undeveloped. Since it is possible to utilize onsite wells for water supply and connect to the CSD for sanitation service, these properties do have development potential. However, the lack of a centralized water system would likely limit the potential number of units to half their development potential.

(Mendocino County, 2015)

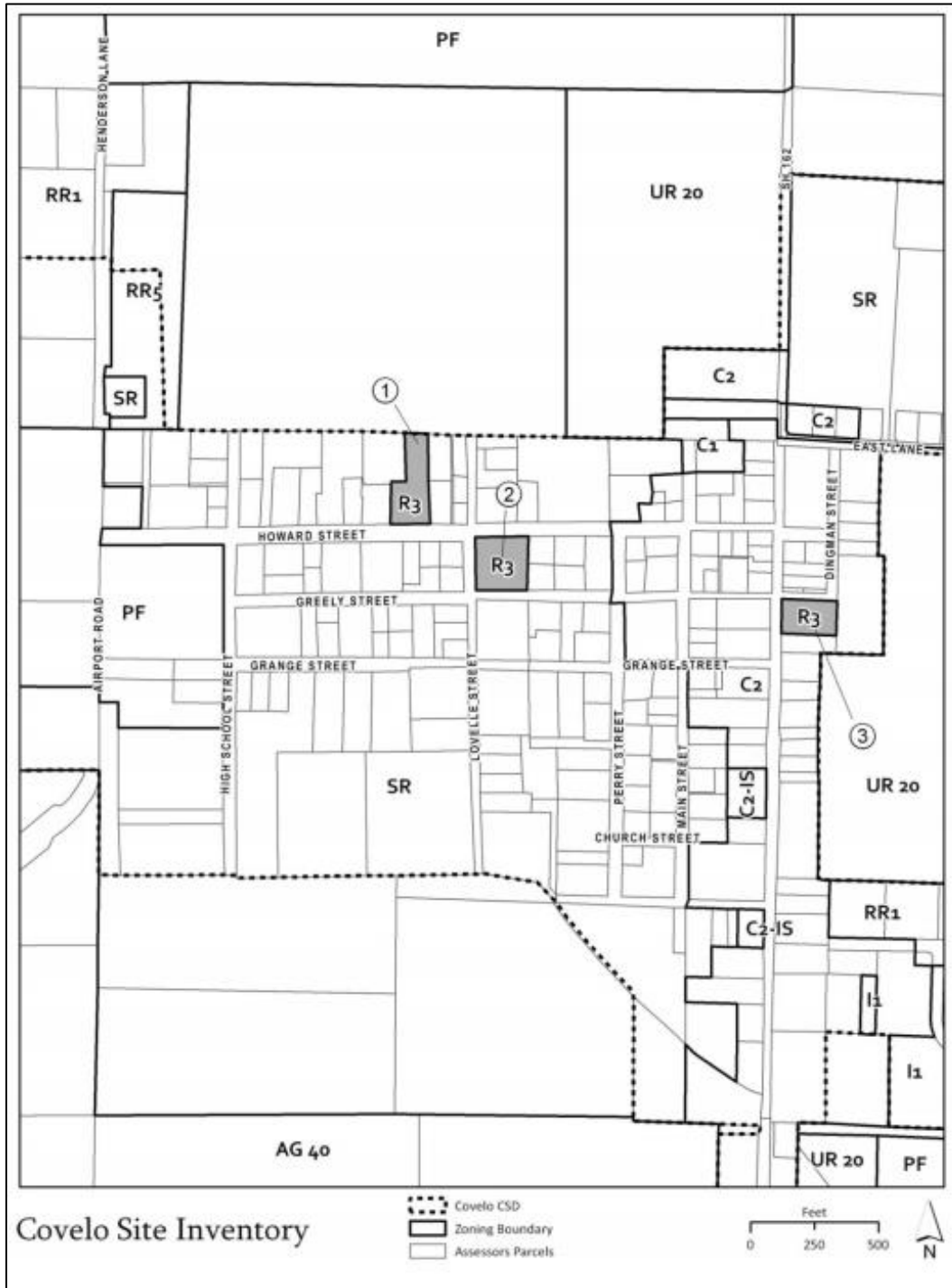
The entire District is currently under a temporary Mitigatable Moratorium due to the winter infiltration and inflow (I&) issues and treatment plant capacity shortfalls discussed in Section 3 of this document. Increased monthly rates are unaffordable for the community, so the only way to mitigate these issues to enable additional development is through external funding sources. The District has received a grant to remedy these issues and will be implementing that shortly (See Section 2.4.2.3). (North Coast Resource Partnership, 2018)

Figure 2-8 Flood Map for Covelo Area



Source: FEMA, 2011.

Figure 2-9 Housing Element Inventory of Buildable Sites in Covelo Planning Area



(Mendocino County, 2015)

2.5.2 EXISTING POPULATION AND PROJECTED GROWTH

According to District staff, the District currently serves approximately 430 residents with 265 service connections. The U.S. Census Bureau has designated Covelo as a Census Designated Place (CDP). Census Designated Places are Census Bureau estimates of what an incorporated city boundary would be if a concentrated population area were a city. The Covelo CDP is much larger than the District boundaries, but for general informational purposes, the Census data for the Covelo CDP indicates that as of the 2010 census, 1,255 people resided within the CDP, from which a population density of 164.9 people per square mile can be extrapolated. By comparison the average population for Mendocino County is 24.16 persons per square mile. However, it is likely that the population of the area is quite a bit higher than reported.

The rate of growth in Mendocino County from 2010 (87,850 residents) to 2019 (86,749) was -1.3%. However, the population of the District has been increasing more than the population of the County as a whole. District and Census Tract boundaries are noncontiguous, but Census Tract 010100 encompasses approximately 80 percent of the District and is therefore used in the table below.

	1980	1990	2000	2010	2019
Census Tract 010100	2,137	2,066	2,374	2,617	2,674
Percent Change	13%	-3%	15%	10%	2%
Mendocino County	66,738	80,345	86,265	87,841	86,749
Percent Change	30%	20%	7%	2%	-1%

Source: USCB, 2019a; Mendocino County 2008b.

As shown in Table 2.6, the population growth of the Round Valley area was lower on average until 2000, when it began to see more growth on average than the rest of Mendocino County. If the last ten years is an indication of average growth for the next ten years, the District might expect to see 2% growth; however, the decades-long trend demonstrated by the data appears to be sagging, and growth may continue to slow. Growth projections published by Caltrans indicate a very slow overall County population growth of approximately 0.15%. (Caltrans, 2019) Based on this growth rate, the District can expect a small population increase of three people within the next five years. Although there are a number of parcels just outside the District of similar size as those within, and several which could be subdivided for development, there are no proposed or anticipated significant land use changes, new development projects, or redevelopment of existing sites within the District's boundary over the next five years (CCSD, 2020a). The District will likely experience limited growth until constraints related to infrastructure needs are sufficiently addressed.

The District has a maximum number of REU's available due to capacity limitations of the WWTP. Given that there is currently a temporary mitigatable moratorium in effect, there are no new developments possible. Although there are indications that populations within the District have increased as there seems to be an increase in residents per residence, there is no documentation available.

2.6 DISADVANTAGED UNINCORPORATED COMMUNITIES

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

Covelo is a CDP and the primary population center within the District. Covelo CDP has an MHI of \$23,600 (USCB, 2019d) and qualifies as a DUC. It is also considered a Severely Disadvantaged Community (SDAC) under California Public Resources Code Section 75005, which is defined by an average MHI of less than 60% the statewide average. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GC §56375(8)(A) and LAFCo Policy.

3 MUNICIPAL SERVICES

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

3.1 SERVICE OVERVIEW

3.1.1 SERVICES

Covelo CSD provides wastewater services within its boundaries with a single service area.

Additional municipal services are provided to District residents by other public agencies or non-profit organizations through agreements and Joint Powers Authority (JPA) and by private businesses through service contracts, as detailed in Section 2.3.4. This MSR only reviews services provided by the District.

3.1.2 OUT-OF-AGENCY SERVICES

The District does not provide any out-of-agency services, and there are no pending or anticipated requests for or commitments from the District to provide out-of-agency services over the next five years. (CCSD, 2020a)

3.2 WASTEWATER

3.2.1 SERVICE OVERVIEW

The District owns, operates, and maintains a public wastewater collection system, treatment plant, and disposal system for the treated water and sludge (biosolids) byproducts from the wastewater treatment plant (WWTP). The District is currently under a temporary Mitigatable-Moratorium (MM) due to winter infiltration and inflow (I&I) issues and treatment plant capacity shortfalls. (North Coast Resource Partnership, 2018)

The District currently does not have a capital improvement plan (CIP). A CIP 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. The District currently addresses these needs through its annual budget development process.

3.2.2 COLLECTION SYSTEM

The District's wastewater collection system channels wastewater from the source (a residence, commercial, school, or other building) to the WWTP via pipes that run from each structure (laterals) to a sewer main in the street. The street sewer mains connect to progressively larger pipes until their culmination at the WWTP. Residential mains are usually four inches in diameter. Street mains vary in size with the smallest being six inches in diameter. The District operates and maintains 20,000 feet (approximately 3.75 miles) of 6-, 8-, 10- and 12-inch sewer lines, and one pump station.

Ideally, sewer collection systems are completely gravity powered with the WWTP located at the lowest elevation of the collection system territory. In regions where gravity flow cannot be utilized, pumping stations known as lift stations are necessary. As shown in Figure 2-9 below, the District sewer system consists of four major collection basins, three of them north of Town Creek and one south of the Creek.

The largest collection basin is located north of Town Creek and primarily west of Commercial Street. All wastewater from these two northern collection basins flows by gravity toward Town Creek and passes under the creek through an inverted siphon. The sewer main piping includes approximately 3,900 linear feet of 8-inch diameter and 14,575 linear feet of 6-inch diameter asbestos-cement pipe (transite pipe). There are approximately 45 manholes and 10 mainline cleanouts in this portion of the overall system. A main interceptor sewer line located just south of Town Creek conveys collected wastewater east to the WWTP.

A mixed development area known as the “Business Park” comprises the third collection basin located north of Town Creek and is the second largest of the three northern sewer basins. This collection area was annexed into the District boundary in 2010. The Business Park basin consists of 2,200 linear feet of 6-inch diameter pipe, 1,085 linear feet of 12-inch diameter pipe, and 800 linear feet of 12-inch pipe that terminates within the WWTP property. An independent gravity sewer line conveys wastewater from the Business Park directly to the WWTP influent pump station on the north side of Town Creek.

The smallest of the three northern basins lies along East Lane within the northeast corner of the District and includes 800 feet of 6-inch diameter sewer main, 4 manholes and 1 mainline cleanout. Wastewater in this basin flows by gravity to a lift station near the northern limit of the Commercial Street sewer main. The lift station pump lifts collected wastewater to the terminal manhole on the Commercial Street main where it joins wastewater generated in the largest northern collection basin situated within and west of Commercial Street.

The fourth sewage collection basin is located entirely south of Town Creek. This collection area is smaller in size than the combined areas located north of Town Creek, but potentially serves a significant amount of developable area between the Round Valley Airport on the east and Highway 162 on the west. The wastewater generated within this basin flows north and joins wastewater generated within the main northern basins on the south side of Town Creek before being conveyed through the main sewage interceptor to the WWTP. The main interceptor includes a second inverted siphon below Town Creek, just upstream of the influent pump station at the WWTP.

The overall collection system serves a geographic area of approximately 264 acres. The collection system serves the customer breakdown as noted in Table 2.7

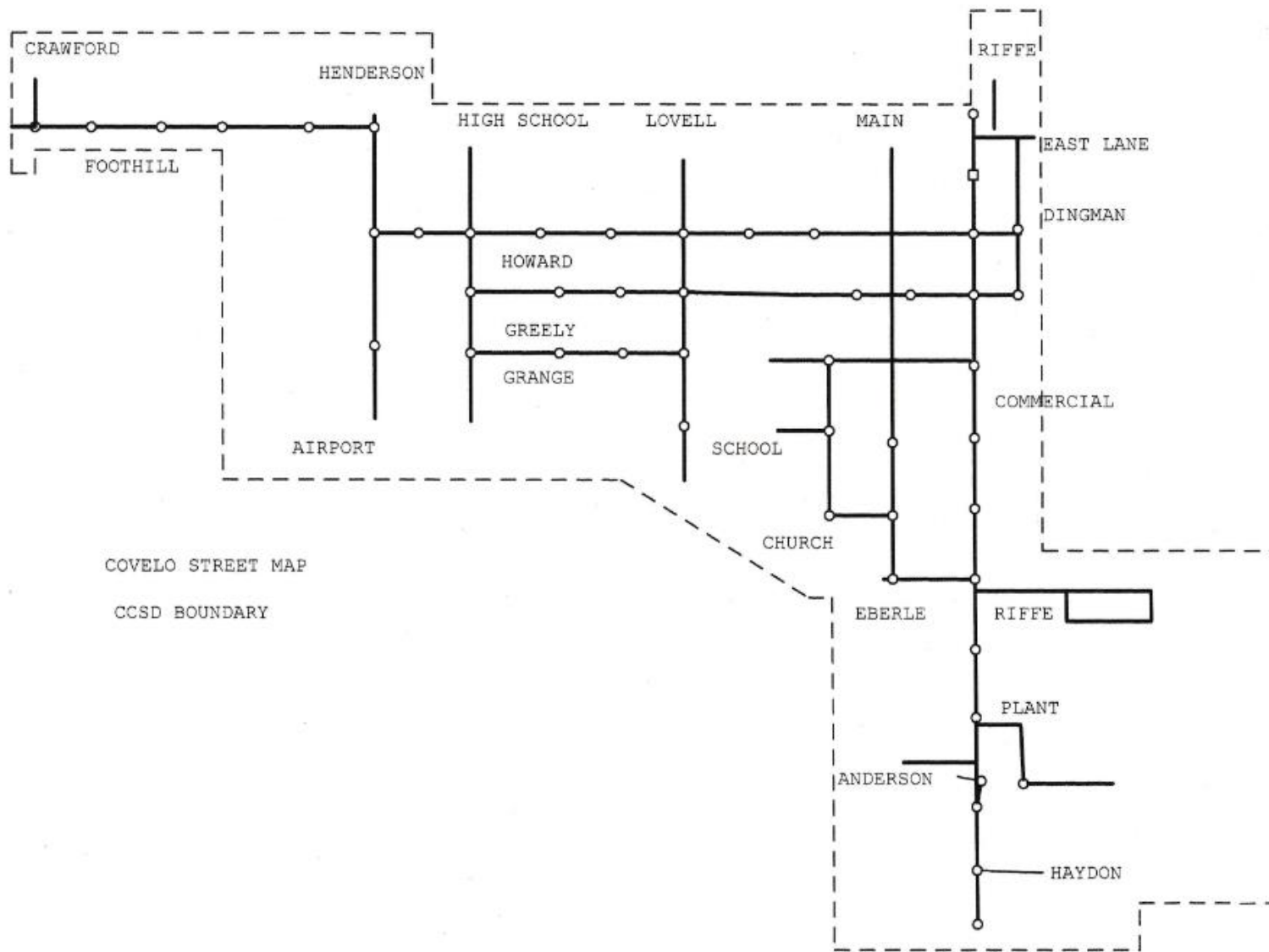
Type of Development	Residential Equivalent Units (REU)
Single-Family Dwelling	189
Business	59
Fire House	1
Church	4
Motel	4.25

Schools	47.5
Mobile Home Park	33
Restaurant	14
Total	347.75

Source: CCSD, 2021

Upgrades to the system were performed in 2008, but due to design and construction errors in some of these pipes, as well as aging infrastructure that was not replaced in 2008, much of the collection system now requires improvements due to I&I seepage. A collection system upgrade is currently being implemented under a North Coast Resource Partnership grant to remedy these issues as discussed further under Section 3.2.5. (North Coast Resource Partnership, 2018)

Figure 3-1 Map of Collection System



3.2.3 WASTEWATER TREATMENT AND DISPOSAL SERVICES

The District's WWTP is located just outside the District's boundary to the southeast, adjacent to Town Creek immediately upstream from its confluence with Grist Creek. The plant was first constructed in the 1960s and underwent major construction upgrades as part of the Clean Water Grant Program in 1976-77. The existing facility consists of an influent pump station, headworks, two treatment ponds, two holding ponds, a sand filter, an ozone disinfection process, and an outfall into Grist Creek.

The groundwater level is much higher under the WWTP than in almost all of Round Valley. Tests before the plant was constructed showed free groundwater four to eight feet below the surface during the summer. During winter the groundwater rose to only a foot below the surface.

There are two groundwater levels in the general region of the WWTP. The first, the Covelo Aquifer, extends to a depth of approximately 40 feet. It is heavily influenced by surface water and sewage disposal systems. An "aqualude" between 40 to 60 feet below the surface separates and isolates a second groundwater supply, the Round Valley Aquifer. This aquifer receives very little inflow from the surface directly above it; recharge derives from the surrounding hills and terraces. Water quality is good from the Round Valley Aquifer. Most well depths in the Valley are in the 100- to 200-foot depth range.

Historically, Coho salmon and steelhead were known to occur in Mill Creek, into which Grist Creek flows, and Coho were even observed in Grist Creek; however, it has been decades since any have been observed in the tributaries. The plant is just outside the 100-year flood zone, but is partially within the 500-year zone.

(LAFCO, 2010a)

Raw sewage is pumped through a bar screen to two oxidation ponds, 4.7 and 2.2 million gallons in size (total surface area 4.5 acres), which function as semi-mixed, aerobic-anaerobic lagoons. Under its NPDES permit, the District may discharge into Grist Creek if there is a dilution ratio of 100:1. No discharge is allowed from May 15 through September 30 of each year under any circumstances. (North Coast Regional Water Quality Control Board, 2017)

Holding ponds are designed to store treated effluent subject to these limitations. Before discharge, treated effluent is filtered through four separate sand filters in two cycles and is then passed through a disinfection process similar to a tablet-type chlorination system. Current capacity is 70,000 gallons a day. The existing equipment could be upgraded to double that volume. (LAFCO, 2010a)

3.2.4 OPERATIONS AND MAINTENANCE

The District does not have an operation and maintenance program, nor a CIP as discussed in Section 2.4.2.4. The Plant Operator/Collection System Manager determines all maintenance and repair needs for the sewer system based upon the manufacturer's recommended schedule, industry best practices, and actual need. Maintenance is funded through the annual budget development process. (CCSD, 2020a)

It is recommended that the District maintain a System Operation and Maintenance Program (SOMP) which establishes procedures intended to prevent or minimize the potential for sanitary sewer overflows. The program can include guidelines for the operation and maintenance of the sanitary sewer collection system, such as a plan for drafting and maintaining the District's collection system maps, operation and maintenance activity schedules, a plan to prepare the District's CIP, system rehabilitation and replacement plans, and District personnel training schedules. As part of the SOMP, a schedule for monitoring and cleaning sewer lines and lift stations can be developed. SOMP's also typically include prevention and

containment measures identifying emergency pump-around and containment equipment, and training schedules for staff to use this equipment in an emergency. Hot spots - areas where visual or video inspections indicate repeated or unusual accumulation of grease, grit, roots or other debris, or in areas with a past history of sewage blockages – can be identified, mapped, and placed on a routine cleaning schedule.

The District may also find efficiencies in developing Geographic Information Systems (GIS) mapping for the wastewater system with manhole, sewer line, and lift station layers, as well as an attribute table with manhole and sewer line information georeferenced to each manhole and sewer line, which lists the line type, line material and the pipe diameter. The District would be able to use the attribute table and map displays for collection system maintenance scheduling, to query information about the system, and to create maps and labels.

The District is required by the State Water Resources Control Board (SWRCB) to prepare a Sewer System Management Plan (SSMP) that includes an operation and maintenance program, design and performance provisions, an overflow emergency response plan, and a system evaluation and capacity assurance plan, among other items. The District approved a SSMP at its September 12, 2019 regular board meeting.

Although no engineering report was available for review in the preparation of this MSR, a 2006 engineering analysis of the system by SHN Engineers listed a number of plant deficiencies. (SHN Consulting Engineers & Geologists, 2006) In 2008, repairs made to the system improved some of these issues, but they did not remedy them completely, and the District has had unauthorized surface discharges that have failed toxicity tests since that time. The District also currently has a moratorium on new service connections due to the maximum capacity and I&I issues.

The District recently received a North Coast Resource Partnership grant that includes funding for collection system improvements and wastewater treatment plant improvements. The grant award of \$750,000 will allow the District to address one of the moratorium mitigation measures: reduce inflow and infiltration by replacing faulty laterals, a manhole, and a section of main pipe. The construction design and bid package are to be completed by June 2021 and construction to begin and to be completed summer/fall of 2021, respectively.

The collection system's I&I issues compromise the treatment facility's capacity and have resulted in raised rates (in 2017) by \$15 a month to offset the testing and administrative costs needed during wet weather events. The project will redesign the treatment plant ponds to increase water treatment efficiency, thus reducing processing costs and timing of influent. The improvements will also allow the District moratorium to be lifted, allowing increased revenue from new development. Improvements will replace portions of the collection system to reduce approximately 0.2 MGD of wet weather I&I, and will upgrade the treatment plant to adjust inlets and outlets through various parts of the plant, separate some of the treatment facilities (wetlands and percolation pond), and install aerators/mixers in the primary oxidation pond to improve the treatment capacity and maintenance abilities of the WWTP. These improvements would also reduce the toxic ammonia in the plant's effluent.

(North Coast Resource Partnership, 2018)

3.2.5 SYSTEM CAPACITY

The District's wastewater collection, treatment, and disposal facilities serve 430 people with 265 service connections. The District serves predominantly commercial, residential, and school uses. The District is

located in a larger community, which if appropriately characterized by the CDP boundaries, has an approximate resident population of 1,255, covering an area of approximately 7.1 square miles, with sparse development outside the District boundaries.

The permitted design capacity of the WWTP is 77,000 gallons per day or .077 million gallons per day (MGD). The most recently available daily wastewater flows are summarized in Table 3.2.

Parameter	Unit	2015	2016	2017	2018	2019	2020¹	Average
Average Daily Flow	MGD	.054	.093	.098	.054	.083	.044	.071
Average Dry Weather Flow	MGD	.037	.041	.033	.040	.039	.037	.038
Average Wet Weather Flow	MGD	.072	.137	.120	.061	.106	.046	.090
Maximum Daily Flow	MG	.144	.329	.455	.184	.369	.087	.261
Maximum Monthly Flow	MG	3.195	5.946	8.163	3.334	5.381	1.771	4.632

¹2020 was a significant drought year.

As shown in Table 3.2, most of the average flows were less than .077 million MGD in any given year. However, years with higher precipitation levels have produced some exceedances of the maximum permitted flow rate. Wet weather flows exceeded the maximum flow rate in three of the last five years (2016, 2017, and 2019). These service peaks are primarily related to high rainfall years due to I&I issues. In the summer months (non-school year months), service demand drops due to less overall inflow.

Funding for expansion of the wastewater collection and treatment system could occur through new development within the boundaries of the District or extension of the system to serve existing areas adjacent to the District currently utilizing onsite sewage disposal systems (septic systems). Although there are a number of parcels just outside the District boundaries that could be subdivided for development, there are no proposed or anticipated significant land use changes, new development projects, or redevelopment of existing sites within the District's boundary over the next five years (CCSD, 2020a). The District will likely experience limited growth until constraints related to infrastructure and capacity needs are sufficiently addressed. After the system has been upgraded, it is anticipated that the District will see occasional requests for service and annexation.

3.2.6 FACILITIES AND ASSETS

The District owns, operates, and maintains multiple capital assets including land, structures, equipment, and infrastructure to provide services to its customers. As of December 31, 2019, the District's capital assets totaled \$3,198,990. (CCSD, 2020c)

The District owns two parcels totaling 22.5 acres on which the WWTP is located. The treatment plant facilities are owned and operated by the District, including pumping stations, office/storage buildings, backup generators, and ozone disinfection unit. The District has easements to all sewer lines from the terminus at the plant on throughout the District up to each property line cleanout. Most facilities are approximately 20 years old and in generally good operating condition. However, some facilities have been identified as needing upgrading. The District also owns office equipment, vehicles to support its operations, and other equipment for maintenance and operations. Capital assets as of June 30, 2019, with depreciation, are shown in Figure 3-2 below.

Figure 3-2 Fixed Assets FYE 2020

Covelo Community Services District
CAPITAL ASSETS & DEPRECIATION SCHEDULE
FYE: 12/31/2020

PLACED IN SERVICE		LIFE YEARS	COST ORIGINAL	COST ADJUSTED	YEAR ENDED DEPREC.	ACCUM. DEPREC.	NET BOOK
					2020	2020	2020
1960	LAND		0.00				
1975	LAND	50	39640.00				
WASTEWATER TREATMENT PLANT							
1961	GENERAL PLANT	30	157496	157496.49	0.00	157496.49	0.00
1976	GENERAL PLANT	50	843876.94	843876.94	16877.54	742611.71	101265.23
2003	WATER WELL	30	19076.25	19076.25	635.88	10809.88	8266.38
2008	HOWARD/162 COLLECTION UPGRADE	40	2288983.69	2288983.69	57224.59	686695.11	1602288.58
2010	LAFCO ANNEXATION MAPS	30	5940.50	5940.50	198.02	1980.17	3960.33
2011	TREATMENT PLANT UPGRADE	40	1429563.86	1429563.86	35739.10	321651.87	1107911.99
EQUIPMENT							
2003	VINTAGE WW PIPE CUTTER	5	654.54	654.54	0.00	654.54	0.00
2003	WARTHOG POWER NOZZLE ATTACH	5	1174.39	1174.39	0.00	1174.39	0.00
2005	F150 TRUCK 1995	5	3845.00	3845.00	0.00	3845.00	0.00
2007	1994 FORD SEWER JET TRUCK	10	26614.65	26614.65	0.00	26614.65	0.00
2009	8 X 40 SHIPPING CONTAINER	30	2700.00	2700.00	90.00	990.00	1710.00
2009	HUSQVARNA RIDING MOWER	10	1848.70	1848.70	0.00	1848.70	0.00
2010	SEESNAKE SEWER VIDEO CAMERA	5	2300.00	2300.00	0.00	2300.00	0.00
2016	OZONE MONITOR MODEL M465H	10	6450.00	6450.00	645.00	2580.00	3870.00
			45587.28				
TOTALS			4,633,028.52	4,633,028.52	111,410.12	1,803,756.00	2,829,272.52

As mentioned, the District is currently in the process of implementing a North Coast Resource Partnership grant to replace faulty sections of the collection system as well as to install solar panels at the WWTP. Additionally, the CCSD has applied for a California Waterboard Grant to rebuild the influent well and pumping station. See Section 2.4.2.3 for more information.

3.3 DETERMINATIONS

This section presents the required MSR determinations pursuant to California Government Code §56430(a) for the Covelo Community Services District.

3.3.1 MSR REVIEW FACTORS

3.3.1.1 Growth

Growth and population projections for the affected area

1. The 2010 Census for the Covelo CDP, which includes the District and is 7.1 square miles, estimates a population of 1,255 residents and is estimated to grow very slowly due to infrastructure deficiencies.
2. The Covelo CSD is estimated to serve a population of approximately 430 residents.
3. Population growth is expected to increase at an annual rate of approximately 0.15% for Covelo CDP. Based on this growth rate, the District can expect a small population increase of three people within the next five years. It is anticipated that the District will experience very limited growth until constraints related to infrastructure needs are sufficiently addressed.
4. Mendocino County has land use authority over privately-owned lands within the District boundary and makes land-use decisions based on the County's Inland General Plan and Zoning Regulations.

3.3.1.2 Disadvantaged Unincorporated Communities

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

5. Covelo CDP has an MHI of \$23,600 and qualifies as both a disadvantaged unincorporated community (DUC) with less than 80% of the States Median Household Income (MHI) and a several disadvantaged community (SDAC) with less than 60% of the State’s MHI. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GC §56375(8)(A) and LAFCo Policy.
6. The Round Valley Indian Reservation is located adjacent to the District in the northwest portion of Round Valley. However, the Round Valley Indian Tribes (RVIT) own and operate its own wastewater treatment facility for the Reservation.

3.3.1.3 Capacity of Facilities and Adequacy of Services

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence

7. The District provides wastewater services within its boundaries with no distinct service areas.
8. The District does not provide any wastewater services outside its boundaries. However, the District has a policy and septage disposal fee for septage haulers.
9. The District’s wastewater system serves a total of 265 connections with residential equivalent units (REUs) assigned as follows: single family dwellings, 189; businesses, 59; schools, 47.5; motel, 4.25; mobile home park, 33; restaurants, 14; churches, 4; fire house, 1.
10. The District’s wastewater system facilities and infrastructure includes a WWTP with a design capacity of 77,000 gallons per day, 20,000 feet (approximately 3.75 miles) of sewer lines and one pump station. The average total annual demand on the District’s water system regularly exceeds the plant capacity, with three of the last five years exceeding average daily flow due to high precipitation years when I/I issues impacted the system.
11. There are wastewater capacity issues and infrastructure needs for the District that need to be addressed within the timeframe of this MSR. The plant requires upgrades to prevent I/I issues during storm events, and some of the infrastructure requires replacement, such as the plant restroom facilities.
12. It is recommended that the District maintain a System Operation and Maintenance Program (SOMP), which establishes procedures intended to prevent or minimize the potential for sanitary sewer overflows. The program can include guidelines for the operation and maintenance of the sanitary sewer collection system, such as a plan for drafting and maintaining the District’s collection system maps, operation and maintenance activity schedules, a plan to prepare the District’s capital improvement program, system rehabilitation and replacement plans, and District personnel training schedules. As part of the SOMP, a schedule for monitoring and cleaning sewer lines and lift stations can be developed. Prevention and containment measures can also be planned for in an SOMP with emergency pump-around and containment equipment, and training schedules for staff to use this equipment in an emergency. Hot spots - areas where visual or video inspections indicate repeated or unusual accumulation of grease, grit, roots or other debris, or in areas with a past history of sewage blockages – can be identified, mapped, and placed on a routine cleaning schedule.

13. It is recommended that the District develop a Geographic Information Systems (GIS) map for the wastewater system with manhole, sewer line, and lift station layers, as well as an attribute table with manhole and sewer line information georeferenced to each manhole and sewer line, which lists the line type, line material and the pipe diameter. The District would be able to use the attribute table and map displays for collection system maintenance scheduling, to query information about the system, and to create maps and labels.

3.3.1.4 Financial Ability of Agency

Financial ability of agencies to provide services

14. The District prepares an annual Budget and has annual Independent Financial Audits prepared by a qualified Certified Public Accountant. The District shall provide LAFCo a complete copy of all future financial audit reports (starting with Fiscal Year 2019-20) prepared by a Certified Public Accountant within 12-months of the end of the fiscal year or years under examination, consistent with the timeframes established by Government Code Section 26909(a)(2)(b)(ii) as amended by SB 448.
15. According to audited financial information from Fiscal Years 2015-16 through 2017-18, the District was generally operating at a net deficit each year. In late 2017, the District increased its fees to achieve a balanced budget which it has done since Fiscal Year 2018-19. The trend in net position is a key measure of fiscal health and indicates that the District has achieved a balanced budget and meets current operating costs with the 2017 increase fees. The District has adequate finances to meet current and future demands for public services within the next five years. However, the District should continue working to maintain a balanced budget as well as toward building reserves to fund capital improvements and replace equipment.
16. The District does not have a Capital Improvement Plan and relies on the annual budget development process to identify and fund maintenance and capital needs. It is recommended that the District prepare and adopt a 5-year Capital Improvement Plan to ensure that financial planning occurs for future capital infrastructure needs.

3.3.1.5 Shared Services and Facilities

Status of, and opportunities for, shared facilities

17. The District does not participate in any shared services. There is no redundancy in the provision of municipal services to the District.
18. The District collaborates with other public agencies by sharing the office and Board meeting location with the RVCWD.
19. The District is developing an MOU with the RVCWD to share office space with the Round Valley Area Municipal Advisory Council for document storage.
20. The District participates in the SDRMA for the purpose of pooled insurance for providing liability, workers compensation for its facilities, operations, and employees. Health insurance is provided by the Association of California Water Agencies (ACWA) Joint Powers Insurance Authority for District employees and their dependents.
21. No new opportunities for the District to achieve organizational or operational efficiencies were identified during the preparation of this MSR.

3.3.1.6 Accountability, Structure, and Operational Efficiencies

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

22. The District is governed by a Board of Directors elected to serve 4-year terms. The Board is comprised of five seats, only three of which are filled as has been the case since Fiscal Year 2010-11. The District has difficulty filling vacancies, but has retained two long-term Board members, which can be a significant benefit in establishing long-standing positive working relationships in the community, understanding the history and unique aspects of the organization, and maintaining institutional knowledge. It is recommended that the District conduct public outreach to the community through physical bulletin board notification sites as well as local media and/or free social media to attract additional Board members. A small stipend for Board members may also attract more members.
23. Regularly scheduled meetings for the District Board of Directors are held on the second Thursday of the month at 6:00 p.m. at the District Office located at 23950 Grange Street in Covelo. Alternatively, the District Board meets on the second Wednesday of the month as needed, according to District staff. All meetings are open to the public and are publicly posted a minimum of 72 hours prior to the meeting in accordance with the Brown Act.
24. The District Board of Directors conducts business and takes action by approving motions and adopting resolutions and ordinances by a majority vote of a sufficient quorum. The District Board of Directors has adopted policies and procedures related to elected officials including conflict of interest and reimbursement, finances, and personnel. The District Board members file a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to Government Code §87203 of the Political Reform Act and receive two hours of training on public service ethics laws and principles at least once every two years pursuant to AB 1234. The District Board of Directors considers proposed increases to rates and fees at a properly noticed Public Hearing and subject to mailing a Notice of Hearing for Protests to all property owners pursuant to Proposition 218. The District complies with local government ethics laws and regulations and operates with accountability and transparency.
25. With the passage of Senate Bill 929 in 2018, all special districts are required to maintain a website that includes contact information and all other requirements by January 2020 (Compliance checklist included in Appendix B). The District has a website at <https://ccsd.roundvalley.org>, which contains the District's contact information and agendas and minutes from District Board meetings from October 2019 to June 2020. However, the website is not current and does not appear to have been maintained in the last year. A search of the District in any major search engine does not yield the District's website, and it is not linked on the Mendocino LAFCo webpage. The District's website would be enhanced by keeping it up to date; posting the regular Board meeting agenda, time, and location; posting the Board member contact information; and incorporating a content management system to provide a searchable and chronologically organized document archive system for Board meeting packets and adopted ordinances, resolutions, annual budgets, financial audit reports, and other digital records. The website would also benefit from a search engine prioritization overhaul to improve the website ranking and site traffic. The District should also consider maintaining community outreach, particularly prior to and during construction of capital improvements, through social media outlets and linking to relevant outside sources such as community websites and Mendocino LAFCo's website.
26. The District has one full-time position and two part-time employees as follows: one General Manager, one Bookkeeper/Office Manager, and one Plant Operator/Collection Manager. In addition, the

District contracts with a Certified Public Accountant (CPA) and legal counsel on an annual basis. As needed, the District also enters into contracts with engineers, construction contractors, construction monitors, and others.

27. The public can submit written or provide verbal comments or complaints in person or by phone at the District office during business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m., or at the District Board of Directors meetings during the general public comment period.
28. There are no government restructure options for the District to achieve organizational or operational efficiencies identified during the preparation of this MSR.

3.3.1.7 Other Service Delivery Matters

Any other matter related to effective or efficient service delivery, as required by commission policy

29. There are no other matters related to service delivery required by Mendocino LAFCo Policy.
30. As a CSD, the District has the opportunity to provide additional municipal services upon activation of latent powers through Mendocino LAFCo. Given the recent establishment of the RVAMAC and the community issues identified in the Covelo area, there may be opportunity for the District to serve as a vehicle for achieving some of the goals that are often otherwise unattainable in such a rural, unincorporated area. Attachment C includes a list of municipal services that are authorized under Community Services District Law that could potentially be activated for the Covelo CSD through appropriate LAFCo processes.

4 SPHERE OF INFLUENCE

LAFCo prepares a Municipal Service Review (MSR) prior to or in conjunction with the Sphere of Influence (SOI) Update process. An SOI Update considers whether a change to the SOI, or probable future boundary, of a local government agency is warranted to plan the logical and orderly development of that agency in a manner that supports CKH Law and the Policies of the Commission. The MSR and required determinations are presented in Chapters 2 and 3 of this document and form the basis of information and analysis for this SOI Update. This chapter presents the SOI Update and required determinations pursuant to California Government Code §56425(e) for Covelo Community Services District.

4.1 SOI UPDATE

This update is prepared as part of a CKH Act mandated (GC §56076) process. As stated in that section, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county”. A “SOI” under the CKH Act (GC §56076) definition is “.... a plan for the probable physical boundaries and service area of a local (government) agency”.

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update will assess and recommend an appropriate Covelo Community Services District (CCSD) Sphere of Influence (SOI). The objective is to establish CCSD SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the CCSD Municipal Services Review (MSR) in Section 3, which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a 20-year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5 to 10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

If the CSD were to annex in the future, and/or potentially activate additional latent powers, that would be an appropriate time to establish possible service zones within the District, identifying where various services, such as water, are provided. LAFCo oversight during the establishment of service zones would ensure the policies of the Commission, such as preserving agricultural land and open space, are addressed.

4.1.1 EXISTING SPHERE OF INFLUENCE

The Sphere of Influence (SOI) for Covelo CSD is coterminous (identical to) with the District boundary and was established by LAFCo on October 4, 2010 (LAFCo Resolution No. 2010-01). Concurrent annexations

consistent with the 2010 SOI were also approved on October 4, 2010 (LAFCo Resolutions No. 2010-02 and 2010-03). There have been no changes to the District boundary or SOI since then. (LAFCo, 2010a)

4.1.2 STUDY AREAS

There are no additional study areas beyond the present SOI. Based on current wastewater treatment system capacity, which has reached its maximum extent and regularly exceeds its capacity in the rainy season, as well as the repair and capital improvement needs of the system, it appears that the District does not have the capacity to provide wastewater services beyond its proposed service area. There may be a future need for services outside the proposed jurisdictional boundaries of the District; however, the District is presently unable to provide those services. The territory of the District and the proposed coterminous SOI are in the County, which is the land use authority for all lands within the Covelo area. There are no present or planned land uses within the proposed coterminous SOI that differs with existing County zoning.

4.1.3 AREA OF INTEREST DESIGNATION

LAFCo's Area of Interest Policy, per Section 10.1.12, provides for the designation or identification of unincorporated areas located near to, but outside the jurisdictional boundary and established SOI of a city or district, in which land use decisions or other governmental actions of another local agency directly or indirectly impact the subject local agency.

An Area of Interest (AOI) designation serves as a compromise approach that recognizes situations involving challenging boundary or municipal service delivery considerations, or for which urbanization may be anticipated in the intermediate or long-range planning horizons. It is a tool intended to enhance communication and coordination between local agencies.

An AOI designation is most helpful when the county and city or district can reach agreement that development plans related to LAFCo designated AOI will be treated the same as if these areas were within the city or district SOI boundary, particularly regarding notification to and consideration of input from the city or district.

As noted above, there are no Study Areas established in this MSR due to the District indicating that the existing District boundary and SOI are adequate, as well as current limitations associated with capacity and infrastructure needs that should be addressed prior to any new annexations.

4.1.4 PROPOSED SOI CHANGES

The District has confirmed the adequacy of their existing District boundary and SOI. The coterminous SOI is appropriate given the District's current operating level, the current lack of capacity in the wet-weather season, other repair and capital needs that must be addressed, and the lack of financial ability to add additional service connections and new infrastructure that would require financial resources to maintain and operate. There are no proposed SOI changes for the Covelo CSD (Figure 1-1). (CCSD, 2020a)

4.1.5 CONSISTENCY WITH LAFCO POLICIES

The District is comprised of a community with residential, commercial, and public facility (school) uses. Maintaining the existing District SOI is consistent with Mendocino LAFCo Policies (refer to Section 1.5 for the specific SOI policies).

4.1.6 DETERMINATIONS

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

4.1.6.1 Land Uses

The present and planned land uses in the area, including agricultural and open space lands

The District service area is comprised of the semi-rural unincorporated community of Covelo within the greater Round Valley area. Land uses within the District include residential and residential-supporting commercial and public facility uses. Round Valley is a remote area devoted to agricultural uses including grazing lands and orchards, and rural residential home sites. The Round Valley Indian Reservation, including the Hidden Oaks Casino, Round Valley Indian Health Center, and housing developments, covers 405 acres of the CDP at the north end of Round Valley, with forest and rangelands extending further to the north. Outside of the District boundaries, agricultural uses and rural residential home sites prevail, with RL Rangeland (livestock grazing, protection of natural resources), TP Timberland Production (growing and production of timber), SR Suburban Residential (residential with some commercial uses), UR Upland Residential (low-density agricultural/residential uses), and PF Public Facilities (airport and school uses) predominating. Mendocino County has land use authority over privately-owned lands within the District boundary and makes land-use decisions based on the County's General Plan and Zoning Regulations. (Mendocino County, 2009)

4.1.6.2 Need for Facilities and Services

The present and probable need for public facilities and services in the area

General government services provided under the direction of the District Manager include Administration, Finance, and Planning. The Covelo CSD is estimated to serve a population of approximately 430 residents. Population growth is expected to increase at an annual rate of approximately 0.15% for the Covelo area. Based on this growth rate, the District can expect a small population increase of three people within the next five years. Although there are a number of parcels just outside the District of similar size as those within, and several which could be subdivided for development, there are no proposed or anticipated significant land use changes, new development projects, or redevelopment of existing sites within the District's boundary over the next five years. The District will likely experience limited growth until constraints related to infrastructure needs are sufficiently addressed. The residents and visitors currently receiving services from the District will continue to need these public services. (CCSD, 2020a)

4.1.6.3 Capacity of Facilities and Adequacy of Services

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide

Since Fiscal Year 2018-2019, the District's enterprise services have been operating within a balanced budget, and the District's overall net position has been maintained. The trend in net position is a key measure of fiscal health and indicates that the District has stabilized in recent years. The District does maintain a Capital Reserve account, which currently has \$76,748.19, but the District should be working toward building additional reserves to fund capital improvements and replace equipment. In addition, the District's capacity has been regularly exceeded during storm events in three of the last five years, in violation of the current NPDES permit. The District is currently working on a number of projects to improve

the facilities and provide some cost-saving measures (such as installation of solar panels at the treatment plant). However, it is unclear whether these planned improvements will provide the additional capacity needed as well as the finances needed to bring the project into a stronger net position annually. The Covelo CSD has adequate finances, facilities, and equipment to meet current demands for public services within the next five years, and should periodically review its rate structure to ensure future CIP and operations needs are met, particularly in light of the current Mitigable Moratorium.

4.1.6.4 Communities of Interest

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 that should be included in the Covelo CSD boundary or SOI.

4.1.6.5 Disadvantaged Unincorporated Communities

The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence

Covelo is a Census Designated Place (CDP) and the primary population center within the District. Covelo CDP has an MHI of \$23,600 and qualifies as a disadvantaged unincorporated community (DUC), and is also considered a severely disadvantaged community (SDAC) under California Public Resources Code Section 75005 with a MHI of less than 60% the statewide average. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GC §56375(8)(A) and LAFCo Policy.

The Round Valley Indian Reservation is located adjacent to the District in the northwest portion of Round Valley. The Round Valley Indian Tribes (RVIT) own and operate its own wastewater treatment facility for the Reservation.

5 REFERENCES

- Covelo Community Services District (CCSD). No date (n.d.(a)). Covelo Community Services District website. [Online] Available at: <http://ccsd.roundvalley.org/>. Accessed April 16, 17, 27, 2021.
- Covelo Community Services District (CCSD). No date (n.d.(b)). Policy Handbook. Policy Title: Job Description – District Manager. Policy Number 2300.
- Covelo Community Services District (CCSD). November 7, 2019. Minutes of Regular Board Meeting. [Online] Available at: <http://ccsd.roundvalley.org/>. Accessed April 17, 2021.
- Covelo Community Services District (CCSD). March 2020 (2020a). District Response to Information Request from the Local Agency Formation Commission of Mendocino County in preparation for the Municipal Service Review and Sphere of Influence Update.
- Covelo Community Services District (CCSD). June 3, 2021 (2021). District Response to Information Request from the Local Agency Formation Commission of Mendocino County in preparation for the Municipal Service Review and Sphere of Influence Update.
- Covelo Community Services District (CCSD). 2020c. Fixed Assets 2018-19. Updated by Robertson & Associates.
- California Department of Transportation (Caltrans). 2019 County-Level Economic Forecast: Mendocino County Economic Forecast. [Online]. Available at: [Mendocino County Economic Forecast](#). Accessed May 14, 2021.
- Federal Emergency Management Agency (FEMA). Flood Map Service Center. Map 06045C0536F. Effective 06/02/2011. [Online] Available at: <https://msc.fema.gov/portal/search?AddressQuery=covelo%2C%20ca#searchresultsanchor>. Accessed May 8, 2021.
- LAFCo, County of Mendocino. October 4, 2010 (2010a). Covelo CSD Sphere of Influence/Municipal Service Review Report. [Online]. Available at https://www.mendolafco.org/files/14279c261/Covelo_CSD_MSR.pdf. Accessed April-May 2021.
- LAFCo, County of Mendocino. November 4, 2010 (2010b). Certificate of Completion of Covelo Community Service District Reorganization 2010. Doc. No. 2010-15607.
- LAFCo, County of Mendocino. November 4, 2010 (2010c). Certificate of Completion of Travis Annexation to Covelo Community Service District. Doc. No. 2010-15608.
- LAFCo, County of Mendocino. November 5, 2018. Policies & Procedures Manual. [Online]. Available at: <http://mendolafco.org/wp-content/uploads/2018/11/FINAL-Adopted-Mendo-LAFCo-PP-Manual-2018-1.pdf>. Accessed May 15, 2021.

- Mendocino County. No date (n.d.). Mendocino County: Cannabis Permits and Licenses: Cannabis Overlay Zones website. [Online] Accessed at: <https://www.mendocinocounty.org/business/cannabis-permits-and-licenses>. Accessed May 14, 2021.
- Mendocino County. September 2008a. Mendocino General Plan Update: Draft Environmental Impact Report: Chapter 4.9 Land Use.
- Mendocino County. September 2008b. Mendocino General Plan Update: Draft Environmental Impact Report: Chapter 4.11 Population/Housing/Employment.
- Mendocino County. August 2009. Mendocino County General Plan: Chapter 6 Community Specific Policies.
- Mendocino County. 2013. Mendocino County Planning and Building Services. Zoning Display Map Sheet 15: Covelo East.
- Mendocino County. 2013. Mendocino County Planning and Building Services. Zoning Display Map Sheet 15: Covelo West.
- Mendocino County. August 4, 2015. Mendocino County General Plan: Housing Element 2014-2019 Update.
- Mendocino County. August 15, 2019. "Approval of Appointments In-Lieu of Election for the November 5, 2019, Consolidated District Election for Candidates Who Filed their Declaration of Candidacy Paperwork, and Authorize, Prior to November 5, 2019, Additional Appointments of Qualified Persons be Made for the Covelo Community Services District, Calpella County Water District, Laytonville County Water District, Willow County Water District, and Caspar South Water District, Where There Were Insufficient Candidates." Certificate (Section 10515 Election Code). [Online] Available at: <https://mendocino.legistar.com/LegislationDetail.aspx?ID=4126267&GUID=68244474-19E2-4C27-975F-98DB3157C7B9&Options=&Search>. Accessed April 27, 2021.
- Mendocino County. 2021. Mendocino County, CA Public Map Portal. [Website] Available at: <https://gis.mendocinocounty.org/portal/home/>. Accessed May 14 and 15, 2021.
- North Coast Regional Water Quality Control Board. 2017. Order No. R1-2017-0004, NPDES No. CA0023574. WDID No 1B830090MEN. Waste Discharge Requirements for the Covelo Community Services District Wastewater Treatment Plant, Mendocino County.
- North Coast Resource Partnership. 2018 /19 Project Application. Covelo Community Services District.
- Round Valley Indian Tribes. No date (n.d.). Round Valley Indian Tribes website. [Online] Available at: <https://www.rvit.org>. Accessed May 8, 2021.
- SHN Consulting Engineers & Geologists, Inc. June 2006. Covelo Wastewater Treatment Facilities Improvement Project - USDA Amended Preliminary Engineering Report.
- Robertson & Associates, CPAs (Robertson). June 20, 2016. Covelo Community Services District, County of Mendocino, Covelo, California: Annual Financial Report.

Robertson & Associates, CPAs (Robertson). June 20, 2017. Covelo Community Services District, County of Mendocino, Covelo, California: Annual Financial Report.

Robertson & Associates, CPAs (Robertson). June 20, 2018. Covelo Community Services District, County of Mendocino, Covelo, California: Annual Financial Report.

Robertson & Associates, CPAs (Robertson). June 20, 2019. Covelo Community Services District, County of Mendocino, Covelo, California: Annual Financial Report.

United States Census Bureau (UCSB). 2019a. Annual Estimates of the Resident Population: April 1, 2010-July 1, 2019. American Community Survey. Table PEPANNRES: Mendocino. [Online]. Available at: <https://data.census.gov/cedsci/table?q=population&t=Populations%20and%20People&g=0500000US06045&tid=PEPPPOP2019.PEPANNRES>. Accessed May 8, 2021.

United States Census Bureau (UCSB). 2019b. ACS Demographic and Housing Estimates. American Community Survey. Table DP05: Covelo CDP. [Online]. Available at: <https://data.census.gov/cedsci/table?g=1600000US0616728&tid=ACSDP5Y2019.DP05&hidePreview=true>. Accessed May 8, 2021.

United States Census Bureau (UCSB). 2019c. California: Income in the Past 12 Months (in 2019 Inflation-Adjusted Dollars). American Community Survey. Table S1901: California. [Online]. Available at: <https://data.census.gov/cedsci/table?q=california%20median%20household%20income&tid=ACSST1Y2019.S1901>. Accessed May 14, 2021.

United States Census Bureau (UCSB). 2019d. Covelo CDP: Income in the Past 12 Months (in 2019 Inflation-Adjusted Dollars). American Community Survey. Table S1901: Cpvelo CDP. [Online]. Available at: <https://data.census.gov/cedsci/table?q=california%20median%20household%20income&tid=ACSST1Y2019.S1901>. Accessed 5/14/2021.

Wikipedia. Last edited September 8, 2020. Round Valley Indian Tribes of the Round Valley Reservation website. [Online]. Available at: https://en.wikipedia.org/wiki/Round_Valley_Indian_Tribes_of_the_Round_Valley_Reservation. Accessed May 8, 2021.

Wikipedia. Last edited April 1, 2021. Wikipedia: Covelo, California website. [Online]. Available at: https://en.wikipedia.org/wiki/Covelo,_California. Accessed May 8, 2021.

6 ACRONYMS

ACWA	Association of California Water Agencies
AF	Acre-feet
CCSD	Covelo Community Services District
CDP	Census Designated Place
CEQA	California Environmental Quality Act
CKH	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
CPA	Certified Public Accountant
CSD	Community Services District
DUC	Disadvantaged Community
FY	Fiscal Year
FTE	Full Time Equivalent
GPM	gallons per minute
I&I	Infiltration and inflow
JPA	Joint Powers Authority
LAFCo	Local Agency Formation Commission
MG	million gallons
MGD	million gallons per day
MHI	Median Household Income
MOU	Memorandum of Understanding
MSR	Municipal Service Review
REU	Residential Equivalent Unit
RVCWD	Round Valley County Water District
RVIT	Round Valley Indian Tribes
RVAMAC	Round Valley Area Municipal Advisory Committee
SB	Senate Bill
SDAC	Severely Disadvantaged Community
SDRMA	Special District Risk Management Association
SOI	Sphere of Influence
SOMP	System Operation and Maintenance Program
SWRCB	State Water Resources Control Board
WWTP	Wastewater Treatment Plant

7 ACKNOWLEDGEMENTS

7.1 REPORT PREPARATION

This Municipal Service Review and Sphere of Influence Update was prepared by Hinman & Associates Consulting, Inc., contracted staff for Mendocino LAFCo.

Uma Hinman, Executive Officer

Larkyn Feiler, Analyst

Kristen Meadows, Commission Clerk

7.2 ASSISTANCE AND SUPPORT

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

Covelo CSD	Dane Downing, General Manager Tim Dennis, Treatment Plant Operator Gail Cook, Clerk/Office Manager
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8 APPENDICES

8.1 APPENDIX A – OPEN GOVERNMENT RESOURCES

The purpose of this appendix is to provide a brief list of some educational resources for local agencies interested in learning more about the broad scope of public interest laws geared towards government transparency and accountability. This appendix is not intended to be a comprehensive reference list or to substitute legal advice from a qualified attorney. Feel free to contact the Mendocino LAFCo office at (707) 463-4470 to make suggestions of additional resources that could be added to this appendix.

The websites listed below provide information regarding the following open government laws: (1) **Public Records Act** (Government Code §6250 et seq.), (2) **Political Reform Act** – Conflict-of-Interest regulations (Government Code §81000 et seq.), (3) **Ethics Principles and Training** (AB 1234 and Government Code §53235), (4) **Brown Act** – Open Meeting regulations (Government Code §54950 et seq.), and (5) **Online Compliance** regulations (Section 508 of the US Rehabilitation Act and Government Code §11135).

- Refer to the State of California Attorney General website for information regarding public access to governmental information and processes at the following link: <https://oag.ca.gov/government>.
- Refer to the State of California Attorney General website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <https://oag.ca.gov/ethics>.
- The Fair Political Practices Commission (FPPC) is primarily responsible for administering and enforcing the Political Reform Act. The website for the Fair Political Practices Commission is available at the following link: <http://www.fppc.ca.gov/>.
- Refer to the California Department of Rehabilitation website for information regarding Section 508 of the US Rehabilitation Act and other laws that address digital accessibility at the following link: <http://www.dor.ca.gov/DisabilityAccessInfo/What-are-the-Laws-that-Cover-Digital-Accessibility.html>.
- Refer to the Institute for Local Government (ILG) website to download the Good Governance Checklist form at the following link: www.ca-ilg.org/post/good-governance-checklist-good-and-better-practices.
- Refer to the Institute for Local Government (ILG) website to download the Ethics Law Principles for Public Servants pamphlet at the following link: www.ca-ilg.org/node/3369.
- Refer to the Institute for Local Government (ILG) website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <http://www.ca-ilg.org/ethics-education-ab-1234-training>.
- Refer to the California Special Districts Association (CSDA) website for information regarding online and website compliance webinars at the following link: <http://www.csda.net/tag/webinars/>.

8.2 APPENDIX B – WEBSITE COMPLIANCE HANDOUT

Refer to the next page.

Appendix B

California Website Compliance Checklist

Use this checklist to keep your district's website compliant with State and Federal requirements.

Public Records Act

SB 929

Our district has created and maintains a website

Passed in 2018, all independent special districts must have a website that includes contact information (and all other requirements) by Jan. 2020

SB 272

Our Enterprise System Catalog is posted on our website

All local agencies must publish a catalog listing all software that meets specific requirements—free tool at getstreamline.com/sb272

AB 2853 (optional):

We post public records to our website

This bill allows you to refer PRA requests to your site, if the content is displayed there, potentially saving time, money, and trees

The Brown Act

AB 392:

Agendas are posted to our website at least 72 hours in advance of regular meetings, 24 hours in advance of special meetings

This 2011 update to the Act, originally created in 1953, added the online posting requirement

AB 2257:

A link to the most recent agenda is on our home page, and agendas are searchable, machine-readable and platform independent

Required by Jan. 2019—text-based PDFs meet this requirement, Microsoft Word docs do not

State Controller Reports

Financial Transaction Report:

A link to the Controller's "By the Numbers" website is posted on our website

Report must be submitted within seven months after the close of the fiscal year—you can add the report to your site annually, but posting a link is easier

Compensation Report:

A link to the Controller's PublicPay website is posted in a conspicuous location on our website

Report must be submitted by April 30 of each year—you can also add the report to your site annually, but posting a link is easier

Healthcare District Websites

AB 2019:

If we're a healthcare district, we maintain a website that includes all items above, plus additional requirements

Including budget, board members, Municipal Service Review, grant policy and recipients, and audits

Open Data

AB 169:

Anything posted on our website that we call "open data" meets the requirements for open data

Defined as "retrievable, downloadable, indexable, and electronically searchable; platform independent and machine readable" among other things

Section 508 ADA Compliance

CA gov code 7405:

State governmental entities shall comply with the accessibility requirements of Section 508 of the federal Rehabilitation Act of 1973

Requirements were updated in 2018—if you aren't sure, you can test your site for accessibility at achecker.ca



California Special Districts Association
CSDA
Districts Stronger Together



STREAMLINE
Website compliance made easy

The Brown Act: new agenda requirements

Tips for complying with AB 2257 by January, 2019

Placement:

What it says: An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda.

What that means: Add a link to the **current agenda directly to your homepage**. It cannot be in a menu item or otherwise require more than a single click to open the agenda.

Exception:

What it says: A link to the agenda management platform may be added to the home page instead of a link directly to the current agenda, if the agency uses an integrated agenda management platform that meets specified requirements, including, among others, that the current agenda is the first agenda available at the top of the integrated agenda management platform.

What that means: If you use an agenda management system, you may add a link to that system directly to your homepage (again, not in a menu item), if the format of the agenda meets the requirements below, and if the current agenda is the first at the top of the list.

Format:

What it says: [agenda must be] Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications. Platform independent and machine readable. Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

What that means: You cannot add Word Docs or scanned (image-based) PDFs of your agenda to your website—Word Docs are not platform independent (the visitor must have Word to read the file), and scanned PDFs are not searchable. Instead, **keep your agenda separate from the packet** and follow these steps:

1. From Word or other document system: Export agenda to PDF
2. Add that agenda to your website (or to your agenda management system), and include a link to that agenda on your homepage
3. Then, you can print the agenda, add it to your pile of documents for the packet, and scan that to PDF - just keep the packet separate from the agenda (only the agenda must meet AB 2257)
4. Keep the link on the homepage until the next agenda is available, then update the link

Questions? Contact sloane@getstreamline.com or dillong@csga.net

8.3 APPENDIX C – APPLICABLE POLICIES

County of Mendocino 2009 General Plan

Chapter 6: Community – Specific Policies: Covelo Goals and Policies

The following goals, policies, and actions are specific to Covelo, and supplement the countywide goals and policies elsewhere in this General Plan.

Covelo Community Goals

Goal CP-C-1: Conserve Round Valley’s natural, visual and historical resources while maintaining agricultural operations including grazing lands.

Goal CP-C-2: Expand economic opportunities in Round Valley consistent with the desired rural character of the valley.

Goal CP-C-3: Maintain compact development patterns by focusing commercial, residential and community uses in Covelo.

Covelo Community Area Policies

Policy CP-C-1: Preserve and enhance the established historic character of downtown Covelo.

Action Item CP-C-1.1: Enhance Covelo’s downtown and incorporate beautification improvements through circulation, streetscapes, signage, landscaping and other means.

Policy CP-C-2: Retain and restore historic buildings and sites.

Policy CP-C-3: The design of new development should reflect the rural character of the Covelo community.

Policy CP-C-4: Discourage subdivision activity in the outlying Rural and Remote Residential lands, including on lands adjacent to Rangelands and Forest Lands.

Policy CP-C-5: Encourage higher density residential uses, including affordable housing units, in or near the commercial centers as part of a mixed-use strategy.

Policy CP-C-6: Encourage improvements to existing residential structures.

Policy CP-C-7: Establish places and facilities that create a sense of community.

Action Item CP-C-7.1: Revitalize the commercial core of Covelo as the focal point of the community, with mixed-use potential for convenience retail, office and residential uses, focusing on the State Route 162 (Covelo Road) corridor and Greely Street.

Action Item CP-C-7.2: Consider installation of a central plaza or gazebo in the downtown.

Policy CP-C-8: Expand and diversify economic ventures.

Policy CP-C-9: The County encourages the expansion of commercial uses in Covelo.

Policy CP-C-10: Commercial uses should be focused near the established core areas along State Route 162.

Policy CP-C-11: Actively pursue light industrial manufacturing employers for Round Valley.

Action Item CP-C-11.1: Consider placement of a community signboard along State Route 101 at the State Route 162 intersection advertising services and special events in Round Valley.

Action Item CP-C-11.2: Designate the mill site northwest of the town center as a study area to consider a range of future land uses, including industrial, light industrial, commercial and other uses supporting jobs creation for local residents

Policy CP-C-12: Increase economic and social ties with the Round Valley Indian Tribes.

Policy CP-C-13: Encourage joint-use opportunities with Round Valley Indian Reservation.

Policy CP-C-14: Support a community fire hydrant system to facilitate economic and public safety.

Policy CP-C-15: Encourage the Covelo CSD to plan for the provision of a public water system.

Action Item CP-C-15.1: Assist the Covelo Community Services District (CSD) in its efforts to serve future growth with water capacity consistent with the land use patterns and densities established in the General Plan.

Policy CP-C-16: Consider upgrades to the Round Valley Airport to support economic development and emergency services.

Chapter 3 Development Element: Water Supply and Sewer (Wastewater Treatment) Services Policies

Policy DE-186: Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-187: The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-187.1: Work aggressively with water and sewer service providers to overcome current and projected system and supply deficiencies necessary to serve planned community growth.

Action Item DE-187.2: Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-187.3: Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water or sewer systems.

Policy DE-188: Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-189: Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with land use and resource objectives of the General Plan, except where the extension is needed to address a clear public health hazard.

Policy DE-190: Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-191: Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

Chapter 3 Development Element: Infrastructure (Facilities and Services) Policies

Policy DE-117: Deliver programs and services to communities in an integrated, coordinated and equitable manner, reflective of local conditions.

Policy DE-118: The County shall discourage the extension of sewer and water service outside of areas designated by this General Plan or any city's General Plan for urban uses.

Action Item DE-118.1: Work with the Local Agency Formation Commission and service providers to coordinate service capabilities with this General Plan's land use designations.

Policy DE-119: Consider infrastructure capabilities, spheres of influence and master service elements adopted by the Local Agency Formation Commission, and city rezoning when adopting or revising General Plan elements.

Policy DE-120: General Plan changes to increase density or intensity should not be granted when basic infrastructure deficiencies are identified unless there is a program in place for timely resolution of the problem.

Policy DE-121: New discretionary development will be required to demonstrate that basic infrastructure is available and has adequate capacity to serve the project without degrading existing level of service standards.

Policy DE-122: When committing to serve new development, the County will encourage service providers to grant priority to allocation of available and future water resources to lower income housing developments that help meet the regional housing need.

Policy DE-123: Plans for completion of basic infrastructure should be made concurrent with discretionary development entitlement actions.

Policy DE-124: Plan for the expansion of commercial and industrial uses and sites for affordable housing when planning and designing community spaces and infrastructure.

Policy DE-125: The County supports the extension of affordable broadband internet access to all areas of the county, particularly rural areas which currently (2009) do not have broadband access.

Chapter 3 Development Element: LAFCo Policies

Policy DE-37: Work with LAFCO and other agencies to reduce suburban sprawl, promote efficient service delivery, and protect agricultural, timber and open space areas from unintended conversion to urban uses.

Policy DE-118: The County shall discourage the extension of sewer and water service outside of areas designated by this General Plan or any city's General Plan for urban uses.

Action Item DE-118.1: Work with the Local Agency Formation Commission and service providers to coordinate service capabilities with this General Plan's land use designations.

Policy DE-119: Consider infrastructure capabilities, spheres of influence and master service elements adopted by the Local Agency Formation Commission, and city rezoning when adopting or revising General Plan elements.

The Willits News

77 W Commercial Street
PO Box 628
Willits, CA 95490
707-459-4643
2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST
UKIAH, CA 95482

PROOF OF PUBLICATION

STATE OF CALIFORNIA COUNTY OF MENDOCINO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of The Willits News, a newspaper of general circulation, printed and published Every Wednesday and Friday in the City of Willits, California, County of Mendocino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California, in the year 1903, Case Number 9150; that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

08/11/2021

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Willits, California this 12th day of August, 2021.



Signature

Legal No. **0006598847**

WN21-185

Mendocino Local Agency Formation Commission NOTICE OF PUBLIC HEARING. NOTICE IS HEREBY GIVEN that on Monday, September 13, 2021, at 9:00 AM (or as soon thereafter as the matter may be heard) in the Mendocino County Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, or conducted remotely pursuant to State Executive Order N-29-20 in response to the COVID-19 pandemic if necessary with public participation via teleconference as detailed in the agenda posted at least 72 hours in advance of the meeting, and livestreamed at www.youtube.com/MendocinoCountyVideo, the Mendocino Local Agency Formation Commission (LAFCo) will hold a Public Hearing to consider adoption of the following: **Covelo Community Services District Municipal Service Review and Sphere of Influence Update.** Copies of all related documents may be reviewed once available at the LAFCo website (www.mendolafco.org) or at the LAFCo office. If you cannot attend the Public Hearing described in this notice, you may submit written comments prior to the hearing. Please direct comments, questions, and requests to review documents to LAFCo, 200 South School Street, Ukiah, CA 95482; e-mail: eo@mendolafco.org; phone: (707) 463-4470. All interested persons are invited to attend, be heard, and participate in the hearings. BY ORDER OF THE MENDOCINO LOCAL AGENCY FORMATION COMMISSION. UMA HINMAN, Executive Officer.
8/11/2021

Ukiah Daily Journal

617 S. State St
Ukiah, California 95482
(707) 468-3500
advertising@record-bee.com

2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST
UKIAH, CA 95482

PROOF OF PUBLICATION (2015.5 C.C.P.)

STATE OF CALIFORNIA COUNTY OF MENDOCINO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Ukiah Daily Journal, a newspaper of general circulation, printed and published daily in the City of Ukiah, County of Mendocino and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California, under the date of September 22, 1952, Case Number 9267; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

08/10/2021

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Ukiah, California,
August 12th, 2021



Audrey Taylor, LEGAL CLERK

Legal No. **0006598855**

5296-21

8/10/2021

Mendocino Local Agency Formation Commission NOTICE OF PUBLIC HEARING. NOTICE IS HEREBY GIVEN that on Monday, September 13, 2021, at 9:00 AM (or as soon thereafter as the matter may be heard) in the Mendocino County Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, or conducted remotely pursuant to State Executive Order N-29-20 in response to the COVID-19 pandemic if necessary with public participation via teleconference as detailed in the agenda posted at least 72 hours in advance of the meeting, and livestreamed at www.youtube.com/MendocinoCountyVideo, the Mendocino Local Agency Formation Commission (LAFCo) will hold a Public Hearing to consider adoption of the following: **Covelo Community Services District Municipal Service Review and Sphere of Influence Update.** Copies of all related documents may be reviewed once available at the LAFCo website (www.mendolafco.org) or at the LAFCo office. If you cannot attend the Public Hearing described in this notice, you may submit written comments prior to the hearing. Please direct comments, questions, and requests to review documents to LAFCo, 200 South School Street, Ukiah, CA 95482; e-mail: eo@mendolafco.org; phone: (707) 463-4470. All interested persons are invited to attend, be heard, and participate in the hearings. BY ORDER OF THE MENDOCINO LOCAL AGENCY FORMATION COMMISSION. UMA HINMAN, Executive Officer.

Notice of Exemption

(Exempt from fees per GOV Section 27383)

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Mendocino

From: (Public Agency): Mendocino LAFCo
200 South School Street
Ukiah, California 95482

(Address)

Project Title: Covelo CSD MSR/SOI Update 2021

Project Applicant: N/A

Project Location - Specific:

Covelo, an unincorporated community in northeast Mendocino County. Accessed by State Highway 162.

Project Location - City: Covelo Project Location - County: Mendocino

Description of Nature, Purpose and Beneficiaries of Project:

This is a LAFCo initiated Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Covelo Community Services District prepared in accordance with California Government Code §56430 and §56425.

Name of Public Agency Approving Project: This is a LAFCo initiated Municipal Service Review (MSR) and

Name of Person or Agency Carrying Out Project: Mendocino Local Agency Formation Commission

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: §15306 and §15061(b)(3)
Statutory Exemptions. State code number:

Reasons why project is exempt:

§15306 (Information Collection): the MSR is a service evaluation study and any future actions will be subject to additional environmental review. §15061(b)(3) (General Rule): the SOI Update does not grant new municipal service powers or areas and no physical changes to the environment are anticipated, planned, or reasonably foreseeable as a result of the SOI Update.

Lead Agency

Contact Person: Uma Hinman, Executive Officer Area Code/Telephone/Extension: (707) 463-4470

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [] Yes [] No

Signature: Date: 9/13/2021 Title: Executive Officer

[X] Signed by Lead Agency [] Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

Resolution No. 2021-22-01
of the Local Agency Formation Commission of Mendocino County

Approving Adoption of the
Covelo Community Services District
Municipal Service Review and Sphere of Influence Update

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

WHEREAS, the Commission conducted a municipal service review to evaluate the Covelo Community Services District, hereinafter referred to as the “District”, pursuant to California Government Code Section 56430; and

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

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

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on the municipal service review and sphere of influence update on September 13, 2021; and

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

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

1. The Commission, as Lead Agency, finds the municipal service review is exempt from further review under the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations §15306. This finding is based on the use of the municipal service review as a data collection and service evaluation study. The information contained within the municipal service review may be used to consider future actions that will be subject to additional environmental review.
2. The Commission, as Lead Agency, finds the sphere of influence update is exempt from further review under the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations §15319(a). This finding is based on the Commission determining with certainty that the sphere of influence update will have no possibility of significantly effecting the environment given that this update does not grant new municipal service powers or areas and no physical changes to the environment are anticipated, planned, or reasonably foreseeable as a result of the SOI Update.

3. This municipal service review and sphere of influence update is assigned the following distinctive short-term designation: "Covelo CSD MSR/SOI Update 2021".
4. Pursuant to Government Code Section 56430(a), the Commission makes the written statement of determinations included in the municipal service review, hereby incorporated by reference.
5. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations included in the sphere of influence update, hereby incorporated by reference.
6. The Executive Officer shall revise the official records of the Commission to reflect this update of the sphere of influence for the District.

BE IT FURTHER RESOLVED that the Covelo Community Services District MSR/SOI Update 2021 is hereby approved and incorporated herein by reference and that the District's existing 2010 Sphere of Influence is affirmed with a coterminous sphere as depicted in Exhibit "A", attached hereto.

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 13th day of September 2021 by the following vote:

AYES:

NOES:

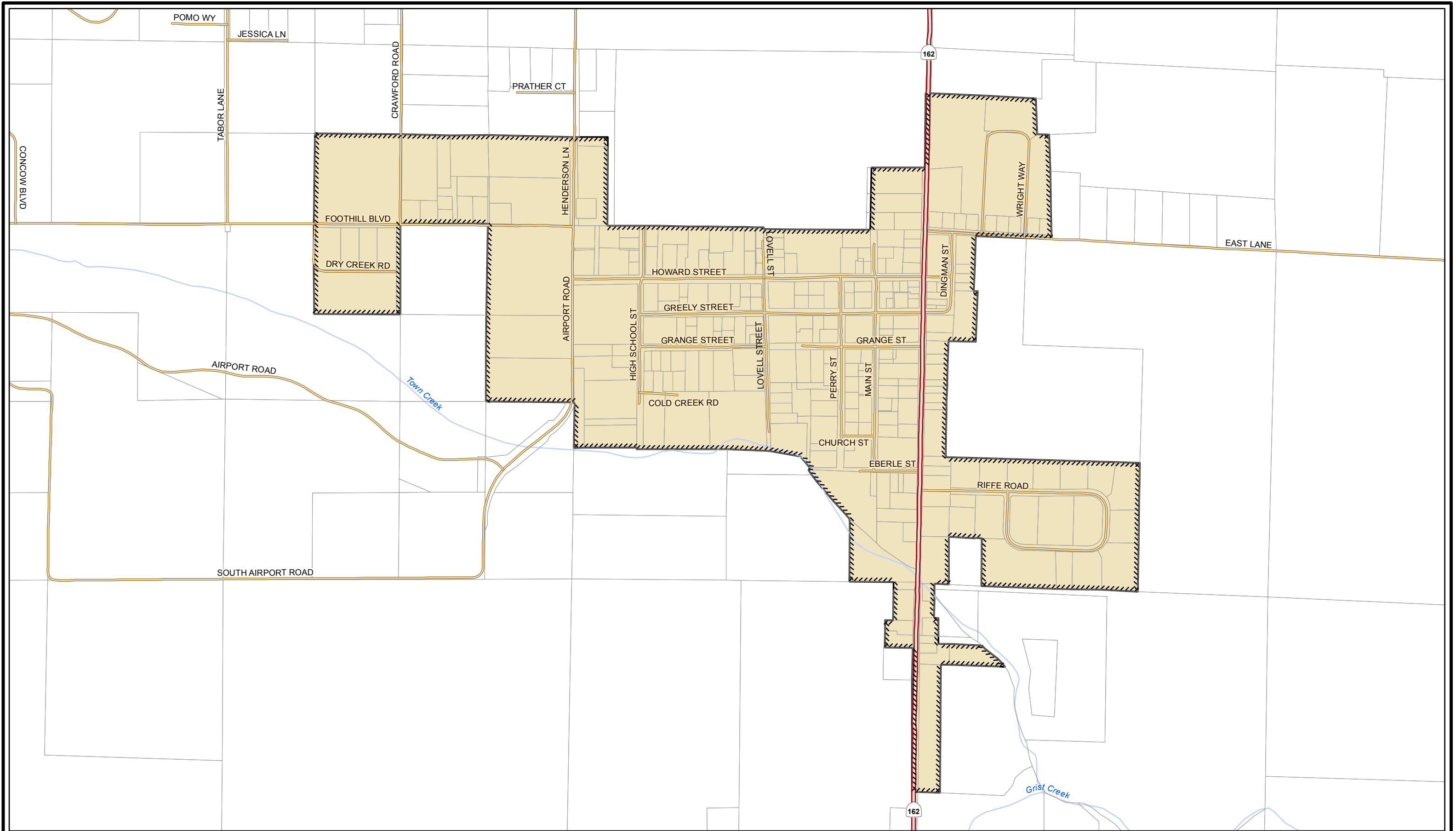
ABSTAIN:

ABSENT:

CHARLES A. ORTH, Commission
Chair

ATTEST:

UMA HINMAN, Executive Officer



Covelo Community Services District Sphere of Influence

Source: This map was prepared by the Mendocino County Information Services Department GIS Program, May 2021.
Note: This map is not a survey product.

- Covelo CSD
- Covelo CSD SOI
- Parcels
- Highway
- Roads
- Streams

LAFco Resolution No. 2021-22-01
Exhibit "A"

MENDOCINO

Local Agency Formation Commission

Staff Report

MEETING September 13, 2021
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Workshop** for Ukiah Valley Fire District Municipal Service Review and Sphere of Influence Update

RECOMMENDATIONS

Hold a Workshop on the Draft Ukiah Valley Fire District Municipal Service Review and Sphere of Influence Update, provide comments and requested revisions, and direct staff to notice the matter for Public Hearing as soon as feasible for consideration.

INTRODUCTION

This is a Workshop to introduce the Draft Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Ukiah Valley Fire District (UVFD or District). This is the second MSR prepared for the District; the first one was adopted by the Commission on May 6, 2013.

The Workshop Draft UVFD MSR/SOI Update includes the following information related to the District: history, government structure and accountability, operational efficiency, finances, projected growth, disadvantaged unincorporated communities, service capacity and needs, and proposed sphere. The District reviewed and provided feedback on an Administrative Draft of the study and requested changes have been incorporated into this Workshop Draft as appropriate.

As background, the District was formed in 1947 and provides fire protection and emergency medical services to the greater Ukiah Valley area of approximately 17,000 people and 80-square miles in size. Local fire protection providers adjacent to the District include the City of Ukiah to the west, Redwood Valley-Calpella Fire District to the north, and Hopland Fire Protection District to the south.

The District participates in a Joint Powers Agreement (JPA) with the City of Ukiah (City) and together they formed the Ukiah Valley Fire Authority (UVFA) in 2017. Although the District and City have not legally consolidated their entities, for operational purposes they function as one entity. The functional consolidation of services under the Fire Authority has resulted in better staffing and performance levels for the Ukiah Valley area.

In late June of 2021, the Ukiah Valley Fire District initiated a LAFCo application, with the City's support, for a proposed District annexation of the Ukiah City limits for fire services only and a concurrent amendment of the District's Sphere of Influence (SOI) to be contiguous with the proposed new boundary. Further details and an SOI recommendation will be included in the public hearing report for the proposed annexation and sphere amendment application.

The existing SOI for the UVFD is coterminous (identical to) with the District boundary and was established by LAFCo in 1984. There have been no changes to the District SOI since then. Two areas have been identified as an Area of Interest (AOI) for enhanced coordination between the District and the City and County on any plans or projects with the potential to impact District lands, facilities, and/or services.

Attachments: Workshop Draft UVFD MSR/SOI Update

PUBLIC WORKSHOP DRAFT



(Ukiah, 2021k)

UKIAH VALLEY FIRE DISTRICT

Municipal Service Review and Sphere of Influence Update

Prepared for:

MENDOCINO LAFCO

200 South School Street

Ukiah, California 95482

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

Workshop: September 13, 2021

Public Hearing: TBD

Adopted: TBD

LAFCo Resolution No: TBD

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DRAFT

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DRAFT

1 INTRODUCTION

1.1 LOCAL AGENCY FORMATION COMMISSION

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

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

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

1.2 MENDOCINO LAFCO

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

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

1.3 MUNICIPAL SERVICE REVIEW

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

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

An MSR must address the following seven factors:

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

4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

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

1.4 SPHERE OF INFLUENCE PLAN

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

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

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

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

1.5 MENDOCINO LAFCO POLICIES

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

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

10.1.1 Legislative Authority and Intent

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

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

10.1.2 Definitions

The Commission incorporates the following definitions:

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

10.1.3 Sphere Updates

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

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

10.1.4 Reduced Spheres

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

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

10.1.5 Zero Spheres

LAFCo may adopt a “zero” sphere of influence encompassing no territory for an agency. This occurs if LAFCo determines that the public service functions of the agency are either nonexistent, no longer

needed, or should be reallocated to some other agency (e.g., mergers, consolidations). The local agency which has been assigned a zero sphere should ultimately be dissolved.

10.1.6 Service Specific Spheres

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

10.1.7 Agriculture and Open Space Lands

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

10.1.8 Annexations Are Not Mandatory

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

10.1.9 Islands or Corridors

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

10.1.10 Overlapping Spheres

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

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

Territory placed within a city’s sphere indicates that the city is the most logical provider of urban services. LAFCo encourages annexation of developing territory (i.e., area not currently receiving services) that is currently within a city’s sphere to that city rather than to one or more single-purpose special districts. LAFCo discourages the formation of special districts within a city’s sphere. To promote efficient and coordinated planning among the county’s various agencies, districts that provide the same type of service shall not have overlapping spheres.

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

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

10.1.12 Areas of Interest

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

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

(LAFCo, 2018)

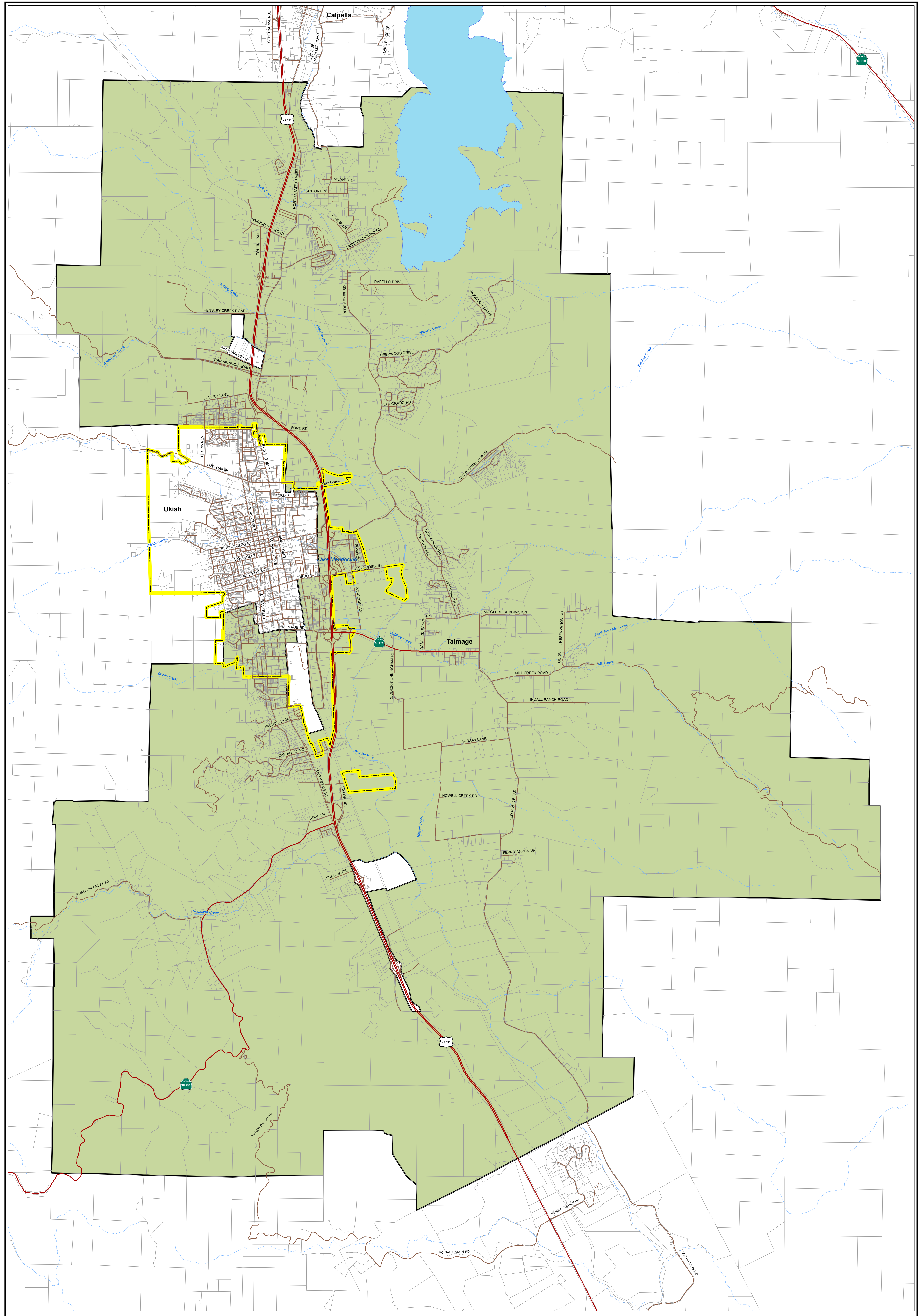
1.6 SENATE BILL 215

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

Mendocino County is not located within an MPO boundary and therefore is not subject to the provisions of SB 375. However, the Mendocino Council of Governments (MCOG) supports and coordinates the local planning efforts of Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits to address regional housing and transportation needs and helps provide a framework for sustainable regional growth patterns through the 2018 Mendocino County Regional Housing Needs Allocation (RNHA) Plan and Vision Mendocino 2030 Blueprint Plan. MCOG is also responsible for allocating regional transportation funding to transportation improvement projects consistent with the 2017 RTP for Mendocino County.

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

DRAFT



Ukiah Valley Fire Protection District

- City of Ukiah
- Ukiah Valley Fire Protection District
- Highways
- Roads
- Streams

Source: This map was prepared by the Mendocino County Department of Information Services GIS Program, March 2017.
 Note: This map is not a survey product and should not be used to determine legal boundaries.

2 AGENCY OVERVIEW

Table 2.1 UVFD Profile

Agency Name:	Ukiah Valley Fire District
Phone Number:	(707) 462-7921
Fax Number:	N/A
Mailing Address:	1500 South State Street, Ukiah CA 95482
District Office:	1500 South State Street, Ukiah CA 95482
Website:	https://www.cityofukiah.com/uvfd/
Digital Budget:	https://stories.opengov.com/ukiahca/published/3vuNUgwii
General Email:	uvfd@sonic.net
Date of Formation:	1947
Agency Type:	Independent Special District, Single-Service Provider
Enabling Legislation:	Fire Protection District Law: Health and Safety Code §13800 et seq.
Board Meeting Schedule:	2nd Tuesday of the month at 6:00 p.m. at 151 Laws Avenue, Ukiah, CA 95482 (Willow Water District Board Room)
FEC Meeting Schedule:	2nd Wednesday of odd numbered months at 4:00 p.m. at 200 South School Street, Ukiah, CA 95482 (Ukiah Valley Conference Center)

Source: UVFD, 2018b; Ukiah, 2021d; UVFD, 2021b.

2.1 HISTORY

2.1.1 FORMATION

The Ukiah Valley Fire District (District or UVFD) has a long history in the Ukiah Valley area. After the public school house in Ukiah burned down on July 17, 1875, the town residents formed the Eagle Fire Company in 1876 equipped with a hook and ladder truck, four Babcock extinguishers, and a house and lot on which to operate from. Eagle Fire Company was renamed Ukiah Fire Department (UFD) in the early 1900s, and in 1947 the Ukiah Valley Fire District (UVFD) was formed. UFD provided fire protection for the area until UVFD separated from UFD on July 1, 1989. UFD was then responsible for areas within the City limits, while UVFD protected the rest of the surrounding Ukiah Valley. (Ukiah, 2021d)

On January 1, 2014, a temporary two-year merger of the District and UFD was adopted (Ukiah Daily Journal, 2014), and on July 1, 2017, UFD and UVFD approved a Joint Powers Agreement under Resolution 2017-41 of the Ukiah City Council, which consolidated services and functions into the Ukiah Valley Fire Authority (UVFA). (Ukiah, 2017) UVFA is not a separate legal entity, and both fire agencies continue to function as separate legal entities with distinct funding sources, although services and staff are shared across both districts. (Grebil, 2018)

For the purposes of this MSR, UVFD's distinct data is used whenever possible. Due to the overlap in service areas, staffing, and equipment, however, at times the data presented is for the UVFA. When this occurs, every effort has been made to identify it as such.

2.1.2 BOUNDARY

The District is located in the southern and inland portion of Mendocino County and is situated around the City of Ukiah within the greater Ukiah Valley area. The UVFD boundary comprises approximately 80 square miles or 51,200-acres (UVFD, 2021) and extends from the intersection of US 101 and Nelson Ranch Road on the southern end to the Gold Gulch drainage just south of the intersection of US 101 and Central Avenue at the northern end. The boundaries include the southern half of Lake Mendocino (Figure 1.1). The District boundary also extends from the top of Cow Mountain at the eastern end to the top of Highway 253 in the western hills.

The Ukiah Valley is located approximately 30-miles inland of the Pacific Ocean. It is a north-south trending valley of approximately 9-miles in length and 3-miles in width. The unincorporated communities in the Ukiah Valley include Calpella, Talmage, The Forks, Vichy Springs, Presswood, Regina Heights, and El Roble. US 101 serves as the transportation backbone in the valley and connects with SR 20 to the north and SR 253 to the south. The average elevation of the valley floor is 630 feet and is flanked by the Mendocino and Mayacamas ranges reaching up to 3,000 feet in elevation. The Russian River enters the Ukiah Valley at the northern end and runs south winding along the valley floor east of US 101. (Mendocino, 2011)

The District and City of Ukiah boundaries overlap along the eastern and southern portions of the core City limits and within two incorporated islands (non-contiguous area) located adjacent to East Gobbi Street and Taylor Road.

2.1.2.1 Boundary Change History

Since 1967 there have been several annexations to and detachments from the District, as shown in Table 2.2 below. There have been no changes to the District boundary since the prior 2013 MSR. (UVFD, 2018b)

Year	File Name
1967	Detachment of Waugh Lane
1969	German Annexation
1972	Redemeyer Annexation
1974	Curtis Annexation
1974-75	Deerwood #3 Annexation
1975	Orr Spring Road Annexation
1975	Mendocino State Hospital Annexation
1976	Alexander Estates Annexation
1976	Pinoleville Annexation
1976	Rolling Oaks Estates Annexation
1978	Robinson Creek Annexation
1979	Kauffman Annexation #78-7
1980	Orchard Ave South Detachment
1981	Munson-Hastings Reorganization
1983	Mendocino/Lake Community College District Detachment
1990	Annexation #90-1

2.1.2.2 Proposed Boundary Change

On May 18, 2021, the Ukiah Valley Fire District Board of Directors approved Resolution No. 2021-04 to initiate a proposed District annexation of the City of Ukiah City limits for fire services and concurrent

amendment of the District's Sphere of Influence (SOI) to be contiguous with the proposed new boundary. On May 19, 2021, the City of Ukiah City Council approved Resolution 2021-21 to support the District's proposed annexation and SOI amendment. Refer to Figure 1.2 for a map of the proposed annexation area (LAFCo File No. A-2021-02).

According to the District's Plan for Services, the purpose of the proposed annexation is to:

- Further strengthen the operating relationship between the Fire District and Ukiah;
- Establish a fair and equitable funding resource for fire and emergency medical response services for all Ukiah Valley residents; and
- Ensure fiscal stability of fire and emergency medical response services for the long-term benefit of Ukiah Valley residents served by the Fire Authority.

(UVFD, 2021)

The proposed annexation is intended to equalize the tax structure and government representation model for all District and City residents. The proposed project is anticipated to result in additional revenue to address multiple needs and more effectively provide fire protection and emergency response services.

In the short-term, the same level of service that is currently being provided by the District and the City under the Fire Authority is proposed to continue to be provided by the same shared personnel using the same shared facilities and equipment under the same JPA governing authority. In the long-term, the District and City anticipate accomplishing important service enhancement goals shown below, such as increased staffing on apparatus, and providing an overall improved level of service for everyone in the Ukiah Valley area.

Service Enhancement Goals

Some of the District's near- and long-term service enhancement goals include, but are not limited to, the following:

1. Enhance total fire suppression capabilities and EMS services through the increasing of staffing, particularly for staff on fire and EMS apparatuses.
2. Improve the Central Station Training Facility and grounds to ensure District personnel are provided the most up-to-date training.
3. Improve training for District personnel. Specifically - provide all California Fire Service Training and Education System (CFSTES) certification training internally; and complete the process for the Center for Public Safety Excellence (CPSE) accreditation.
4. Fully implement a District Fleet Replacement Master Plan. Development of this plan is currently in-progress. The proposed annexation would realize revenue that is expected to hasten the implementation, thereby improving future reliability of vehicles.
5. Purchase upgraded auto-extrication equipment to replace aged auto-extrication equipment.
6. Develop a facilities enhancement plan and fully implement the plan with expected additional revenues from the proposed annexation.
7. Partner with allied agencies on mitigation for Wildland fires. The District has been working with CALFIRE to reduce the risk of Wildland fires in the surrounding Wildland Urban Interface areas of

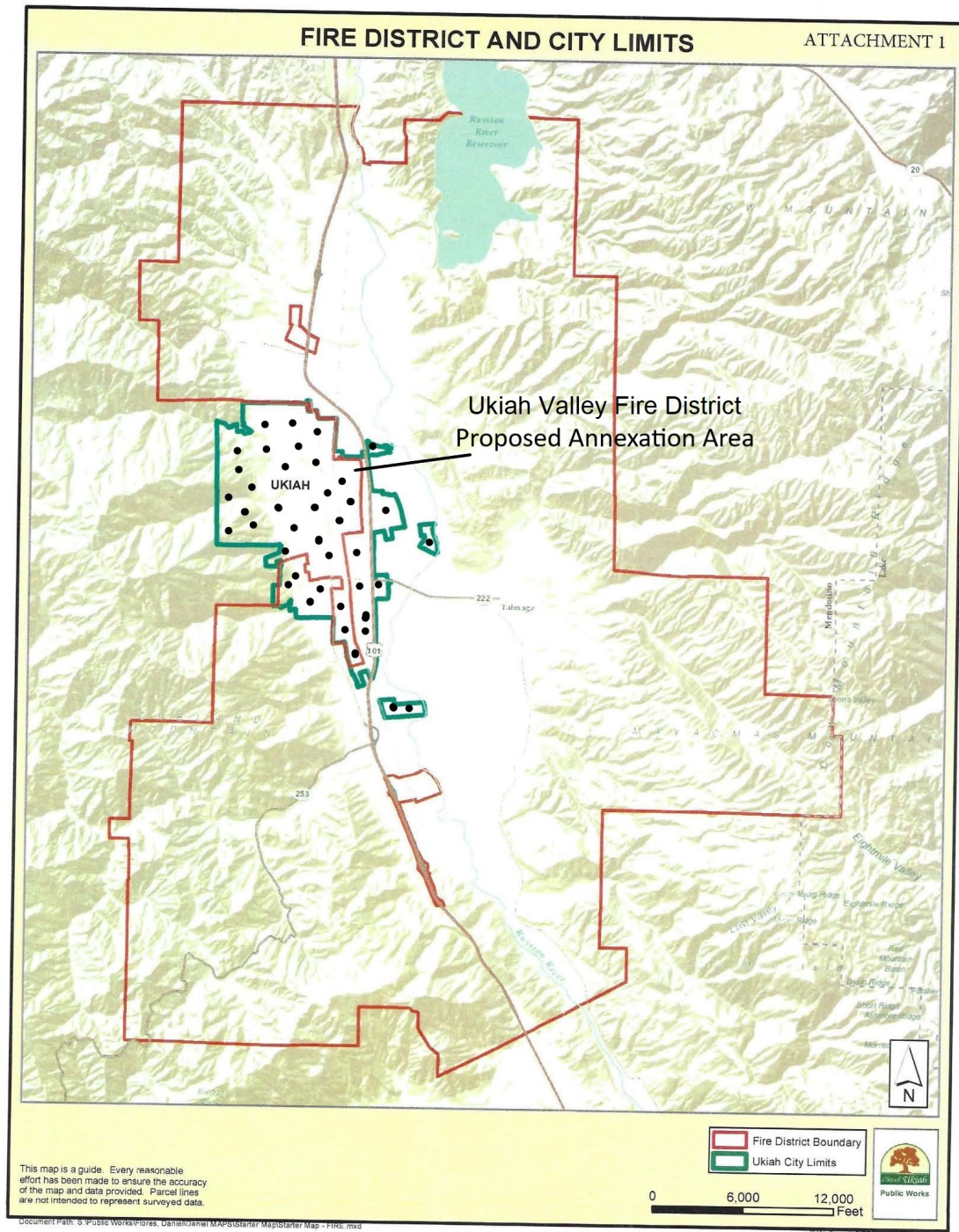
the Ukiah Valley, and a fuel reduction program is in place through CALFIRE to reduce the fuel load and create fire breaks on the eastern and western hills surrounding Ukiah. The District plans to expand its partnerships to include the Bureau of Land Management and other federal agencies.

8. Achieve District fiscal sustainability to ensure long-term and stable fire and EMS services in the Ukiah Valley.

(UVFD, 2021b)

DRAFT

Figure 1.2 Annexation Map



2.1.3 SERVICES

The District provides the following fire protection and emergency response services (Refer to Section 3.1 for more information):

- Structural fire protection
- Wildland fire suppression
- Vehicle fire suppression
- Emergency Medical Services (EMS) at an Advanced Life Support (ALS) level
- High and low angle rescue
- Vehicle extrication
- Swift water rescue
- Hazardous materials incident response
- Fire prevention including Fire Code plan reviews and inspections for building permit applications, such as for new commercial construction, multi-unit housing, occupancy changes, or tenant changes.
- Fire safe inspections of all existing commercial and institutional buildings
- Public education services
- Advisory home visits upon request regarding defensible space, fuel loads reduction, firewise landscaping, home hardening including fire safe materials and fire rated roofing, safe building egress, reflective two-way address signage, and other components of fire prevention planning.

(Ukiah, 2021e)

2.2 GOVERNMENT STRUCTURE

2.2.1 JOINT POWERS AGREEMENT

2.2.1.1 History

In 1876, the Eagle Fire Company was formed to provide fire protection for the entire Ukiah Valley area. In the early 1900s, Eagle Fire Company was renamed Ukiah Fire Department (UFD) and continued to provide service to the Ukiah Valley. However, on July 1, 1989, the District and UFD began providing separate fire protection services within their respective jurisdictions; UFD served areas within the City limits and the District served the surrounding Ukiah Valley area. (Ukiah, 2021d)

In March 2012, the District and the City of Ukiah began exploring the feasibility of combining fire service efforts. (Ukiah, 2021d) On January 1, 2014, the District and the City entered into a two-year interim operating agreement to create a single administration and combined fire department. (Ukiah Daily Journal, 2014) On March 10, 2015, the District Board of Directors and the Ukiah City Council held a joint meeting to create a consolidated fire district and select an Ad Hoc Committee to explore the findings and options from a consolidation study. In 2017, the District and the City entered into an agreement for combined fire services. (Ukiah, 2021d)

2.2.1.2 Agreement for Shared Management of Fire Departments

On July 1, 2017, the Ukiah Valley Fire District and the City of Ukiah entered into a Joint Powers Agreement (JPA) entitled the “Agreement for Shared Management of Fire Departments” for the shared provision of fire services. The JPA outlines the terms for jointly managing, equipping, maintaining, and operating all-risk fire, emergency medical, and rescue services in the District and City boundaries. The joint effort

between the District and City is known as the Ukiah Valley Fire Authority (UVFA), but the JPA did not create a separate legal entity. The Fire Authority and Fire Executive Committee (FEC) is not a joint powers agency or authority, partnership, or joint enterprise (Ukiah, 2017). UVFA was formed to maximize the use of existing resources, create cost containment opportunities, reduce duplication, maintain local control, and continue to deliver high quality fire protection and emergency medical services. The UVFA service area covers the jurisdictional boundaries of the District and the City; approximately 85-square miles. (Ukiah, 2017; UVFD, 2021b)

The Fire Authority JPA arrangement addresses the following:

- Allows for the shared use of fire stations.
- Includes all fire protection personnel as City employees.
- Combines equipment and assets of the City and District to provide fire services to the City and District under a unified command structure headed by a Fire Chief.
- Reduces District costs by taking advantage of economies of scale by having the City provide the District with financial and general services.
- Creates a Fire Executive Committee consisting of two City Council members and two Board members to coordinate decision-making by the governing bodies of the City and District.

(UVFD, 2020)

The Agreement provides for a Fire Chief who manages the general administration and oversight of the UVFA. The Fire Chief of the UVFA reports to the City Manager and provides general administration and oversight of the City and District Fire Operations. The Fire Chief coordinates and cooperates with the City and District regarding performance of services within their respective jurisdiction. The Fire Chief also actively participates as a member of the City of Ukiah's management team which includes participation in staff meetings and workshops. The City and District provide direction to the Fire Chief regarding services or any desired special projects to be performed for them. The FEC collaborates regarding directions from their respective agencies, for the purpose of avoiding conflicting guidance or creating conflicts relating to priority of services. (Ukiah, 2021g)

Under the JPA, after receiving the recommendation of the FEC, the City Council and District Board of Directors adopt an annual budget for the combined operations of the Ukiah Valley Fire Authority. The terms of the Agreement state that general operating costs of the UVFA (with some exceptions) are to be split between the two agencies 50/50. (Ukiah, 2017)

On June 17, 2020, the District and the City entered into an Amended and Restated Agreement for Shared Management of Fire Department ("2020 Amended JPA"), which becomes effective if the City is annexed by the District. The 2020 Amended JPA provides a different method for apportioning costs and requires both parties to agree to terminate the agreement based on a determination that termination will not affect the provision of fire protection and prevention services. (UVFD, 2020; UVFD, 2021b)

2.2.1.3 Volunteer Organizations

The Ukiah Valley Fire District Firefighters Association (UVFFA) augments or supports the activities of the Fire Authority. As a 501(c)(3) non-profit organization, UFA accepts charitable funds on behalf of the Fire Authority. The UVFFA also hosts fundraisers and capital campaigns that support donations to the Fire Authority for purposes of purchasing equipment and making facility improvements. The relationship

between the Fire Authority and the UVFFA is structured such that finances are held separately and the District and/or City owns and maintains the equipment and facilities. (UVFD, 2021b)

The Ukiah Fire Department (UFD) also has an Explorer Post chartered through the Boy Scouts of America for individuals between 14 and 18 years of age. Explorers receive training in the various aspects of the fire service. Although they are not permitted to be directly involved in emergency response, they attend emergency incidents and provide support services while learning about the various types of emergencies handled by the fire department. (Ukiah, 2021c)

2.2.2 GOVERNING BODY

2.2.2.1 Ukiah Valley Fire District Board of Directors

The Board of Directors is the legislative body for the District and is responsible for establishing policy, adopting and amending the annual budget, enacting ordinances, adopting resolutions, and appointing committees. The five-member Board of Directors is elected at-large to serve staggered four-year terms (see Table 2.3 below).

In order to be elected to the Board, candidates must be registered voters residing within the District boundaries. If there are insufficient candidates for election of Board vacancies, or if the number of filed candidates is equal to the number of Board vacancies, then District Board members may be appointed in lieu of election by the County Board of Supervisors per Elections Code §10515.

Government Code §1780-1782 governs the process for appointment of a Director to fill a seat vacated prior to the scheduled term expiration date. The District Board of Directors has 60-days to appoint an interested and qualified individual to a vacant seat if proper notice requirements have been met. The individual must live within the District boundary and be a registered voter. If the District cannot fill the seat within the 60-day period, the Mendocino County Board of Supervisors can appoint a Director to the District Board during a 30-day period following the initial 60-day period. If the vacant seat is not filled during the 90-day period, the vacant seat remains empty until the next election.

The District Board of Directors elects Officers annually at the December regular meeting. Officers include a President, Vice-President, and Secretary/Treasurer elected and served by Board members. District Board members do not receive compensation for their public service or a stipend for attending meetings; however, tuition, travel, lodging, meals, and other expenses incurred by a Board member for educational conferences and professional meetings may be reimbursed per established Board policy. Staff support for the Board includes a Clerk of the Board.

Name	Office/Position	Term Expiration	First Year of Service	Serving Consecutive Terms
David B. Haas	President	2024	2014	Yes
Jenifer Bazzani	Vice President	2024	2017	Yes
Bobby Banks	Secretary/Treasurer	2024	2021	No
Michael Graham	Director	2022	2019	Yes
Peter Bushby	Director	2024	2019	Yes

Source: Ukiah, 2021i; UVFD, 2021b.

The Board is currently fully seated and generally does not have difficulty filling vacancies. Two of the Board members have served the District for multiple consecutive terms which can be a significant benefit in establishing long-standing positive working relationships in the community, understanding the history and unique aspects of the organization, and maintaining institutional knowledge.

Public Meetings

Regularly scheduled meetings for the District Board of Directors are held on the second Tuesday of the month at 6:00 p.m. in the Willow Water District Board Room located at 151 Laws Avenue in Ukiah. (Ukiah, 2021i)

In accordance with the Brown Act, all meetings are open to the public and are publicly posted a minimum of 72 hours prior to regular meetings and a minimum of 24 hours prior to special meetings at the meeting location, on the City's website, and bulletin boards located at the Ukiah Valley Fire District headquarter station. (UVFD, 2018b; UVFD, 2021b). Meeting agendas are also sent via email or fax to anyone that has requested such notification and sent to local radio stations. 21-day Public Hearing Notice is also published in the local newspaper and mailed as required.

Public meeting information including agendas, staff reports, and approved meeting minutes were previously posted on the District's website, but the postings are only current through 2019. The most recent meeting notice on the website is for a November 12, 2020 meeting. Minutes are kept for all public Board meetings and are adopted at a subsequent meeting. Agendas and minutes are available at the District's office upon request. (Ukiah, 2021i)

Pursuant to State Executive Order N-29-20 pertaining to the convening of public meetings in response to the COVID-19 pandemic, effective March 20, 2020, local government agency public meetings were temporarily permitted to be conducted remotely and instead of requiring in-person public participation. For the District, pandemic adjustments for public participation include live streaming meetings at <https://global.gotomeeting.com>. Audio recordings were previously posted on the District website, but have ceased since the COVID-19 pandemic began. It is recommended that remote meetings be recorded and posted along with minutes promptly to ensure public transparency and accessibility to representative government proceedings.

2.2.2.2 Fire Executive Committee

Committees assist in carrying out various functions of local government. The District currently participates in one standing committee, the Fire Executive Committee (FEC), which is a committee of the Ukiah Valley Fire Authority.

The Joint Powers Agreement between the Ukiah Valley Fire District and the City of Ukiah established the FEC, whose membership consists of two appointees from each of the two governing bodies. A quorum for business transactions consists of the entire FEC, and meetings are required once quarterly at a minimum. The FEC is not an authority, partnership, or other decision-making body. The FEC jointly develops and recommends to the respective agencies of the JPA an annual budget and cost apportionment plan, and policies, ordinances, and fees. The FEC also collaborates to ensure equity in cost of services and those benefiting from the services, and to determine service levels, facilities, and equipment, among other responsibilities. (Ukiah, 2017) FEC meetings are subject to Brown Act requirements. Minutes are kept for all FEC meetings and are adopted at a subsequent meeting. FEC meeting agendas and minutes are

available at the District's office upon request and posted on the City of Ukiah's website. FEC members do not receive compensation for their public service. (UVFD, 2021b)

2.2.3 PUBLIC OUTREACH

In addition to public meetings, the District and the Fire Authority try to reach constituents through community outreach efforts.

The District does not maintain a website, but the City of Ukiah maintains a website for the UVFD, UFD, and UVFA at <https://www.cityofukiah.com/uvfd/> that provides comprehensive information regarding the various bodies, volunteering, permits and fees, and fire prevention. The City's website has well organized information but is currently out of date. The website would be enhanced by updating the information to meet all the special district transparency requirements of State law including the availability of agendas, policies, and financial information. In addition, the District's website could be improved by incorporating a content management system, such as DocuShare, to provide a searchable and chronologically organized document archive system for Board meeting packets and adopted ordinances, resolutions, annual budgets, financial audit reports, and other digital records.

Because of the unique role of the Fire District in relation to the City and the Fire Authority, consolidating information regarding fire services in one location would be a useful tool.

Many of the District's public resources are provided under the umbrella of the UVFA. The UVFA maintains a Facebook page at <https://www.facebook.com/UkiahValleyFireAuthority/> which posts regular updates of fire events and special events organized for the community. Social media posts are a useful tool to provide instant and easy outreach to the public, and can be diversified for best outreach potential, such as presence on Twitter, Nextdoor, and other similar platforms.

2.2.4 COMPLAINTS

The public can submit written or provide verbal comments or complaints in person or by phone at the District office during business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m., or at the District Board of Directors meetings during the general public comment period. In the last five years, the District has not received any complaints

2.2.5 TRANSPARENCY AND ACCOUNTABILITY

The District has adopted a Policy Manual that addresses the Board of Directors roles and responsibilities, officers, Rosenberg's rules of order, meetings, committees, code of ethics, and conflict of interest, among other things, in addition to administrative, financial, general operating, personnel, and volunteer firefighter program policies and procedures for the District. (UVFD, 2021b)

The Political Reform Act requires all state and local government agencies to adopt and promulgate a Conflict of Interest Code pursuant to Government Code §81000 et seq. The Political Reform Act also requires persons who hold office to disclose their investments, interests in real property, and incomes by filing a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to Government Code §87203.

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

Board members receive regular training on Brown Act requirements. (UVFD, 2018b)

The District complies with the above requirements. (UVFD, 2021b)

Refer to Appendix A for a brief list of educational resources regarding open government laws and Appendix B for a website compliance handout.

2.3 OPERATIONAL EFFICIENCY

2.3.1 MANAGEMENT AND STAFFING

The Fire Chief manages and oversees the daily operations of the Fire Authority to ensure that the policies, programs, and priorities of the joint fire service operation between the District and City is implemented effectively and efficiently. The responsibilities and specific duties of the Fire Chief include the following:

- Providing general administration and oversight of the City and District Fire Departments.
- Coordinating and cooperating with the City and District regarding the performance of services in each agency. The Fire Executive Committee provides advisory support to the Fire Chief.

(Ukiah, 2017)

The District contracts for legal representation of the District. The Ukiah City Attorney is available to advise City employees performing services for the District and upon request is available to provide legal advice to the Fire Executive Committee. (UVFD, 2021b)

Fire agencies are structured as paramilitary agencies; the Fire Chief is supported by Battalion Chiefs, who in turn are supported by Captains, Engineers, and Firefighters. The Fire Authority is staffed by 19 full-time safety employees, one 0.8 time Administrative Secretary, and 15 volunteer firefighters. Currently one Battalion Chief position and three Firefighter positions are vacant (not accounting for additional hires authorized in the FY 2021-22 budget). All paid staff are employees of the City and the District manages volunteers. (UVFD, 2021; UVFD, 2021b)

In the past year, the UVFA has updated all personnel job descriptions to meet current standards and needs. (Ukiah, 2021h)

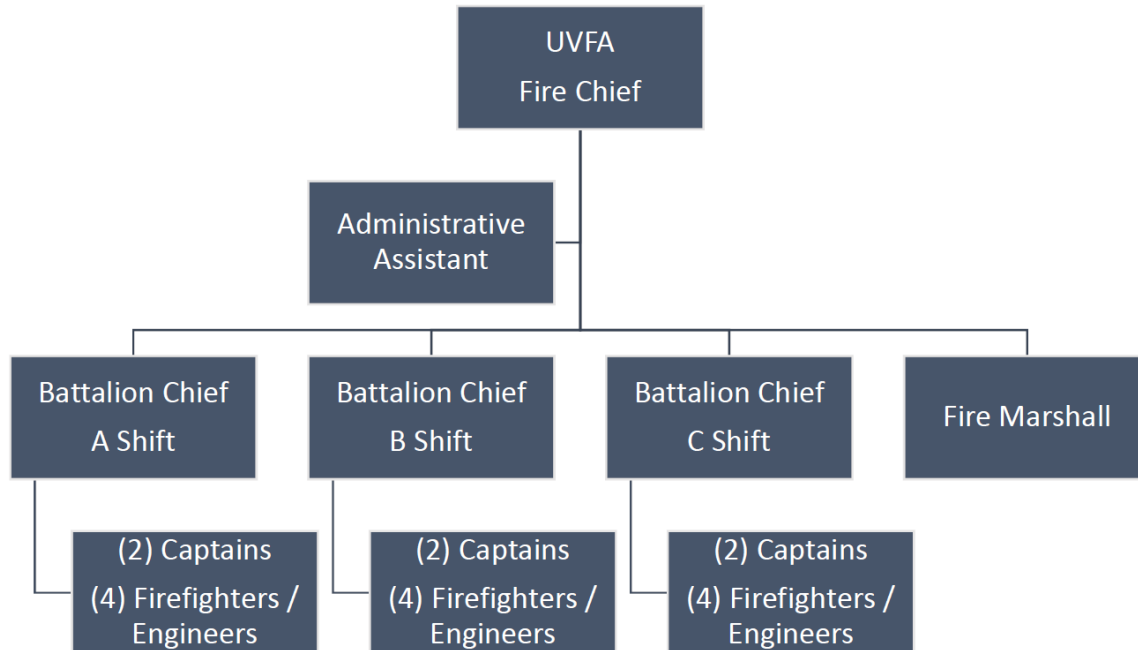
The UVFA is budgeted for a staffing increase of 10 full-time equivalent (FTE) employees in Fiscal Year 2021-22, which accounts for 4 new Firefighters and 6 new Ambulance Operators (EMTs and Paramedics not trained as Firefighters). Staffing levels by personnel groups are shown below. (Ukiah, 2020, UVFD, 2021b)

Personnel Groups	FTE	
	20/21	21/22
Executive	1.0	1.0
Management	9.0	9.0
Professional	9.0	19.0
Administrative & Technical	0.8	0.8
Total	19.8	29.8

Source: (Ukiah, 2020).

Figure 2.1 shows the Fire Authority organizational chart.

Figure 2.1 Ukiah Valley Fire Authority 2021 Organizational Chart



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

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

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

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

(Ukiah, 2021h)

2.3.2 AGENCY PERFORMANCE

A key component of monitoring agency performance is routinely evaluating staff productivity. The Fire Authority, on behalf of the District and the City, tracks paid employee workload through regular timesheets and leave requests and productivity through annual written performance reviews. In addition, the Fire Chief informally evaluates volunteer firefighters as part of regular training sessions.

The Fire Authority maintains an emergency response log and training records. During the bi-monthly District Board, the Fire Chief provides a report on all emergency calls that occurred since the prior meeting and provides an update on Fire Authority activities.

The District Board, City Council, and Fire Executive Committee periodically review goals and objectives from the prior fiscal year and modify or add new goals and objectives for the upcoming fiscal year. (Ukiah, 2018) Objectives are listed in the annual special report prepared by the City of Ukiah on the Ukiah Valley Fire Authority. The most recent report on the UVFA indicates that in the past year, the Ukiah Fire Department and Ukiah Valley Fire District have combined their Standard Operating Procedures and updated them to meet current standards. Additionally, key management services have been established utilizing the Shared Management Agreement. (Ukiah, 2021h)

In the regular performance of duty, Fire Authority staff identify areas of improvement and take corrective action when feasible and appropriate or inform the Fire Chief when further direction is needed. UVFA staff also learn about new opportunities to achieve operational efficiencies by attending regional and service-specific meetings and communicating with colleagues regarding industry standards, best management practices, changing regulations, and service delivery models implemented by other local agencies.

2.3.3 SHARED SERVICE DELIVERY AND COLLABORATION

2.3.3.1 Regional and Service-Specific Participation

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

- The Fire Chief is an active member of the Mendocino County Fire Chief's Association, the Mendocino County Association of Fire Districts, the Fire Districts Association of California, and the California Fire Chiefs Association.
- One District Board member serves on the Local Agency Formation Commission.
- The District is a sponsor of the Mendocino Fire Safe Council.
(UVFD, 2018a; UVFD, 2021; UVFD, 2021b)

2.3.3.2 Interagency Collaboration

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

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

(UVFD, 2018a; Ukiah, 2021h)

2.3.3.3 Adjacent Providers

Local fire protection providers adjacent to the District include the City of Ukiah to the west, Redwood Valley-Calpella Fire District to the north, and Hopland Fire Protection District to the south. The areas located east of the District and west of the City of Ukiah are not within the jurisdiction of a local fire agency; these areas are within the State Responsibility Area and receive wildland fire protection services from CAL FIRE during wildfire season and local fire agencies when dispatched.

Ambulance or medical transport service is provided within the District and City by the Fire Authority and private ambulance companies including MedStar.

2.3.3.4 Mutual and Automatic Aid Agreements

Mutual aid refers to reciprocal service and support provided to another agency upon request under a mutual aid agreement between one or more agencies. Automatic aid differs in that no request for aid is necessary for reciprocal service and support between agencies within the automatic aid agreement. These types of pre-arrangements allow for the dispatch and use of additional equipment and personnel that a single jurisdiction cannot provide on its own and also entails a reciprocal return of resources when needed. The District maintains verbal mutual aid agreements with the Redwood Valley-Calpella Fire District, Hopland Fire Protection District, Potter Valley Community Services District and Little Lake Fire Protection District, as well as an automatic aid agreement with CAL FIRE. (UVFD, 2018a; Ukiah, 2021h)

The Fire Authority primarily serves residents and property within the District and City jurisdictional boundaries. However, due to the critical need for rapid response in emergency situations, when a call for service is received, the nearest available response unit is dispatched regardless of jurisdictional boundary. Therefore, the Fire Authority response area is larger than the District and the City boundaries based on the Countywide Mutual Aid System. According to the 2015 Mendocino County Community Wildfire Protection Plan, the Fire Authority is within Mutual Aid/Planning Zone 2, which includes the City of Ukiah, Ukiah Valley Fire District, Potter Valley Community Services District, Redwood Valley-Calpella Fire District, and Hopland Fire Protection District. (MCFCA, 2015)

In addition to the local mutual aid system, the Fire Authority participates in the California Fire Service and Rescue Emergency Mutual Aid System for wildland fire incidents throughout the State. The Fire Authority responds to out-of-County fire incidents upon request and when the remaining equipment and personnel are capable of providing adequate service levels in the District and City boundaries.

2.3.3.5 Dispatch

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

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

2.3.3.6 State Responsibility Area

The State Responsibility Area (SRA) is the area of the state where the State of California is financially responsible for the prevention and suppression of wildfires, and the Federal Responsibility Area (FRA) indicates areas where the Federal government is responsible for such services. While almost the entire District boundary is located within the SRA designation, with smaller areas of FRA designation, the District, through the Fire Authority, is also responsible for responding to wildfires within its jurisdictional boundary. During wildfire season, the California Department of Forestry and Fire Protection (CAL FIRE) is also dispatched to wildfires in the SRA, and the first agency to respond generally assumes the role of Incident Command (IC). The Fire Authority is often the first to respond to such incidents, particularly during non-wildfire season months when the CAL FIRE Mendocino Unit - Ukiah Fire Station located at 2690 North State Street is not staffed. The City of Ukiah is located within the Local Responsibility Area (LRA) designation and CAL FIRE responds to wildfires in this area per an automatic aid agreement. (UVFD, 2021b)

2.3.3.7 Contract or JPA Services

There are no additional contract or JPA services provided to District residents other than through the JPA previously discussed, which formed the UVFA and created a functional consolidation of the District and the City of Ukiah.

2.3.3.8 Shared Services and Facilities

The District has worked cooperatively with the City of Ukiah to maximize the efficient provision of fire services in Ukiah Valley since 2012. In 2012 Ukiah hired the District Fire Chief to also serve as the Ukiah Fire Department's Chief and approved a cooperative agreement with the Fire District to drop jurisdictional boundaries of the two fire agencies through the aforementioned JPA. Additionally, the District has mutual aid agreements with surrounding fire districts as noted in Section 2.3.3.4 to deliver services more effectively and efficiently by sharing public facilities, resources, and/or service responsibility with other fire agencies when feasible. All fleet maintenance for the UVFD and UVFA is completed by trained fleet mechanics at the City of Ukiah Fleet Maintenance facility. (UVFD, 2018b)

2.3.4 GOVERNMENTAL STRUCTURE AND COMMUNITY NEEDS

2.3.4.1 Enhanced Service Delivery Options

Although the UVFD and City of Ukiah have not legally consolidated their entities, for operational purposes they function as one entity. The functional consolidation of services under the Fire Authority has resulted in better staffing and performance levels for the Ukiah Valley area.

Mutual aid agreements are already in place with surrounding fire agencies to provide an enhanced fire protection system in the area, particularly for the adjoining fire agencies with lower staffing levels.

There are no new opportunities for the District to achieve organizational or operational efficiencies identified during the preparation of this MSR.

2.3.4.2 Government Restructure Options

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

In 2012, the District and the City hired a consultant to investigate the possibility of legally consolidating their fire agencies. The study concluded that consolidation would improve service but would not provide

any cost savings for multiple reasons, such as the salary differential between fire personnel and the substantial equipment replacement needs of both agencies. (LAFCo, 2013)

The District is currently proposing to annex the Ukiah City limits for fire service to equalize the tax structure and government representation model for all District and City residents and lead to an improved level of service for everyone in the Fire Authority service area.

Under the JPA, there is no redundancy in fire and emergency medical services provided in the District and City boundaries. There is no government restructure recommendation for local municipal fire service providers in the area at this time.

2.4 FINANCES

The JPA funding arrangement for the Fire Authority provides that the District and City will equally divide operational costs (personnel, services, materials, and supplies), capital maintenance, and indirect costs. Capital outlays and outstanding debt service are the responsibility of each agency independently.

The UVFA had an annual operating budget of approximately \$4.3 million in FY 2020-21, and the District's portion of the UVFA's overall budget was \$1.9 million. (Ukiah, 2021h)

The District and City are fundamentally different local government agencies. The District is a special-purpose agency providing fire protection and emergency response services to the unincorporated areas of the Ukiah Valley and all District revenue must be used in the provision of those services only.

The City is a general-purpose agency providing a full-service City and can collect property tax, sales tax, and special taxes to fund those services. The City can also collect utility rates, fees, and charges for sewer and water services that can only be used in the provision of those services under Propositions 218 and 26. The City Council has dedicated funds collected through Measure P to fund public safety, including fire services. Funding from Measure P and the General Fund are relied on for the City's annual contribution to the Fire Authority 50/50 cost share formula. (UVFD, 2021)

Under the JPA, the City provides financial and general services to the District, including accounts payable, procurement, billing and accounts receivable, general accounting and reporting, budget development and monitoring, and other general services such as human resources and city clerk services. The District compensates the City for these direct District services in accordance with the mutually approved annual budget. Personnel, services, and other operating, and indirect costs are contracted costs through the City also subject to the mutually approved annual budget. (Ukiah, 2019a; UVFD, 2021b)

2.4.1 CURRENT FISCAL HEALTH

2.4.1.1 Financial Summary

Annual budgets are developed in a joint effort with the City of Ukiah each year in keeping with the JPA. The District and the City both independently adopt the budget by June 30th of each year. Information is entered into the City of Ukiah's OpenGov cloud; using this information the City creates a "Budget in Brief" narrative description of the financial and operational conditions as well a "Special Report" which highlights key budgetary data in a visually understandable format. The City posts all of these reports annually on their webpage, where they are accessible to the public. The budget serves as a financial planning tool and an expense control system. A written summary of monthly expenditures is provided at District Board meetings and all checks issued require two signatures by active Board members.

The District has indicated that the City prepares an annual audit under the terms of the JPA, but this information was not provided for the purposes of this MSR. Given that the City's posted budgets include year-end actuals that were determined by audit, the information presented below is sufficient. This section includes District financial information for Fiscal Year (FY) 2017-18, 2018-19, 2019-20, and 2020-21 and highlights specific revenue sources and long-term financial considerations.

Table 2.5 below provides actual year-end (not budget) financial information for the District, although the FY 2020-21 information is still projected as of the time of this writing. This table summarizes the "District-Only Revenues and Expenditures" section of the City of Ukiah's "Ukiah Valley Fire Authority Special Report for the Ukiah Valley Fire District," which they have been preparing since the formation of the Ukiah Valley Fire Authority and presenting to the public, City Council, and Board members on an annual basis.

Table 2.5 UVFD Financial Summary				
	FY 17-18¹	FY 18-19²	FY 19-20²	FY 20-21³
Revenue				
Taxes	\$928,908	\$1,057,253	\$1,072,354	\$1,138,925
Charges for Service	\$134,060	\$179,582	\$37,501	\$60,628
Grants and Subventions	\$0	\$69,402	\$50,959	\$120,069
Use of Money and Property	\$8,364	\$8,079	\$12,291	\$1,624
Licenses/Permits/Franchises	\$95,684	\$58,157	\$36,796	\$60,794
Other Revenues	\$521,334	\$320,706	\$504,777	\$366,520
Loan Proceeds	\$0	\$24,208	\$0	\$576,019
Transfers In	\$0	\$0	\$808,811	\$0
Total Revenues	\$1,688,350	\$1,717,387	\$2,523,489	\$2,324,580
Expenses				
Direct				
Personnel	\$1,248,937	\$1,533,245	1,486,999	\$1,553,183
Services & Other Operating	\$196,853	\$253,885	\$193,598	\$305,715
Debt Service	\$1,217	\$76,769	\$74,824	\$97,006
Capital	\$0	\$212,511	\$256,641	\$14,300
Indirect				
Admin Overhead	\$108,845	\$126,563	\$140,584	\$163,908
Internal Service Use	\$177,326	\$84,903	\$100,361	\$118,693
Transfers Out	\$0	\$24,208	\$32,686	\$0
Total Expenses	\$1,733,178	\$2,312,085	\$2,285,693	\$2,252,806
Net Income/(Loss)	(\$44,828)	(\$594,698)	\$237,796	\$71,774

Source: 1. Ukiah, 2019b; 2. Ukiah, 2020; 3. Ukiah, 2021f; Ukiah, 2021h.

The information above represents the financial standing of the District based on self-reported income and expenses in the City's fully digitized budget that is produced using OpenGov. Refer to the following hyperlink from the City's website to download a full copy of the District's budget information: <http://www.cityofukiah.com/finance/>.

According to this financial information, the District operated at a net loss between FY 2017-18 and FY 2018-19 and has been operating at a net income or revenue gain for the last two years. Operating at a net

income is normally a key measure of fiscal health and indicates that the District does not need to utilize reserve funds to balance the budget or meet current operating costs.

According to the FY 2019-20 Special Report for Ukiah Valley Fire District, FY 2017-18 and 2018-19 were years of concentrated capital equipment purchases. The same report notes that in FY 2019-20, the City budgeted for a transfer of \$600,000 to the District. (Ukiah, 2019c)

The District's budgeted \$2.2 million revenue in FY 2020-21 included an interagency loan, estimated to be \$700,000, from the City to the District. The terms of the loan are expected to be zero percent interest with repayment beginning in FY 2023-24. (Ukiah, 2021h)

The District's budgeted revenue of \$2.3 million in FY 2021-22 includes an interagency loan, estimated to be \$458,000, from the City to the District. The terms of the loan are expected to be zero percent interest with repayment beginning in FY 2023-24. (Ukiah, 2020)

The District's fiscal health for the last two years is not actually a net income as it would appear because City contributions have resulted in an increase in the District's debt service. The District relies heavily on property taxes and special taxes and has been operating at a deficit since the JPA was formed in 2017.

2.4.1.2 District Revenue Shortfall

Under the JPA, general operating costs of the Fire Authority are intended to be split between the agencies based on a 50/50 cost share formula. The District has not been able to meet its obligations under this arrangement and the City has agreed to subsidize a portion of the District's share for a limited time at a 75/25 de facto share of cost. Even at the lower cost share formula, the District has had to draw down reserves to participate. The District's revenue shortfall is not sustainable. (UVFD, 2021)

The District is proposing to annex the Ukiah City limits for fire services (Refer to Section 2.1.2.2 for more information). The District estimates that the proposed annexation would generate additional revenue from development fees and Measure J and B special taxes in the range of \$850,000 to \$1 million annually, with an annual net gain of approximately \$500,000 to rebuild reserves. The District indicates that these revenues may be used in any number of ways related to improving fire protection and emergency medical services such as additional personnel, new equipment, or facility upgrades. The projected revenue increase could also allow the District to participate more closely to the Fire Authority 50/50 cost share target with less City subsidy. (UVFD, 2021)

The anticipated transition from the District's deficit-based budget to a surplus budget model could stabilize District finances, help maintain existing levels of service, ensure the long-term provision of critical fire protection and emergency response services, and lead to improving the overall level of service for the benefit of everyone served by the District and City.

2.4.1.3 Special Revenues

Table 2.6 below shows the Ukiah Valley Fire District's Fund Balance/Working Capital from Special Revenues for the past four years.

	FY 17-18¹	FY 18-19²	FY 19-20²	FY 20-21³
Ad Valorem Property Taxes	\$341,081	\$357,040	\$366,064	\$378,227
Measure J	\$587,826	\$583,510	\$588,575	\$619,050
Measure B	\$19,132	\$161,822	\$134,232	\$157,319

	FY 17-18¹	FY 18-19²	FY 19-20²	FY 20-21³
Proposition 172	\$503	\$133,571	\$124,158	\$185,218
Mitigation Fees	\$0	\$6,866	\$42,315	\$24,729
Net Income	\$948,542	\$1,242,809	\$1,255,344	\$1,364,543

Source: UVFD, 2021b; 1. Ukiah, 2019a; 2. Ukiah, 2020; 3. Ukiah, 2021h.

2.4.1.4 Special Taxes

On March 4, 1998, District voters passed Measure J, a special fire tax that replaced 95% of the Benefit of Assessment that was nullified by the passage of Proposition 218. This special fire tax is assigned a variable unit value of \$50 per “unit.” For example, a single-family household within the UVFD is assigned two units of value for an annual tax of \$100. (LAFCo, 2013)

On November 4, 2003, District voters passed Measure B, a special tax for the specific purpose of replacing fire suppression vehicles, emergency equipment, personnel safety equipment, and the provision of training. This special tax is assigned a variable unit value of \$10 per unit. In the first ten years, Measure B funding allowed for the replacement of seven of the District’s eleven emergency response vehicles, radio communications equipment, fire hose, self-contained breathing apparatus, and other firefighting equipment. (LAFCo, 2013)

The District’s two special taxes (Measures J and B) make up the bulk of the District’s tax revenue. These special taxes are assessed according to a benefit unit classification system which varies based on the development and use of property. A limitation of the District special taxes is that they are flat amounts without adjustments for inflation. Therefore, these special taxes have not increased since they were approved by voters and have lost considerable value due to inflation. Additionally, Measure B can only be used for equipment and training, not additional staffing which is a critical need at this time. (UVFD, 2021)

2.4.1.5 Other Revenue

Proposition 172, passed by California voters in 1993, established a half-cent sales tax. The money is divided among the counties and added to their general funds. Individual counties are then required to spend the money to support public safety institutions. Mendocino County began disbursing funds to fire districts in FY 2017-18. These allocations are discretionary and reviewed annually based on availability of funding. Based on the current adopted County Budget for FY 2021-22, Proposition 172 funding is anticipated to be significantly lower this fiscal year, but is projected to increase again in future years. There is no stated reason for this significant reduction in Proposition 172 to the District. (Ukiah, 2021f)

The District relies on Fire Protection Mitigation Fees authorized by County Ordinance No. 4175 as a funding mechanism for capital facilities and equipment needed to accommodate new growth. The District assesses a fee of \$0.39 per square foot for new development. The mitigation fees are not sufficient for infrastructure needs of new areas. (LAFCo, 2013) Mitigation fees are anticipated to be steady in FY 2021-22 (UVFD, 2021b).

The Fire Authority also participates in Strike Team assignments for wildland fire incidents throughout the State and receives reimbursement for firefighters and the responding fire engine from the out-of-county California Fire Assistance Agreement (CFAA). The UVFFA has not hosted any recent fundraising activities to assist the Fire Authority with equipment purchases and facility needs (UVFD, 2021b).

2.4.1.6 Gann Limit

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

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

The District's Gann Limit for FY 21-22 is \$2,279,389. (UVFD, 2021b)

2.4.2 LONG TERM FINANCIAL CONSIDERATIONS

2.4.2.1 Reserves

The District does not have any reported reserve accounts due to ongoing revenue issues. The budgets prepared by the City since FY 2016-17 do not specify the amount of funds held in reserve by the District. the District would benefit from starting reserve accounts for the following:

- Capital Reserve for the purpose of funding any needed expansion of capital facilities or the acquisition of capital equipment.
- Equipment, and/or Capital Replacement Reserve to provide for acquisition of equipment to replace equipment originally purchased and replace and repair existing capital facilities using revenues from those funds.
- Contingency Reserve to be used for funding unbudgeted and unforeseen expenditures during the fiscal year as authorized by a specific appropriation resolution of the Board of Directors.
- Debt Service Reserve from which payments to principal and interest on debt or lease purchase obligations is made. An amount equal to the payment due on such obligation during the next fiscal year is appropriated to said reserve at the end of every fiscal year.

2.4.2.2 Outstanding Debt

Table 2.7 shows the District's long-term debt activity for FY 2017-18 through FY 2020-21. As with previous tables showing financial information, FY 2020-21 information is estimated year-end data, whereas FY 2017-18 through FY 2019-20 shows actual data. Regular long-term debt activity since FY 2018-19 when the JPA went into effect includes debt service and loan principal and interest payments to the City of Ukiah, as well as capital leases for the purchase of fire equipment and vehicles in governmental activities. The District's last year of debt payments for the current schedule is FY 2025 (UVFD, 2021b).

	FY 17-18¹	FY 18-19²	FY 19-20²	FY 20-21²
Debt Service	\$0	\$16,362	\$10,103	\$0

	FY 17-18¹	FY 18-19²	FY 19-20²	FY 20-21²
Loan Principal Payments	\$0	\$5,646	\$0	\$6,846
Loan Interest	\$0	\$7,972	\$0	\$9,499
Capital Lease Payments	\$32,737	\$35,117	\$41,376	\$51,480
Net Income	\$32,737	\$65,097	\$51,479	\$67,825

Source: 1. Ukiah, 2019a; 2. Ukiah, 2020.

2.4.2.3 Capital Improvement Plan

A Capital Improvement Plan (CIP) or facilities plan identifies near-term and long-term facility and infrastructure needs, including upgrades, renovations, major maintenance, capital improvements, capital purchases, and facility expansions, and identifies potential revenue sources and implementation schedules for addressing those needs.

Under the Fire Authority, the District and City work together to prioritize and budget for long-term capital needs in addition to on-going operations and maintenance costs. The Fire Authority prepares a combined 5-Year Capital Improvement Plan (see Figure 2.2) which is adopted with the City's annual budget process. (UVFD, 2021b)

FIVE YEAR CAPITAL IMPROVEMENT PLAN*
JULY 2021

FACILITIES/BUILDINGS/LAND

FIRE AUTHORITY

Project Name	Project Description	Department	Division	Org/Object	Project Number	Allocation to Multi-funds	Project Contact Name (s)	Project Contact Email (s)	Project Location	Improvement Type	Project Status	Project Timeline		Funding Source	Funding Identified	Funding Type	Funding Type Add'l Comments	Costs to date	Estimated Cost per Fiscal Year					Totals	Comments	City Council Status
												Start	End						21/22	22/23	23/24	24/25	25/26			
Fire Station Upgrades and Retrofit	The Fire Stations are in dire need of an upgrade. At the South Station (due to the building's layout and size), UVFA has currently outgrown the living space. The station needs to include additional bedrooms, a bathroom with an extra shower, office space, and installing security measures to protect the facility and fire equipment. This upgrade will maintain the building's footprint utilizing a change in layout to accommodate the Department's current and future needs. It will also comply with the current fire code by installing a sprinkler system. The North Station is also in need of improvements to the grounds and security of the station. The driveway and pad require repair, which would reduce the impact on department equipment.	Fire Authority	City/District	TBD	TBD	N/A	Doug Hutchison	dhutchison@cit yofukiah.com	1500 South Street/141 Lovers Lane	Facilities/ Buildings/Land	New	2021	2022	TBD	No	New Revenues	Fiscal Year Allocation TBD						\$ -	Prioritization and funding source(s) under review; Need to explore grant funding; Department estimate/request is \$250,000; Additional evaluation of North Station Location is needed prior to expending substantial funding on existing location.	Reviewed	
Emergency Standby Generators	This project will include placing two external generators with automatic transfer capabilities at the North and South Stations. The project also includes updates to the current electrical system and panels to integrate the building's generators. These generators will allow for power at the stations during an emergency or planned power outage. The facilities must be able to operate and carry out the Authority's mission regardless of outside influences, making both stations self-sufficient. As planned power outages are expected to continue for the foreseeable future, along with sporadic emergency outages, the Authority must maintain power for critical infrastructure needed to complete our mission.	Fire Authority	City/District	TBD	TBD	N/A	Doug Hutchison	dhutchison@cit yofukiah.com	1500 South Street/141 Lovers Lane	Facilities/ Buildings/Land	New	2021	2022	TBD	No	New Revenues	Fiscal Year Allocation TBD						\$ -	Prioritization and funding source(s) under review; Need to explore grant funding. Department estimate/request is \$120,000	Reviewed	
SUB-TOTAL:																		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
TOTALS FOR FACILITIES/BUILDINGS/LAND :																		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		

*Refer to last page of this document for definition of terms used.

FIVE YEAR CAPITAL IMPROVEMENT PLAN*
JULY 2021

INFORMATION TECHNOLOGY																																			
FIRE AUTHORITY																																			
Project Name	Project Description	Department	Division	Org/Object	Project Number	Allocation to Multi-funds	Project Contact Name (s)	Project Contact Email (s)	Project Location	Improvement Type	Project Status	Project Timeline		Funding Source	Funding Identified	Funding Type	Funding Type Add'l Comments	Costs to date	Estimated Cost per Fiscal Year					Totals	Comments	City Council Status									
												Start	End						21/22	22/23	23/24	24/25	25/26												
Mobile Data Terminals (MDT)	The Ukiah Valley Fire Authority has begun to modernize utilizing wireless data through Mobile Data Terminals (MDT) to enhance safety, reduce repetitive radio communications, and access live up-to-date data. In an ever-changing environment in Fire Operations, the need for mobile field data rises; these units will allow us to track and send out information vital to the success of our mission. This equipment also allows us to have real-time data on the location of units to allow for a safer environment for our team members. Additionally, these units will tie into the CalFire system allowing for better, faster, and more reliable information to be passed between agencies in the field. The Terminals use Mobile Wireless, GPS, & Satellite communications allowing for increased situational awareness in severe operational environments.	Fire Authority	City Fire	Multiple	18271	N/A	Doug Hutchison	dhutchison@cityofukiah.com	300 Seminary Avenue	Information Technology	New	2021	2022	General	Yes	Current Revenues			\$ 121,800					\$ 121,800	Funds to be used are 710, 100, 915 and 917.	Reviewed									
SUB-TOTAL:																		\$ -	\$ 121,800	\$ -	\$ -	\$ -	\$ -	\$ 121,800											
TOTALS FOR INFORMATION TECHNOLOGY:																		\$ -	\$ 121,800	\$ -	\$ -	\$ -	\$ -	\$ 121,800											

*Refer to last page of this document for definition of terms used.

FIVE YEAR CAPITAL IMPROVEMENT PLAN*
JULY 2021

VEHICLES, MACHINERY & EQUIPMENT

FIRE AUTHORITY																													
Project Name	Project Description	Department	Division	Org/Object	Project Number	Allocation to Multi-funds	Project Contact Name (s)	Project Contact Email (s)	Project Location	Improvement Type	Project Status	Project Timeline		Funding Source	Funding Identified	Funding Type	Funding Type Add'l Comments	Costs to date	Estimated Cost per Fiscal Year					Totals	Comments	City Council Status			
												Start	End						21/22	22/23	23/24	24/25	25/26						
Command/ Chief Vehicle	This new Command/Chief vehicle would serve as a Division Chief's vehicle. It will replace C-6805, a 2006 Chevy 2500 HD, with current mileage of 106,495. The vehicle transmission is currently failing, leaving the vehicle unfit, unreliable, and leaving team members in a possibly unsafe or life-threatening environment during fire suppression activities. However, the vehicle can be repurposed as a non-suppression utility vehicle for the department.	Fire Authority	City Fire	10021210.80100	V3165	N/A	Doug Hutchison	dhutchison@cit.yofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	New	2021	2022	General	Yes	New Revenues		\$	75,000						\$	75,000	Moved from FYE 21 due to COVID-19. Increased the amount from \$50k to include vehicle outfitting. Moved from FYE 21.	Reviewed	
Command/ Chief Vehicle	This new Command/Chief vehicle will serve as a Command/Chief vehicle. It will replace D-6802, a 2007 Chevy 2500 HD with 84,072 miles. This vehicle's transmission is also currently failing along with multiple other problems, leaving the vehicle unfit, unreliable, leaving team members in a possibly unsafe or life-threatening environment during fire suppression activities. This vehicle will be decommissioned and placed as surplus.	Fire Authority	District Fire	91721400.80100	18277	N/A	Doug Hutchison	dhutchison@cit.yofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	New	2021	2022	District	Yes	New Revenues		\$	75,000						\$	75,000	Purchase cost covers Fire Service Emergency Vehicle outfitting (Lights, Siren, Radio's, etc.)	Reviewed	
Auto Extrication Equipment	It is recommended to replace our aging gas powered hydraulic auto extrication equipment, commonly know as the "Jaws Of Life". Replacement units will consist of newer technology battery operated E-Hydraulic extrication equipment. These newer units will eliminate heavy gas powered motors and associated hydraulic lines increasing mobility and range of use. This will be a three year phased purchase to replace the units currently in service.	Fire Authority	City/District Fire	91621400.80100 & 25321210.80100	18101	Yes	Doug Hutchison	dhutchison@cit.yofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	Ongoing	2019	2022	Special Revenue	Yes	Current Revenues	Prop. 172	\$	57,274	\$	33,000					\$	33,000	The first set has been purchased and placed into service. Second set has been purchased. Final purchase set planned for FYE 22.	Budget Adopted
SCBA Compressor	This specialized unit is necessary and mandatory to fill Self-Contained Breathing Apparatus Bottles crucial for the Ukiah Valley Fire Authority to carry out our mission of saving and protecting life, property, and the environment. This unit will be housed at the Central Station and will replace our current mobile air unit, which is currently out of service.	Fire Authority	City Fire	10021210.80100	18195	N/A	Doug Hutchison	dhutchison@cit.yofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	New	2021	2022	General	Yes	New Revenues		\$	60,000						\$	60,000	This will require new funding. Moved from FYE 21 due to COVID-19.	Reviewed	
SCBA/Gear Sanitizer	This unit is critical for sanitation of fire protection gear and equipment used and worn by team members, due to the increasing awareness of cancer causing exposures faced by Fire Personnel. The sanitation of gear and equipment has been proven to reduce the risk to cancer(s). This promotes a safer and healthier work environment.	Fire Authority	City Fire	10021210.80100	18196	N/A	Doug Hutchison	dhutchison@cit.yofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	New	2021	2022	General	Yes	New Revenues		\$	35,000						\$	35,000	This will require new funding. Moved from FYE 21 due to COVID-19. Increased from \$28k.	Reviewed	
Water Tender	Following industry standard NFPA guidelines recommends fire apparatus serve 10 years or 75,000 miles as a first out response vehicle, and an additional 5 to 10 years or 100,000 miles in service as a reserve apparatus. WT-6892 is a 2004 Peterbilt single-axle 2,500 gallon water tender. It was initially designed for construction, and was converted to a fire apparatus. It does not have a fire rated pump, which the apparatus does not meet the demand for service. The purchase of a new fire rated water tender is vital to the Fire Authority's mission while working in the rural environment. Additionally, utilizing OES-State contracts, the entire purchase cost recovery would be completed over the next few years. WT-6892 would not only be placed in a reserve status for the Fire Department, other departments in the City could utilize the water tender, adding additional cost savings to the City, as they have been renting a water tender in the past several years.	Fire Authority	City Fire	10021210.80100	V2543	N/A	Doug Hutchison	dhutchison@cit.yofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	New	2021	2022	TBD	Yes	Reserves		\$	325,000						\$	325,000		Reviewed	
Quint Aerial Apparatus	The Ukiah Valley Fire Authority annual fleet replacement identified T-6852 for replacement. Following industry-standard NFPA guidelines recommends fire engines serve 10-years or 75,000 miles as a first out response vehicle, and an additional 5 to 10-years or 100,000 miles in service as a reserve apparatus. T-6852 is a 2009 Pierce Quint Aerial Apparatus with a 75-ft. ladder with a current mileage of 47,536. With a continually growing city in size and height, revised truck's specifications will need to be considered to meet future demands. T-6852 will be placed in a reserve status for the Department.	Fire Authority	City Fire	10021210.80100	TBD	N/A	Doug Hutchison	dhutchison@cit.yofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	New	2025	2026	TBD	No	New Revenues	Fiscal Year Allocation TBD							\$	1,500,000	\$	1,500,000	Fiscal year allocation might move to out years contingent on condition of the vehicle.	Reviewed
Active Shooter Safety Equipment	Due to the current events happening around the United States and the world, it is unfortunate but imperative that we prepare and be equipped for any and all situations the UVFA may face. We are taking a proactive instead of a reactive stance in protecting and providing our team members with the equipment they need to handle even the direst situations. Following industry-standard (NFPA-3000 Active Shooter) equipment to be purchased will include Flak Jackets, Kevlar Helmets, Medical Triage Bags, and Medical Triage Equipment.	Fire Authority	City Fire	10021210.80100	TBD	N/A	Doug Hutchison	dhutchison@cit.yofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	New	2022	2023	TBD	No	New Revenues	Fiscal Year Allocation TBD/Seek grant funding.								\$	-	Staff will actively pursue grants to possibly offset some cost. Department estimate/request is \$60,000	Reviewed	

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Radios	Due to the Federal Communications Commissions (FCC), all Fire Department Analog Radios (currently all UVFA radio's are analog) are required to be replaced with Digital Radios. The FCC's move from analog to digital increased and improved radio efficiency and met the radio spectrum's increasing demand (Narrow banding). This is a two-year phased purchase, replacing the Hand-Held Radio's in the first year and the Mobile Radio's (Vehicle Radio's) in the second phase.	Fire Authority	City Fire	10021210.54100	18240	N/A	Doug Hutchison	dhutchison@cityofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	New	2021	2023	TBD	Yes	New Revenues	Seeking grant funding.	\$ 225,000	\$ 153,200				\$ 378,200	Staff will continue to actively pursue grants to possibly offset some of the cost during the phased process.	Reviewed
Safety Extractors	This unit is critical for sanitation of Personal Protective Equipment (PPE) used and worn by team members due to the increasing awareness of cancer-causing exposures faced by Fire Personnel. The sanitation of gear and equipment has been proven to reduce cancer risk (s) by removing the carcinogens or our team members deal with while performing their duties. These Safety Extractors were built and designed to remove debris and carcinogens as a normal washing machine does not, nor meet the industry standard of NFPA.	Fire Authority	District Fire	91621400.80100	18278	N/A	Doug Hutchison	dhutchison@cityofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	New	2021	2022	District	Yes	New Revenues		\$ 30,000					\$ 30,000		Reviewed
Ambulance Patient Transport Unit	This ambulance will serve the greater Ukiah area for the growing demands of the Emergency Medical Services. The Ukiah Valley Fire Authority has had to supplement/augment the private ambulance industry to county-wide ambulance shortage.	Fire Authority	Ambulance	71021000.80100	TBD	N/A	Doug Hutchison	dhutchison@cityofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	New	2021	2022	TBD	Yes	New Revenues	Looking at financing options.	\$ 250,000					\$ 250,000		Reviewed
Ambulance Patient Transport Unit	This ambulance will serve the greater Ukiah area for the growing demands of the Emergency Medical Services. The Ukiah Valley Fire Authority has had to supplement/augment the private ambulance industry to county-wide ambulance shortage.	Fire Authority	Ambulance	71021000.80100	18269	N/A	Doug Hutchison	dhutchison@cityofukiah.com	1500 South State Street	Vehicles, Machinery & Equipment	New	2021	2022	TBD	Yes	New Revenues	\$141,648 to be CDBG funded, balance financed.	\$ 300,000					\$ 300,000		Reviewed
SUB-TOTAL:																		\$ -	\$ 1,408,000	\$ 153,200	\$ -	\$ -	\$ 1,500,000	\$ 3,061,200	
TOTALS FOR VEHICLES, MACHINERY & EQUIPMENT :																		\$ -	\$ 1,408,000	\$ 153,200	\$ -	\$ -	\$ 1,500,000	\$ 3,061,200	

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Definition of terms used:	
Project Name	The name of the project.
Project Description	Provides a description and additional narrative to assist in the understanding of the need and value of the proposed project.
Division	The specific division within the identified department where the expenditure will be made within the budget.
Org/Object	The proposed account code where the expense will be accounted for.
Project Number	The number assigned to track all expenses related to the project.
Allocation to Multi-funds	Indicates if the cost of the proposed cost is shared. In this case, here it will state what other funds are sharing the cost.
Project Status	This indicates whether the project is "NEW", "IN PROGRESS", "ONGOING" or "COMPLETED".
Project Timeline	General calendar year "start" and "end" date.
Funding Source	The Fund the actual expense will come out of.
Funding Identified	"Yes" indicating funding has been identified and will be available, "No" indicating funding has not yet been identified and is unavailable.
Funding Type	"Reserves" indicates it is, or is planned to be, transferred from a reserve account, "Current Revenues" means that the expenditure is anticipated to be funded by existing revenues at the time of the purchase, "New Revenues" means that a funding source other than current revenues will be used, including or grant funding or fundraising.
Funding Type Add'l Comments	To further explain, as necessary, the funding type used selected.
Costs to date	Costs spent on the project.
Estimated Costs per Fiscal Year	Costs estimated to be spent in each of the fiscal years.
Totals	The sum of the five year estimate for each project.
Comments	Additional information as needed.
City Council Status	"Not Reviewed" - First time that Council has been presented the project; "Reviewed" - Council has been presented the project during an agenda meeting; "Explore" - Council has reviewed and has asked staff to further explore; "Reviewed and Supported" - Council has reviewed and supports the placement of the project on the CIP Plan; "Budget Adopted" - Council has approved the project through the Council action that takes place through either the full budget adoption process, or through a specific agenda item brought to Council.

2.5 GROWTH

2.5.1 PRESENT AND PLANNED LAND USE AND DEVELOPMENT

The Ukiah Valley is located approximately 30 miles east and inland from the Pacific Ocean. The Ukiah Valley runs north to south for about 9 miles, with a maximum width of about 3 miles. With an average elevation of about 630 feet, the hills surrounding the Valley range up to about 3,000 feet. The Russian River enters the Valley at the north end and runs south along the Valley floor. Soils are composed of fertile alluvium, and many pear orchards and vineyards flourish along the east side of the river. Residential and commercial land uses predominate on the west side of the river. The railroad right-of-way and Highway 101 also parallel the river through the Valley. Existing land uses in the Ukiah Valley, include residential, commercial, industrial, and agricultural uses. Unincorporated communities include Calpella, The Forks, and Talmage, while the City of Ukiah is the sole incorporated community in the Valley.

The UVFD boundaries include The Forks and Talmage. Calpella is located north of the existing boundaries. (See Figure 1.1.) The Forks and Talmage are unincorporated and are governed by Mendocino's land use authority, while the City of Ukiah represents its own jurisdictional land use authority. The UVFD boundaries include an area of approximately 80-square miles, and the resident population is approximately 17,000; however the true service area under the UVFA is 85-square miles, with an additional residential population of about 16,000 in the City of Ukiah.

Development in the vicinity of The Forks is of a mixed nature, including commercial uses on North State Street near the intersection with Lake Mendocino Drive, residential uses (single-family homes and mobile homes), and light industrial activities. The North State Street corridor south of The Forks has historically been developed with heavier industrial uses interspersed with commercial uses; however, the area may be entering a period of transition with shifts away from timber related uses. Mendocino Community College, Pinoleville Indian Reservation, and urban residential uses are located west of US 101.

Southeast of Ukiah is the community of Talmage. Situated around the intersection of Talmage Road (State Route 222) and Eastside Road, the area has slowly developed with urban uses (mostly commercial activities and rural residential lots) replacing historical agricultural uses. Talmage is also home to the City of Ten Thousand Buddhas, which encompasses the site originally occupied by the State Hospital.

(PMC, 2008; Mendocino, 2011)

The District boundaries do not generally overlap with the City of Ukiah's jurisdictional limits, but the District has recently applied to annex the City into its territory. The City of Ukiah is the Mendocino County seat and the largest city Mendocino County. Ukiah serves as the city center for Mendocino County and much of neighboring Lake County due to its accessible location on the US Route 101 corridor. (USCB, 2021; Ukiah, 2019b)

Development patterns in the Ukiah Valley are anticipated to generally follow historical zoning and development patterns, maintaining a north-south pattern following the major transportation corridors. The area within the City limits is approaching build-out and a relatively significant level of urban development has occurred in portions of the sphere of influence. The Ukiah Valley Area Plan adopted by Mendocino County in 2011 for the unincorporated areas within the District boundaries generally maintains the development patterns of the Valley, allowing expansion of The Forks Rural Community, and along the U.S. 101 corridor, as well as limited growth in the eastern hills. (Mendocino, 2011)

Ukiah Valley Area Plan policies pertaining to growth and land use development include the following:

Section 3: Land Use and Community Development

GOAL LU1 Create compact, mixed-use, and well-balanced communities that can achieve this plan's principles of sustainability.

Policy LU 1.1: Promote development and building practices that support healthy communities.

Policy LU 1.2: Utilize planning tools and incentives to guide the development process towards creating a compact, mixed use community achieving a balance among social, economic, and environmental systems. Policy LU1.3: Promote suitably located housing and services for a range of ages and incomes within the Ukiah Valley

Policy LU 1.4: Continue to allow growth in High Intensity Development Corridors.

GOAL LU2 Promote compatible land uses adjacent to important transportation facilities and protect against incompatible ones.

GOAL LU4 Manage future growth to ensure that essential support infrastructure is in place prior to development.

Policy LU 4.1: Apply growth management strategies when reviewing discretionary projects.

Policy LU 4.2: Promote balanced development to improve the community's ability to support and fund facilities and services.

Goal LU 7 Recognize that the Ukiah Valley is one community, and foster collaborative decision-making between County and City Agencies.

Policy LU 7.1: Collaborate with the City of Ukiah to fund programs and evaluate planning issues in the Valley.

LU 7.1a: Tax-Sharing Agreements: Continue to collaborate with the City of Ukiah to create and implement a tax-sharing agreement that will help fund services in both the County and the City.

LU7.1b: Sphere of Influence: Work with the City of Ukiah to revise the City's Sphere of Influence (SOI), and continue to collaborate on planning decisions that regulate land in the SOI.

LU7.1c: Comprehensive Planning Team: Investigate the feasibility of forming a Valley-wide planning team with staff from the City and the County to jointly oversee planning in both jurisdictions.

Section 8: Health and Safety

GOAL HS1 Consider natural and human-made hazards when planning development and minimize potential conflicts.

Policy HS1.3: Maintain land use and building regulations that promote fire safety.

HS1.3.a Valley-Wide Fire Safety Standards Assess the need for Valley-wide fire safety standards to address:

- Funding
- Site development
- Flammable vegetation clearance around structures
- Road access
- Hillside and terrain challenges; and
- Water supply Prepare comprehensive standards if warranted.

HS1.3b Fire Hazard Areas Do not approve subdivision of existing parcels in areas designated by CAL FIRE as having “high” or “very high” fire hazard rating unless the responsible fire protection agency determines in writing that adequate access, evacuation routes, emergency response, and fireflow are available, and that the project complies with the most current State requirements for development in wildlands.

HS1.3c Wildfire Protection Plan Implement the recommendations of the Wildfire Protection Plan when approving new development. Support the proposed signage and address project included in that plan and support maintenance of improvements constructed as part of the Westside Vegetation Management Plan.

Policy HS1.4: Maintain an interagency comprehensive disaster preparedness program

HS1.4.a Disaster Preparedness Plans Collaborate with the Mendocino County Office of Emergency Services to incorporate plans for fire, flood and seismic disasters into the County’s emergency response planning and the Operational Area Emergency Plan.

HS1.4b Emergency Response Team Assemble a Valley-wide emergency response team.

HS1.4c Neighborhood Emergency Services Team (NEST) Encourage formation of strong Neighborhood Emergency Services Teams. Develop tools to support neighborhood teams, such as:

- Resource materials to describe neighborhood-based strategies in dealing with emergencies;
- Outreach materials to recruit volunteers and raise neighborhood awareness of NEST;
- Training programs to build knowledgeable neighborhood leaders; and
- Organizational assistance in creating a database of neighborhood information; identifying neighborhood shelters, and locating critical equipment and supplies.

HS1.4d Public Service Master Plans To ensure that the County maintains an adequate number of public safety workers, including emergency service providers, individual departments should update their public service master plans in conformance with the amount and type of development specified in this area plan.

(Mendocino, 2011)

As shown in these policies, there is a strong desire on the part of the community for strong collaboration between the City and County in land use planning and government operations in the Ukiah Valley, both for community continuity and cost sharing purposes. These policies also promote development in already-impacted areas such as the main transportation corridors as well as a mix of uses with strong supporting infrastructure for those uses.

Additionally, the Area Plan policies show a strong community desire to maintain adequate fire protection service levels, discourage development in fire-prone areas, and encourage community involvement with emergency planning and response.

2.5.1.1 Land Use

The Ukiah Valley contains the unincorporated communities of Calpella, The Forks, Talmage, as well as the City of Ukiah. Existing land uses include residential, commercial, industrial, and agricultural uses.

The following land use classifications established in the County General Plan also apply without modification to lands in the Ukiah Valley Area Plan:

- SR - Suburban Residential (all densities)
- RC Rural Community
- RR - Rural Residential (all densities)
- RMR - Remote Residential (all densities)
- C - Commercial
- AG - Agricultural
- RL - Range Lands
- I -Industrial
- PS - Public Services
- PL - Public Lands
- OS - Open Space
- MU - Mixed Use MUNS – Mixed Use North State Street
- MUBST – Mixed Use Brush Street Triangle
- MU-2 – Mixed Use General

See Figure 2.5 for the County’s land use map of the Ukiah Valley.

The UVAP goals and policies direct that higher density residential uses be located within the City of Ukiah’s sphere of influence, areas designated Rural Communities, and within the City itself, in order to concentrate development in areas with adequate services and access and limit impacts to resource lands. Development potential can be maximized through comprehensive and coordinated planning of areas which are currently undeveloped or underdeveloped.

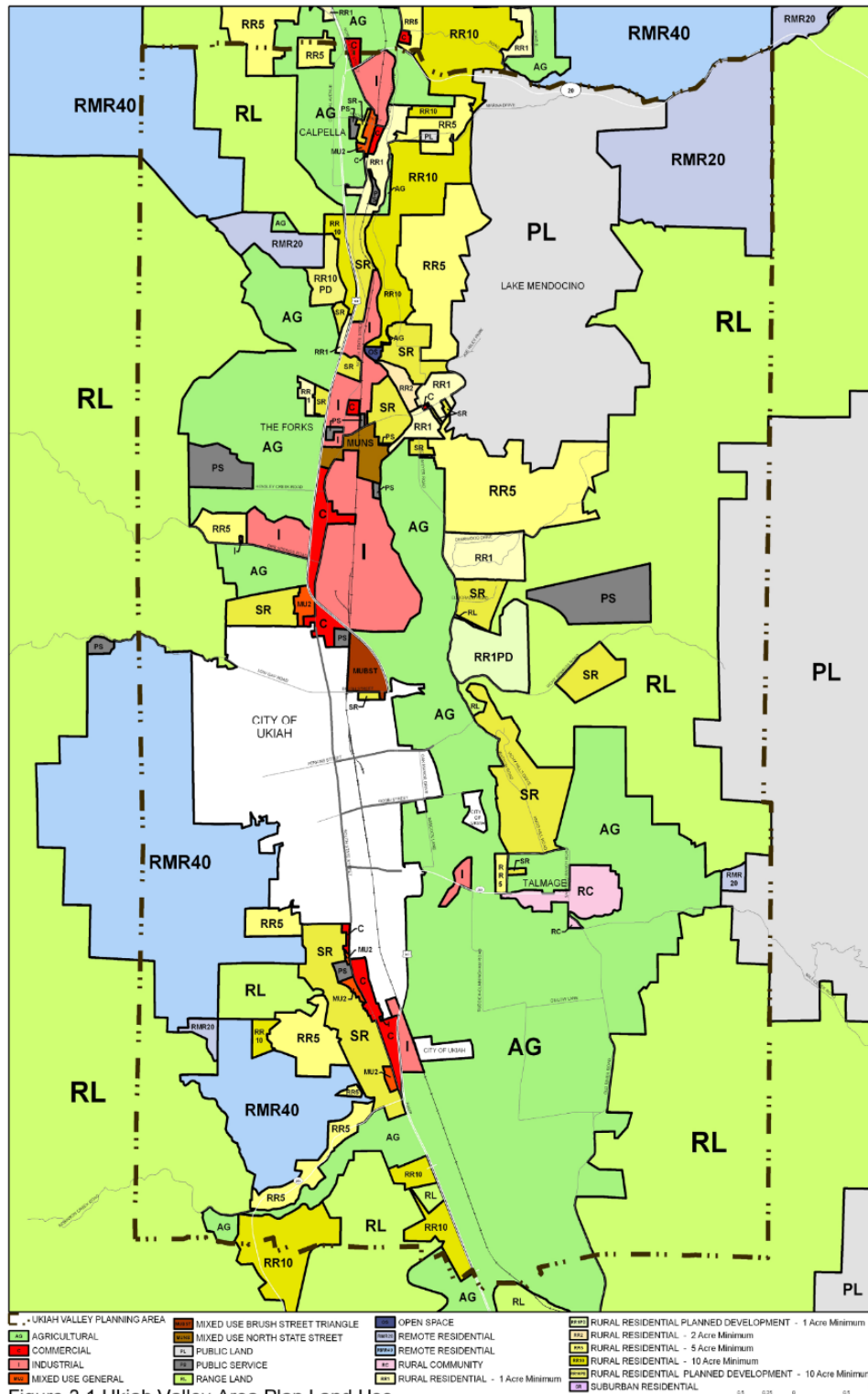
Mendocino County has identified housing, mixed-use development, and agriculture as especially important to the area. The UVAP supports affordable worker housing by designating more properties for mixed uses and allowing for higher density development in more locations and configurations, with much of the density around community areas and the City of Ukiah for multiple family and mixed uses. The UVAP also provides for mixed use development patterns to allow greater efficiency and economy in providing public services, conserves agriculture and resource lands, preserves the rural character desired by many of the County’s residents, and adds more affordable housing.

The UVAP also protects agriculture, which is a major part of Mendocino County's economy. Many types of agriculture exist in the Ukiah Valley, including vineyards, orchards, forage crops, specialty crops, and livestock. Farms are both full time and part time operations. Agricultural production in some areas is threatened both by pressures of urban development and by creation of small residential lots in the midst of agricultural lands.

(Mendocino, 2011)

DRAFT

Figure 2.5 Ukiah Valley Area Plan Land Use Map



Source: Mendocino, 2011.

2.5.1.2 Development

Existing development in Ukiah Valley consists of a mix of uses, including agricultural, residential, commercial, and light industrial. Within the UVFD boundaries are historic downtown buildings, county governmental buildings including a county courthouse and jail, Mendocino Community College, Dharma Realm Buddhist University, a local hospital, lower half of Lake Mendocino including the Coyote Dam, industrial and commercial complexes, expansive wildland urban interface areas, hotels, multi-family residential complexes, multiple mobile home parks, Ukiah Municipal Airport, US 101 and State Route 253.

Water availability has long been an issue in the Ukiah Valley and is a likely constraint to future development in the Valley, complicated by legal, environmental, political and socioeconomic issues. Challenges include decreased water diversion, as well as difficulties and lengthy time inherent in developing new supplies in the face of increasing demand. Various “unknowns” related to water supply make planning for future growth and development a difficult task. Many areas within the UVAP planning area are served by public water providers which are currently under moratorium.

Non-environmental constraints to development include a limited amount of developable land and regulatory requirements mandated by state government. While neither factor prevents development, it does increase time and cost of land use projects.

(Mendocino, 2011)

2.5.2 EXISTING POPULATION AND PROJECTED GROWTH

The UVFD boundaries include three census tracts whose population in the 2020 census is estimated at 14,077. This number excludes Calpella, which is not in the UVFD and has a population of 682. Table 2.8 shows the population estimates of the three census tracts in comparison to the population of the City of Ukiah and Mendocino County. The table indicates the population of the UVFD is comparable to the City of Ukiah.

Area	2019 Population Estimates
Census Tract 109	4,989
Census Tract 113	5,673
Census Tract 117	4,097
Less Calpella	(682)
Estimated District Total	14,077
City of Ukiah	15,943
Mendocino County	86,749

Sources: USCB, 2019d; USCB, 2019a; USCB, 2019c; USCB, 2020; California Department of Finance, 2021.

It should be noted these figures are not exact as they are based on Census tracts rather than actual District boundaries. In its recent Plan for Services application to annex the City of Ukiah into its sphere, the District has indicated that, when considered in consolidation with the Fire Authority, it serves a population of approximately 33,000, with approximately 16,000 within City limits and 17,000 in the unincorporated area. (UVFD, 2021) For the purposes of consistency and accuracy, this population number has been used throughout this MSR.

Population growth is expected to increase at an annual rate of approximately 0.5% for Mendocino County (Caltrans, 2017). Population growth rate estimates vary depending on the source. Based on US Census Bureau population projections, Mendocino County will grow by 1,255 people in the next five years, as shown in the table below.

Area	2020	2025	2030	2035	2040	2045
Mendocino County	87,491	88,746	89,232	89,106	88,205	86,956

Source: USCB, 2019e.

Assuming a District service population of approximately 17,000 per UVFD's recent application for annexation, based on this growth rate the District can expect a population increase of about 363 people within the next five years. However, according to this data, after the year 2033, the population will begin decreasing at a slow rate of approximately 0.007% per year. (USCB, 2019e)

2.6 DISADVANTAGED UNINCORPORATED COMMUNITIES

Senate Bill (SB) 244, which became effective in January 2012, requires LAFCo to evaluate any Disadvantaged Unincorporated Communities (DUCs), including the location and characteristics of any such communities, when preparing an MSR that addresses agencies that provide water, wastewater, or structural fire protection services. A DUC is an unincorporated geographic area with 12 or more registered voters with a median household income (MHI) that is less than 80% of the State MHI of \$75,235, or \$60,188 (USCB, 2020). This State legislation is intended to ensure that the needs of these communities are met when considering service extensions and/or annexations in unincorporated areas.

As previously noted, the UVFD includes three Census tracts. The MHIs for these three tracts are \$57,344 (Tract 109), \$46,234 (Tract 113), and \$70,536 (Tract 117). Tracts 109 and 113 qualify as DUCs individually, and the average of these three tracts is \$58,038, which is below 80% of the State MHI of \$60,188. The City of Ukiah has an MHI of \$49,889, which is also less than 80% of the State MHI, but the City does not qualify as a DUC because it is an incorporated area. (USCB, 2019b; USCB, 2021)

Special consideration will be given to any DUCs affected by future annexation proposals consistent with GC §56375(8)(A) and LAFCo Policy. The District does not provide water or wastewater services and is therefore not responsible for ensuring that these services are adequately provided to the community.

3 MUNICIPAL SERVICES

A Municipal Service Review (MSR) is a comprehensive analysis of the services provided by a local government agency to evaluate the capabilities of that agency to meet the public service needs of their current and future service area. The MSR determinations inform the SOI Update process and assist LAFCo in considering the appropriateness of a public service provider's existing and future service area boundary. The information and analysis presented in Chapters 2 and 3 of this document form the basis for the MSR determinations provided under Section 3.3.

3.1 FIRE PROTECTION SERVICES

This section provides information regarding the municipal services provided by the Ukiah Valley Fire District (UVFD) and the Ukiah Valley Fire Authority (UVFA) under a Joint Powers Agreement (JPA) for the joint provision of fire protection services in the Ukiah Valley area. This is the second MSR prepared for the District; the first one was adopted by the Commission on May 6, 2013.

3.1.1 SERVICE OVERVIEW

3.1.1.1 Services

The Ukiah Valley Fire District provides fire protection, suppression and prevention services, emergency medical services, and other emergency related first-responder services as detailed in Section 2.1.3.

The District does not have its own hazardous materials response team. Mendocino County's Redwood Empire Hazardous Incident Team (REHIT) is responsible for HAZMAT incidents including direct management and control of the event. All Firefighters of the Fire Authority are trained to the Hazardous Materials First Responder - Operations level at minimum (UVFD, 2021b).

The Fire Authority enforces a weed abatement program within the District and City boundaries.

3.1.1.2 Customers

The District serves approximately 17,000 people in the District boundary and the Fire Authority serves approximately 30,000 people in the District and City boundaries. There are also large influxes of visitors to the Ukiah Valley area during the summer and special events such as Concerts in the Park and Pumpkinfest (UVFD, 2021b).

3.1.1.3 Out-of-Agency Services

The District does not maintain contracts with individual property owners to provide services outside its boundary. However, under the JPA, the Fire Authority responds to service calls both within the District and the City boundaries. The District does not provide any other out-of-agency services (OAS), except for mutual aid responses and dispatched service calls as necessary for public health and safety.

3.1.1.4 Wildfire Danger

The steep terrain on either side of the Ukiah Valley is considered a Wildland Urban Interface (WUI). This area consists of manzanita and scrub vegetation with a high oil and fuel content that burns quickly and with extreme heat, is very susceptible to wildland fires, and can be difficult for emergency response vehicles and firefighters to access due its remoteness. A wildfire in the adjacent hills of the Ukiah Valley

pose a threat to life and property for residents located in the hills and endanger the more populated areas along the base of the slopes and the densely populated valley floor.

The City of Ukiah has adopted Hillside Development Regulations for the areas of high fire hazard in the hill areas on the west side of the City. These regulations require substantive fire protection features for new development in the western hills portion of the City, such as fire suppression water storage, safe access routes, fire-resistant construction and the creation of a 100-foot defensible space around residences.

The Mendocino County Office of Emergency Services is responsible for planning and coordinating disaster response Countywide. Multiple jurisdictions have regulatory authority for fire prevention and planning, including Mendocino County, which imposes the State Fire Safe Regulations. These regulations require minimum standards for emergency vehicle access, dead-end road length, road slope and width, clearance of flammable vegetation around structures and ingress/egress routes, water storage and compatible fire agency connection, and identification signs. In addition, the County enforces the Uniform Fire Codes.

The UVFD can also enact its own local ordinance or development requirements and currently performs site inspections and plan reviews for County development projects.

(Mendocino, 2011)

3.1.2 SERVICE ADEQUACY

3.1.2.1 JPA Service Delivery Model

The Fire Authority is currently staffed by 19 paid firefighters, one Administrative Secretary, and 15 dedicated volunteer firefighters that augment the career personnel, including a Volunteer Division Chief. (UVFD, 2021)

The Fire Authority maintains four fire stations, of which two are staffed with career personnel. These two stations have a Type I (Structural) engine owned by the City, a Type II/III (Wildland Interface) engine owned by the District, and an ambulance owned by the City. The District volunteer firefighters work primarily out of the City-owned Central Fire Station, which also houses a mixture of City and District owned apparatus. (UVFD, 2021)

The minimum daily on-duty staffing level is five full-time firefighters covering two stations, consisting of two two-person crews cross staffing Type I (Structural) and Type II/III (Wildland Interface) Engines and a Battalion Chief. Each of the two staffed stations are assigned a utility vehicle and each of the four Chief Officers are assigned a staff/command vehicle. (Ukiah, 2021k) Starting in Fiscal Year 2021-22, the staffing level will be increased to two three-person crews with the increase of three positions. Ambulance services in the District and City are primarily provided by MedStar of Mendocino County acts, Fire Authority crews staff ambulances and transport patients as a secondary provider. (Ukiah, 2020; UVFD, 2021; UVFD, 2021b)

The Fire Authority refers to its current staffing as “Engine Couples” rather than as Engine Companies. The task organization of a Fire Engine Company typically calls for a Captain, an Engineer, and a Firefighter. Current personnel constraints very often preclude forming an Engine Company, and instead often result in two firefighters on an Engine. This personnel restriction further exacerbates the concurrent call situation because the Fire District often has to send both Engine Companies (as “Engine Couples”) to a single incident to have sufficient firefighters on the scene. For example, a fire that requires three

firefighters may result in two Engine Companies responding, with no remaining firefighters available to respond to a concurrent call. (UVFD, 2021)

3.1.2.2 Staffing

The following table provides information regarding the current staff resources dedicated to providing fire protection and emergency medical services to the District and the City under the Fire Authority.

Title	Career*	Paid On-Call	Volunteer*
Fire Chief	1		
Battalion Chief	2		
Captain	6		
Engineer	6		
Firefighter	3		15
Adm. Secretary	1		
*There are 5 EMTs and 11 Paramedics that operates at an EMT level.			

Source: (UVFD, 2021; UVFD, 2021b).

The District reports that the current paid staffing level is not adequate to deliver services.

Based on the International City Manager's Association's recommendation of 0.98 firefighters per 1,000 residents, the Fire District should have at least 33 firefighters. The National Fire Protection Association Code and Standard 1720 calls for a minimum of 15 firefighters to respond to a residential structure fire in an urban area (defined as an area with more than 1,000 people per square mile). With current personnel resources, the Fire District rarely achieves half that. (UVFD, 2021).

Given that the population amount is expected to increase by approximately 363 residents in the service area in the next five years, one additional part-time position would be needed in addition to the 14 that are also needed to meet the City Manager's Association.

3.1.2.3 Volunteers

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

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

(Ukiah, 2021j)

Volunteer firefighters have a bi-weekly regular training schedule on alternating Thursday nights and Saturday mornings. Volunteer firefighters are encouraged to attend 100% of all mandatory trainings per year. Volunteer firefighters are trained to a Firefighter 1 level and must meet first responder level under Title 22 requirements.

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

(UVFD, 2021b)

3.1.2.4 Service Calls

The following table provides a summary of the total number and types of service calls by location the Fire Authority responded to over the last two years.

Service Call Type	2020		2021 YTD	
	District	City	District	City
Fires	92	129	62	68
Overpressure rupture, explosion, overheating - no fire	3	1	2	1
Rescue & Emergency Medical Service	666	1287	414	826
Hazardous Condition (No Fire)	27	55	13	28
Service Call	123	299	79	163
Good Intent Call	305	631	154	373
False Alarm & False Call	34	103	39	68
Severe Weather & Natural Disaster	2	1	2	7
Special Incident Type	2	1		
Subtotal	1254	2507	765	1534
Grand Total	3,761		2,299	

Source: (UVFD, 2021b).

The Fire Authority responds to over 3,700 calls per year, varying from structure fires to public assistance. The majority of service calls are related to emergency medical responses, at approximately 70%. The Fire Authority can struggle at times to successfully manage multiple service calls simultaneously and for all shifts throughout the 24/7 operation. In 2020, the Fire Authority had an overall overlapping call rate of 35.5%, and is running at 33% so far in 2021. These overlaps can last seconds to hours depending on the type of incident(s) occurring. With only two-staffed units, anything more than two simultaneous incidents, or a single multi-unit response, effectively limits any further response from the Fire Authority until volunteers arrive, unless volunteers are already included in the multi-unit response, or until adjacent service providers are dispatched for additional service calls. (UVFD, 2021b)

3.1.2.5 Response Times

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

While there are no established response times for fire agencies in Mendocino County, there are standards for ambulance contract providers which provides an indication of what is considered appropriate response times for medical emergencies.

Emergency response time standards vary by the level of urbanization of an area; the more urban an area, the faster a response should be. The Coastal Valleys EMS Agency has established recommended guidelines for response times which apply to ambulance contract providers Mendocino County. For 90% of emergency responses, response times for first responders should not exceed 5-minutes in metropolitan to urban areas, 15-minutes in suburban to rural areas, and 30-minutes for wilderness areas (CVEMSA, 2012).

The National Fire Protection Association (NFPA) has also established industry standards for response time performance based on the service structure of the agency: NFPA 1710 for agencies with paid staff and NFPA 1720 for agencies with volunteer staff. NFPA 1720 recommends the following response times: 9-minutes in urban areas 90% of the time, 10-minutes in suburban areas 80% of the time, 14-minutes in rural areas 80% of the time, and in remote areas response time is directly dependent on travel distance (NFPA, 2010). The Fire Authority would fall under the NFPA 1720 category due to its mixed professional and volunteer staff composition.

The Fire Authority's average response time varies throughout the Ukiah Valley based on the call location. For purposes of tracking call locations and response times, the Fire Authority is divided into six (6) zones. Average response times for the 6 zones in calendar year 2020 were as follows: District NW- 7:50, District NE- 8:41, District SW- 8:58, District SE- 10:39, City North- 5:48, and City South- 5:52. (UVFD, 2021b)

The Fire Authority operates such that volunteers are not paged for medical emergencies until both paid units are already committed. However, if volunteers happen to be monitoring the radio they may respond directly to the scene if they would have to pass the incident on the way to the Central Fire Station. (UVFD, 2021b)

3.1.2.6 ISO Rating

Fire services in communities are classified by the Insurance Service Office (ISO), which is an advisory organization depended on by insurance companies for establishing the availability and costs for fire insurance. The ISO rating classifies fire service in communities with a ranking from 1 to 10, indicating the general adequacy of coverage. Communities with the best fire protection facilities, systems for water distribution, fire alarms, communications, equipment, and personnel receive a rating of 1. Primary factors assessed in establishing ISO ratings are maintaining more than one fire station within a district boundary to meet the 5-mile radius requirements, ensuring appropriate facility maintenance and upgrades are made, and sufficient personnel and volunteers exist to respond to each station.

The District has an ISO rating of 4/4X on a scale of 1 to 10, with 1 being the highest. The City of Ukiah has an ISO rating of 3. (UVFD, 2021b)

While wildfires are a natural occurrence in California, the effects of prolonged drought, high tree mortality rates from bark beetles and other infestations, high fuel loads and ladder fuels in wildland areas, record high temperatures, and longer fire seasons are resulting in increasingly extreme and destructive wildfires. There is a growing trend of insurance companies issuing non-renewal notices for existing homeowner's insurance policies due to high wildfire risk.

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

As a last resort, the California Fair Access to Insurance Requirements (FAIR) Plan is a fire insurance pool comprised of all California licensed insurers to provide insurance for property owners that are not able to obtain basic coverage in the voluntary insurance market. There may be properties within the District boundary that have received notice of non-renewal, but the District has not received reports of property owners unable to find coverage from other insurance providers. (UVFD, 2021b)

3.1.3 FACILITIES AND INFRASTRUCTURE

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

3.1.3.1 Facilities

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

- The South Fire Station is located at 1500 South State Street and is the Main Station. The South Station was once a CHP administrative office and was not intended to house staff. The Fire Authority currently houses its administrative staff, including three Division Chiefs, one Fire Chief and one Administrative Secretary, as well as two suppression members at this station. The South Station is in need of significant remodel to bring it up to modern, livable standards, since it was never intended to be used to house suppression staff.
- The North Fire Station is located at 141 Lovers Lane. The North Station was once a general contractor's business location and residence. The typical on-duty staff of two live in a relatively comfortable doublewide modular home, which adequately houses them, and may be able to accommodate two additional members if the need should arise. The apparatus bay at this location is an uninsulated building housing the duty office, one ladder truck, and one engine. The property is not paved and is in need of paving around the entire site. The dust generated at this site is problematic for the microswitches and electronics on the apparatus as well as the storage of safety gear and structural turnout.
- The Talmage Volunteer Fire Station is located at 1301 Talmage Road, at the intersection of Talmage Road and Sanford Ranch Road. The Talmage station only houses antiques and additional equipment. It is not adequate to house staff without significant improvements and upgrades, including upgrades for ADA compliance. It has a small office space but no kitchen, living room, or sleeping quarters.

(UVFD, 2018b; UVFD, 2021; UVFD, 2021b)

3.1.3.2 Equipment

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

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

(UVFD, 2021b)

Reserve and volunteer assigned apparatus includes a Type I Ladder Truck (Quint), Type I (Structural) Engine, Type V (Wildland) Engine, Type I Water Tender, Breathing Air Support Unit, Breathing Air and Light Trailer, USAR Trailer and Rescue Boat. The Fire Authority is also the host agency for the Redwood Empire Hazardous Incident Team Hazmat Unit and the Mendocino County Fire Chiefs Association's Fire Safety Trailer. (Ukiah, 2021k)

The District reports that the current fire protection fleet is adequate to deliver services, provided that the Fire Authority Fleet Replacement Plan continues to be implemented and updated regularly to reflect the actual condition of vehicles and to address unanticipated needs. (UVFD, 2021b)

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

3.1.3.3 Water Supply

Available water supply for fire suppression varies based on location in the District and includes such resources as hydrants from small water districts, on-site residential water storage tanks, various water tenders, on-board tanks on fire engines, and other water supplies available for drafting such as ponds,

rivers, and streams. In some cases, property located within the District near the City limits may have use of City fire hydrants in an emergency.

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

3.1.3.4 Needs and Deficiencies

The District and the City work together to plan and fund capital improvements through a 5-Year Capital Improvement Plan (Refer to Section 2.4.2.3 for more information). Through the Fire Authority, the District and City prepare a Fleet Replacement Plan to address equipment needs. The Fire Authority does not currently have a Facilities Replacement Plan, which would require studies to determine the best locations based on various factors, such as, current and projected population growth, call volumes, response times.

While funding capital needs and maintenance costs are generally addressed at the individual agency level, conducting joint comprehensive planning activities for capital needs and priorities is important since deficiencies in facilities, equipment, and infrastructure can translate to a diminished level of the shared delivery of services.

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

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

- District fire station deficiencies include providing adequate sleeping quarters for personnel, ADA compliance, seismic retrofits, and emergency generators for power during outages. (UVFD, 2018b)
- The District has indicated that their staffing was currently impacted by the freezing of an open Firefighter position, which has caused one shift to always run at minimum staffing levels. (Ukiah, 2021h)
- The District is also impacted by a major reduction in Learning and Development funding due to significant staff turnover and the high cost of external training sources. The District intends to send some of their own staff members in the instructor cadre to classes and conferences so that they can in turn provide in-house training. (Ukiah, 2021h)

3.2 DETERMINATIONS

This section presents the required MSR determinations pursuant to California Government Code §56430(a) for the Ukiah Valley Fire District.

3.2.1 MSR REVIEW FACTORS

3.2.1.1 Growth

Growth and population projections for the affected area

1. The Ukiah Valley Fire District is estimated to serve a population of approximately 17,000 residents, within an 80 square-mile area. In conjunction with the Ukiah Valley Fire Authority, the District also serves an additional 16,000 residents in the City of Ukiah.
2. Population growth is expected to increase at an annual rate of approximately 0.5% for Mendocino County. Based on this growth rate, the District can expect a small population increase of 363 people within the next five years.
3. Mendocino County has land use authority over privately owned lands within the unincorporated portions of the District boundary and makes land use decisions based on the County's General Plan and Zoning Regulations as well as the Ukiah Valley Area Plan. The City of Ukiah has land use authority over privately owned lands within the incorporated portion of the District boundary and makes land use decisions based on the City's General Plan and Zoning Regulations.

3.2.1.2 Disadvantaged Unincorporated Communities

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

4. UVFD includes three Census tracts, two of which qualify as DUCs with MHIs of \$57,344 (Tract 109) and \$46,234 (Tract 113). The City of Ukiah has an MHI that is less than 80% of the State MHI, but the City does not qualify as a DUC because it is an incorporated area. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GC §56375(8)(A) and LAFCo Policy. The District does not provide water or wastewater services and is therefore not responsible for ensuring that these services are adequately provided to the community.

3.2.1.3 Capacity of Facilities and Adequacy of Services

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence

5. The District provides structural fire protection, suppression, and prevention, first responder for emergency medical services and hazardous materials incidents, and rescue/extrication to approximately 17,000 people within the District boundaries, as well as approximately 16,000 people in the City of Ukiah under the terms of the existing Fire Authority JPA.
6. The District also has mutual aid agreements with surrounding fire agencies for fire protection and emergency medical services, including Hopland Fire Protection District, Redwood Valley-Calpella Fire District, Potter Valley Community Services District, and an automatic aid agreement with CAL FIRE.
7. The Fire District owns three stations and operates primarily from two. Each station has a Type I (Structural) engine owned by the City, a Type II/III (Wildland Interface) engine owned by the District, and an ambulance owned by the City. The District's volunteer firefighters work primarily out of the City-owned Central Fire Station, which also houses a mixture of City and District-owned apparatus.
8. The District's capital facilities at their three owned fire stations are in need of repair and improvement, including providing adequate sleeping quarters for personnel, ADA compliance, seismic retrofits, and emergency generators for power during outages.
9. The Fire District is authorized for 19 full-time firefighters, not counting an administrative assistant. These positions include one (1) Fire Chief, three (3) Battalion Chiefs, six (6) Captains, six (6) Engineers, and three (3) Firefighters. The Fire District employs no full-time firefighters and has 15 volunteer

firefighters. All full-time staff are employees of the City, and reflect the authorized positions, except that one Battalion Chief and three Firefighter positions are not currently staffed. Daily, on-duty staffing is five (5) full-time firefighters covering two stations.

10. Based on the International City Manager's Association's recommendation of 0.98 firefighters per 1,000 residents, the Fire District should have at least 33 firefighters. The District therefore needs 14 additional positions to meet current demand. The current staffing level is inadequate to deliver services as the District is often left understaffed or minimally staffed for fire events.
11. In 2020 there were 3,761 calls for service in the UVFA, with 2,507 within City limits and 1,254 in the Fire District. The Fire Authority is divided into six (6) zones with the following average response times in 2020: District NW- 7:50, District NE- 8:41, District SW- 8:58, District SE- 10:39, City North- 5:48, and City South- 5:52. The Fire District has an Insurance Services Office rating of 4/4X on a scale of 1 to 10, with 1 being the highest.
12. Available water supply for fire suppression varies based on location in the District and includes such resources as hydrants from small water districts, on-site residential water storage tanks, various water tenders, on-board tanks on fire engines, and other water supplies available for drafting such as ponds, rivers, and streams.

3.2.1.4 Financial Ability of Agency

Financial ability of agencies to provide services

13. The District prepares an annual budget and has annual financial audits prepared by a qualified Certified Public Accountant through the City of Ukiah. The District shall provide LAFCo a complete copy of all future financial audit reports (starting with Fiscal Year 2020-21) prepared by a Certified Public Accountant within 12 months of the end of the fiscal year or years under examination consistent with the timeframes established by Government Code Section 26909(a)(2)(b)(ii) as amended by SB 448. Audits should also be posted on the District's webpage for public access.
14. According to financial information from Fiscal Years 2017-18, 2018-19, 2019-20, and 2020-21, the District generally operates at a net loss and cannot sufficiently cover operating costs or maintain a reserve balance to protect against unexpected costs. This indicates that under the current level of service delivery, the District is unable to meet its ongoing financial obligations. However, with the proposed annexation of the Ukiah City limits for fire service, this net loss is expected to transition to a net income and rebuild reserves.
15. As of June 30, 2017, the District's cash and cash equivalents balance was \$304,549 for governmental activities.
16. The District does not currently maintain any reserve accounts. The District would benefit from a Capital Reserve account, Equipment or Capital Replacement Reserve account, a Contingency reserve, and a Debt Services reserve.
17. Under the Fire Authority, the District and City work together to prioritize and budget for long-term capital needs in addition to on-going operations and maintenance costs. The Fire Authority prepares a combined 5-Year Capital Improvement Plan which is adopted with the City's annual budget process..

3.2.1.5 Shared Services and Facilities

Status of, and opportunities for, shared facilities

18. The District participates in a Joint Powers Agreement with the City of Ukiah, and formed the Ukiah Valley Fire Authority (UVFA) in 2017. The District provides service to the City of Ukiah through the

UVFA, and the City provides financial and general services to UVFD including accounts payable, procurement, billing and accounts receivable, general accounting and reporting, budget development and monitoring, and other general services such as human resources and city clerk services. All full-time staff are employees of the City.

19. The District actively participates in Redwood Empire Hazardous Incident Team.
20. The District is a County Emergency Medical Services (EMS) participant.
21. The District collaborates with other public agencies by providing fire protection and emergency medical services through the countywide dispatch service call system and mutual aid agreements.
22. The District has an automatic aid agreement with CAL FIRE.
23. The District works with CAL FIRE in implementing vegetation fuel management grants to reduce vegetative fire hazards in and around the District, such as when the District as part of the UVFA cooperated with CAL FIRE on the Western Hills Fuel Break.
24. The District is working with CAL FIRE to renegotiate the dispatch contract while maintaining cost effectiveness.

3.2.1.6 Accountability, Structure, and Operational Efficiencies

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

25. The District is governed by a five-member Board of Directors elected at-large to serve staggered 4-year terms. The Board is currently fully seated and generally does not have difficulty filling seats. Two of the Board members have served the District for multiple consecutive terms which can be a significant benefit in establishing long-standing positive working relationships in the community, understanding the history and unique aspects of the organization, and maintaining institutional knowledge.
26. Regularly scheduled Board meetings are held on the second Tuesday of the month, starting at 6:00 p.m. at the Willow Water District Board Room located at 151 Laws Avenue in Ukiah. All meetings are open to the public and are publicly posted a minimum of 72 hours prior to the meeting in accordance with the Brown Act.
27. Public meeting information including agendas, staff reports, and approved meeting minutes were previously posted on the District's website, but the postings are only current through 2019. It is recommended that recorded meetings and public meeting information be posted on the District's website promptly to ensure public transparency, accountability, and accessibility.
28. The District Board of Directors conducts business and takes action by approving motions and adopting resolutions and ordinances by a majority vote of a sufficient quorum. The District complies with local government ethics laws and regulations and operates with accountability and transparency.
29. The City of Ukiah maintains a website at <https://www.cityofukiah.com/uvfd/> that provides information regarding the District, the UFVA, volunteering, permits and fees, and fire prevention information. The City's website has well organized information but is currently out of date. The website would be enhanced by updating the information to meet all the special district transparency requirements of State law including the availability of agendas, policies, financial information. In addition, the District's website would be improved by incorporating a content management system, such as DocuShare, to provide a searchable and chronologically organized document archive system for Board meeting packets and adopted ordinances, resolutions, annual budgets, financial audit reports, and other digital records.

30. The UVFA maintains a Facebook page. Social media posts are a useful tool to provide instant and easy outreach to the public. The District would benefit from diversifying social media platforms for best outreach potential, such as presence on Twitter, Nextdoor, and other similar platforms.
31. The public can submit written or provide verbal comments or complaints in person or by phone at the District office during business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m., or at the District Board of Directors meetings during the general public comment period.
32. The District is currently proposing to annex the Ukiah City limits for fire service to equalize the tax structure and government representation model for all District and City residents and lead to an improved level of service for everyone in the Fire Authority service area.
33. The functional consolidation of District and City fire services under the Fire Authority has resulted in better staffing and performance levels for the Ukiah Valley area. There are no new opportunities for the District to achieve organizational or operational efficiencies identified during the preparation of this MSR.

3.2.1.7 Other Service Delivery Matters

Any other matter related to effective or efficient service delivery, as required by commission policy

34. There are no other matters related to service delivery required by Mendocino LAFCo Policy.

4 SPHERE OF INFLUENCE

LAFCo prepares a Municipal Service Review (MSR) prior to or in conjunction with the Sphere of Influence (SOI) Update process. An SOI Update considers whether a change to the SOI, or probable future boundary, of a local government agency is warranted to plan the logical and orderly development of that agency in a manner that supports CKH Law and the Policies of the Commission. The MSR and required determinations are presented in Chapters 2 and 3 of this document and form the basis of information and analysis for this SOI Update. This chapter presents the SOI Update and required determinations pursuant to California Government Code §56425(e).

4.1 SOI UPDATE

4.1.1 EXISTING SPHERE OF INFLUENCE

The Sphere of Influence (SOI) for the UVFD is coterminous (identical to) with the District boundary and was established by LAFCo in 1984. There have been no changes to the District SOI since then.

4.1.2 STUDY AREAS

4.1.2.1 City of Ukiah

The District is proposing to annex the Ukiah City limits for fire service. (Refer to Section 2.1.2.2 for more information.)

4.1.2.2 Western Hills Annexation

The City of Ukiah is in the environmental review process for a proposal to acquire and annex approximately 695-acres of land within unincorporated Mendocino County into the Ukiah City limits. The project scope includes a Lot Line Adjustments to reconfigure the existing parcels into seven lots for future potential development, and a Development Agreement allowing for development of seven single-family dwelling units and potentially associated accessory-dwelling dwelling units on a 55-acre portion of the parcels proposed for annexation with the balance of 639-acres preserved as open space and a resource conservation area.

4.1.2.3 Two Unincorporated Island Areas

There are two unincorporated island areas within the District boundary. These areas are surrounded by the District but are not located within the jurisdictional boundary of the District. One area is located in the northern portion of the District between Hensley Creek Road and Pinoleville Drive and the other area is located in the southern portion of the District encompassing Rivino Estate Vineyards & Winery and a stretch of US 101 between exit 545 and the end of Burke Hill Road.

4.1.3 AREA OF INTEREST DESIGNATION

LAFCo's Area of Interest Policy, per Section 10.1.12, provides for the designation or identification of unincorporated areas located near to, but outside the jurisdictional boundary and established SOI of a city or district, in which land use decisions or other governmental actions of another local agency directly or indirectly impact the subject local agency.

An Area of Interest (AOI) designation serves as a compromise approach that recognizes situations involving challenging boundary or municipal service delivery considerations, or for which urbanization

may be anticipated in the intermediate or long range planning horizons. It is a tool intended to enhance communication and coordination between local agencies.

An AOI designation is most helpful when the county and city or district can reach agreement that development plans related to LAFCo designated Areas of Interest will be treated the same as if these areas were within the city or district SOI boundary regarding notification to and consideration of input from the city or district.

The proposed Western Hills annexation area and two unincorporated island areas described in the SOI Study Areas above have been designated as an AOI to further emphasize and support the District in requesting consideration from the City of Ukiah and County of Mendocino regarding discretionary land use entitlements or other development plans with the potential to impact District lands, facilities, and/or services.

4.1.4 PROPOSED SOI CHANGES

The District has submitted an application for annexation of the City of Ukiah City limits for fire services and concurrent amendment of the District's Sphere of Influence (SOI) to be contiguous with the proposed new boundary. (Refer to Section 2.1.2.2 for more information.)

4.1.5 CONSISTENCY WITH LAFCO POLICIES

Policies specific to Mendocino LAFCo are considered along with determinations in administering LAFCo law. This includes considering the merits of the existing SOI relative to the Commission's policies as listed in Section 1.5 and determining the appropriate SOI.

Consistency with Mendocino LAFCo Policies will be analyzed in the report prepared for the proposed annexation application.

4.1.6 OTHER LOCAL POLICIES

Refer to Section 2.5.1 for applicable policies of local jurisdictions.

4.1.7 DETERMINATIONS

The following statements have been prepared related to the Ukiah Valley Fire District's Sphere of Influence Update.

4.1.7.1 Land Uses

The present and planned land uses in the area, including agricultural and open space lands

The Ukiah Valley is located approximately 30 miles east and inland from the Pacific Ocean. The Ukiah Valley runs north to south for about 9 miles, with a maximum width of about 3 miles. With an average elevation of about 630 feet, the hills surrounding the Valley range up to about 3,000 feet. The Russian River enters the Valley at the north end and runs south along the Valley floor. Soils are composed of fertile alluvium, and many pear orchards and vineyards flourish along the east side of the river. Residential and commercial land uses predominate on the west side of the river. The railroad right-of-way and Highway 101 also parallel the river through the Valley. Existing land uses in the Ukiah Valley, include residential, commercial, industrial, and agricultural uses. Unincorporated communities include Calpella, The Forks, and Talmage, while the City of Ukiah is the sole incorporated community in the Valley. Development patterns in the Ukiah Valley are anticipated to generally follow historical zoning and development patterns, maintaining a north-south pattern following the major transportation corridors. The area within

the City limits is approaching build-out and a relatively significant level of urban development has occurred in portions of the sphere of influence. The Ukiah Valley Area Plan adopted by Mendocino County in 2011 generally maintains the development patterns of the Valley, allowing expansion of The Forks Rural Community, and along the U.S. 101 corridor, as well as limited growth in the eastern hills, which are prone to wildfire. There are ongoing drought conditions at this time that affect water supply in the Ukiah Valley and create a greater threat of fire in proximity to the urbanized area of City of Ukiah.

4.1.7.2 Need for Facilities and Services

The present and probable need for public facilities and services in the area

The District, through the Fire Authority, provides fire protection, suppression, and prevention services in the Ukiah Valley area to a population of approximately 33,000 people (17,000 in the unincorporated areas and 16,000 in City limits). Population growth is expected to increase at an annual rate of approximately 0.5% for Mendocino County. Based on this growth rate the District can expect a population increase of about 363 people within the next five years. The District provides critical services to the public. The residents and visitors currently receiving fire protection and emergency response services from the District will continue to need this public service.

4.1.7.3 Capacity of Facilities and Adequacy of Services

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide

The Fire Authority staffing level is considered inadequate based on the number of residents served. Based on the International City Manager's Association's recommendation of 0.98 firefighters per 1,000 residents, the Fire District should have at least 33 firefighters according to industry standards, and currently only has 19 authorized positions. The District's capital facilities at their three owned fire stations are in need of repair and improvement, including providing adequate sleeping quarters for personnel, ADA compliance, seismic retrofits, and emergency generators for power during outages.

As determined in the MSR prepared for the District, through the Ukiah Valley Fire Authority and under the JPA with the City of Ukiah, the Ukiah Valley Fire District has adequate personnel, facilities, and equipment to meet current and future demands for public services within the next five years.

The District has been operating at a deficit since the Fire Authority was formed in 2017 and the District's revenue shortfall is not sustainable. The District is proposing to annex the Ukiah City limits for fire services to equalize the tax structure and government representation model for all District and City residents. The District estimates a projected revenue increase in the range of \$850,000 to \$1 million annually, with an annual net gain of approximately \$500,000 to rebuild reserves, from the proposed annexation.

It is anticipated that the proposed annexation would help maintain existing levels of service, ensure the long-term provision of critical services, and lead to an improved level of service for everyone in the Fire Authority service area.

4.1.7.4 Communities of Interest

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 that should be included in the Ukiah Valley Fire District boundary or SOI. There are two SOI Study Areas that have been designated as an Area of Interest, including the proposed Western Hills annexation area and two unincorporated island areas. These areas have been identified to assist the District in requesting consideration from the City of Ukiah and Mendocino County for discretionary land use entitlements or other development plans with the potential to impact District lands, facilities, and/or services.

4.1.7.5 Disadvantaged Unincorporated Communities

The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence

The UVFD includes three Census tracts. The MHI for these three tracts is \$57,344 (Tract 109), \$46,234 (Tract 113), and \$70,536 (Tract 117). Tracts 109 and 113 qualify as DUCs individually, and the average of these three tracts is \$58,038, which is below 80% of the State MHI of \$60,188. The City of Ukiah has an MHI of \$49,889, which is also less than 80% of the State MHI, but the City does not qualify as a DUC because it is an incorporated area. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GC §56375(8)(A) and LAFCo Policy. The District does not provide water or wastewater services and is therefore not responsible for ensuring that these services are adequately provided to the community.

5 REFERENCES

- California Department of Finance. 2021. "Projections." [Online]. Available at: <https://www.dof.ca.gov/forecasting/demographics/projections/>. Accessed August 2, 2021.
- California Department of Transportation (Caltrans). 2017. Mendocino County Economic Forecast. [Online]. Available at: http://www.dot.ca.gov/hq/tpp/offices/eab/socio_economic_files/2017/Mendocino.pdf. Accessed December 10, 2018.
- Grebil, Dan (Fire Authority Administrator, Ukiah Valley Fire Authority). June 19, 2018. Personal Communication.
- LAFCo, Mendocino Local Agency Formation Commission. May 6, 2013. Municipal Service Review Ukiah Valley Special Districts. [Online]. Available at: https://www.mendolafco.org/files/5b57f3724/Ukiah+Valley+Special+Districts+APPROVED+MSR+05-16-13_FULL.pdf. Accessed August 18, 2021.
- LAFCo, Mendocino Local Agency Formation Commission. November 5, 2018. Policies & Procedures Manual. [Online]. Available at: <http://mendolafco.org/wp-content/uploads/2018/11/FINAL-Adopted-Mendo-LAFCo-PP-Manual-2018-1.pdf>. Accessed December 13, 2018.
- Mendocino, County of. 2017. Full Text of Measure B. [Online] Available at: <https://www.mendocinocounty.org/home/showpublisheddocument/10497/636397951966270000>. Accessed on July 30, 2021.
- Mendocino, County of. August 2, 2011. Ukiah Valley Area Plan. [Online]. Available at: <https://www.mendocinocounty.org/government/planning-building-services/plans/ukiah-valley-area-plan>. Accessed August 1, 2021.
- 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.
- National Fire Protection Association (NFPA). 2010. NFPA 1720 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments, 2010 Edition. [Online]. Available at: <https://www.nfpa.org/Codes-and-Standards/ARCHIVED/Safer-Act-Grant/NFPA-1720>. Accessed April 10, 2018.
- PMC. September 2008. County of Mendocino General Plan Update Draft Environmental Impact Report, Section 4.9: Land Use. Prepared for County of Mendocino.

- Ukiah, City of (Ukiah). August 24, 2017. Resolution 2017-41: Resolution Authorizing the Mayor to Execute a Joint Powers Agreement with the Ukiah Valley Fire District for Shared Management of Fire Services. August 24, 2017.
- . May 9, 2018. Ukiah Valley Fire District Board of Directors Regular Meeting Agenda for May 9, 2018. [Online] Available at <https://cityofukiah.app.box.com/v/UVFDagendas/file/291267759569>. Accessed July 29, 2021.
- . 2019a. Budget in Brief: Ukiah Valley Fire Authority: A Joint Venture Between the City of Ukiah and the Ukiah Valley Fire District. [Online] Available at: <https://stories.opengov.com/ukiahca/published/piymHfwB->. Accessed on July 30, 2021.
- . 2019b. October 23, 2019. Ukiah General Plan, Land Use Element, Amended. [Online]. Available at: http://www.cityofukiah.com/NewWeb/wp-content/uploads/2012/12/Land-Use-Element-1995_Amended-2019.pdf. Accessed July 30, 2021.
- . 2019c. Ukiah Valley Fire Authority. [Online]. Available at: <https://stories.opengov.com/ukiahca/published/Y7T7IZzkj>. Accessed July 29, 2021.
- . 2019d. Ukiah Valley Fire Authority: Special Report for the Ukiah Valley Fire District. [Online] Accessed on July 30, 2021. Available at: <https://stories.opengov.com/ukiahca/published/X05f3cu4N>
- . 2020. Ukiah Valley Fire Authority: Special Report for the Ukiah Valley Fire District. [Online] Accessed on July 30, 2021. Available at: <https://stories.opengov.com/ukiahca/published/3vuNUgwii>. Accessed on July 30, 2021.
- . 2021a. Budget in Brief 2020-21: Ukiah Valley Fire Authority: A Joint Venture Between the City of Ukiah and the Ukiah Valley Fire District. [Online] Available at: <https://stories.opengov.com/ukiahca/published/AEq2mPRtX>. Accessed July 5, 2021.
- . 2021b. Consolidated Fire Services. [Online] Available at: <http://www.cityofukiah.com/projects/consolidated-fire-services/>. Accessed July 5, 2021.
- . 2021c. Explorer Scouts. [Online] Available at: <http://www.cityofukiah.com/explorer-scouts/>. Accessed July 10, 2021.
- . 2021d. Fire Department History. [Online]. Available at: <https://www.cityofukiah.com/fire-department-history/>. Accessed July 17, 2021.
- . 2021e. Mission Statement. [Online]. Available at: <http://www.cityofukiah.com/mission-statement/>. Accessed July 17, 2021.
- . 2021f. Non-Major Funds: Fiduciary: Ukiah Valley Fire District. [Online]. Available at: <https://stories.opengov.com/ukiahca/published/k79DNRM1t>. Accessed on July 30, 2021.
- . 2021g. Ukiah Valley Fire Authority. [Online]. Available at: <https://stories.opengov.com/ukiahca/published/Y7T7IZzkj>. Accessed July 17, 2021.

- . 2021h. Ukiah Valley Fire Authority: Special Report for the Ukiah Valley Fire District. <https://civicclerk.blob.core.windows.net/stream/UKIAHCA/ea2e0772f3.pdf?sv=2015-12-11&sr=b&sig=u5YAbrmYdCmKCjF2YO1jM%2Fb1xwPlieAG7jIT2OVumsI%3D&st=2021-07-30T01%3A58%3A08Z&se=2022-07-30T02%3A03%3A08Z&sp=r&rsc=cache&rsct=application%2Fpdf>
- . 2021i. Ukiah Valley Fire District. [Online]. Available at: <https://www.cityofukiah.com/uvfd/>. Accessed July 16, 2021.
- . 2021j. Volunteer Program. [Online] Available at: <http://www.cityofukiah.com/volunteer-program/>. Accessed July 10, 2021.
- . 2021k. Who We Are. [Online] Available at: <http://www.cityofukiah.com/uvfa-who-we-are/>. Accessed August 3, 2021.
- Ukiah Daily Journal. June 13, 2014. Burning Issues – Ukiah Valley Fire Authority. [Online]. Available at: <https://www.ukiahdailyjournal.com/2014/06/13/burning-issues-ukiah-valley-fire-authority/>. Accessed July 1, 2021.
- Ukiah Valley Fire District (UVFD). 2018a. February 6, 2018. Response to Request for Information, 2016 Fire District Sphere of Influence Update.
- . 2018b. June 15, 2018. Response to Request for Information.
- . June 17, 2020. Amended and Restated Agreement for Shared Management of Fire Departments (“2020 Amended JPA”), between Ukiah Valley Fire District and City of Ukiah.
- . May 19, 2021. The Ukiah Valley Fire Protection District’s Proposed Annexation of the City of Ukiah for Purposes of Fire Services. Justification of Proposal Exhibit A: Plan for Providing Services.
- . August/September 2021 (2021b). Response to Request for Information.
- U.S. Census Bureau (USCB). 2019a. American Community Survey. Table B01003, 2019: ACS 5-Year Estimates Detailed Tables. [Online]. Available at: <https://data.census.gov/cedsci/table?q=population&g=1400000US06045010900,06045011300,06045011700&tid=ACSDT5Y2019.B01003>. Accessed August 2, 2021.
- . 2019b. American Community Survey. Table B19013, Median Household Income in the Past 12 Months, 2019: ACS 5-Year Estimates Detailed Tables. [Online]. Available at: <https://data.census.gov/cedsci/table?q=b19013&g=1400000US06045010900,06045011300,06045011700&tid=ACSDT5Y2019.B19013&hidePreview=true>. Accessed August 2, 2021.
- . 2019c. American Community Survey. Table DP05, 2019: ACS 5-Year Estimates Data Profiles. [Online]. Available at: <https://data.census.gov/cedsci/table?q=population&g=1400000US06045010900,06045011300,06045011700,1600000US0609990&tid=ACSDP5Y2019.DP05>. Accessed August 2, 2021.

- . 2019d. Annual Estimate of the Resident Population for Counties in California: April 1, 2010 to July 1, 2019. [Online]. Available at: <https://www.census.gov/data/tables/time-series/demo/popest/2010s-counties-total.html>. Accessed August 2, 2021.
 - . 2019e. Vintage Population Estimates. [Online]. Available at: <https://www.census.gov/search-results.html?searchType=web&cssp=SERP&q=mendocino%20county%20population>. Accessed August 3, 2021.
 - . 2020. American Community Survey 5-Year Data (2009-2019). [Online]. Available at: <https://www.census.gov/data/developers/data-sets/acs-5year.html>. Accessed August 2, 2021.
 - . 2021. QuickFacts: Ukiah City, California. [Online]. Available at: <https://www.census.gov/quickfacts/fact/table/ukiahcitycalifornia/INC110219>. Accessed August 2, 2021.
- Wikipedia. 2021. Ukiah, California. [Online]. Available at: https://en.wikipedia.org/wiki/Ukiah,_California. Accessed July 17, 2021.

6 ACRONYMS

AOI	Area of Interest
ALS	Advanced Life Support
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
CFM	cubic feet per minute
CIP	Capital Improvement Plan
CKH	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
DAC	Disadvantaged Community
District	Ukiah Valley Fire District
DUC	Disadvantaged Unincorporated Community
EMS	Emergency Medical Services
FEC	Fire Executive Committee
FY	Fiscal Year
GHG	greenhouse gas emissions
GPM	gallons per minute
JPA	Joint Powers Agreement
LAFCo	Local Agency Formation Commission
MCOG	Mendocino Council of Governments
MG	million gallons
MGD	million gallons per day
MHI	median household income
MPO	Metropolitan Planning Organization
MSR	Municipal Service Review
PSI	pounds per square inch
RHNA	Regional Housing Needs Allocation
RTP	Regional Transportation Plan
SB	Senate Bill
SOI	Sphere of Influence
UFD	Ukiah Fire Department
USCB	United States Census Bureau
UVFA	Ukiah Valley Fire Authority
UVFD	Ukiah Valley Fire District

7 ACKNOWLEDGEMENTS

7.1 REPORT PREPARATION

This Municipal Service Review and Sphere of Influence Update was prepared by Hinman & Associates Consulting, Inc., contracted staff for Mendocino LAFCo.

Uma Hinman, Executive Officer
 Larkyn Feiler, Analyst
 Kristen Meadows, Commission Clerk

7.2 ASSISTANCE AND SUPPORT

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

Ukiah Valley Fire Authority	Doug Hutchison, Fire Chief
City of Ukiah	Craig Schlatter, Community Development Director

8 APPENDICES

8.1 APPENDIX A – OPEN GOVERNMENT RESOURCES

The purpose of this appendix is to provide a brief list of some educational resources for local agencies interested in learning more about the broad scope of public interest laws geared towards government transparency and accountability. This appendix is not intended to be a comprehensive reference list or to substitute legal advice from a qualified attorney. Feel free to contact the Mendocino LAFCo office at (707) 463-4470 to make suggestions of additional resources that could be added to this appendix.

The websites listed below provide information regarding the following open government laws: (1) **Public Records Act** (Government Code §6250 et seq.), (2) **Political Reform Act** – Conflict-of-Interest regulations (Government Code §81000 et seq.), (3) **Ethics Principles and Training** (AB 1234 and Government Code §53235), (4) **Brown Act** – Open Meeting regulations (Government Code §54950 et seq.), and (5) **Online Compliance** regulations (Section 508 of the US Rehabilitation Act and Government Code §11135).

- Refer to the State of California Attorney General website for information regarding public access to governmental information and processes at the following link: <https://oag.ca.gov/government>.
- Refer to the State of California Attorney General website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <https://oag.ca.gov/ethics>.
- The Fair Political Practices Commission (FPPC) is primarily responsible for administering and enforcing the Political Reform Act. The website for the Fair Political Practices Commission is available at the following link: <http://www.fppc.ca.gov/>.
- Refer to the California Department of Rehabilitation website for information regarding Section 508 of the US Rehabilitation Act and other laws that address digital accessibility at the following link: <http://www.dor.ca.gov/DisabilityAccessInfo/What-are-the-Laws-that-Cover-Digital-Accessibility.html>.
- Refer to the Institute for Local Government (ILG) website to download the Good Governance Checklist form at the following link: www.ca-ilg.org/post/good-governance-checklist-good-and-better-practices.
- Refer to the Institute for Local Government (ILG) website to download the Ethics Law Principles for Public Servants pamphlet at the following link: www.ca-ilg.org/node/3369.
- Refer to the Institute for Local Government (ILG) website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <http://www.ca-ilg.org/ethics-education-ab-1234-training>.
- Refer to the California Special Districts Association (CSDA) website for information regarding online and website compliance webinars at the following link: <http://www.csda.net/tag/webinars/>.

8.2 APPENDIX B – WEBSITE COMPLIANCE HANDOUT

Refer to the next page.

DRAFT

Appendix B

California Website Compliance Checklist

Use this checklist to keep your district's website compliant with State and Federal requirements.

Public Records Act

SB 929

Our district has created and maintains a website

Passed in 2018, all independent special districts must have a website that includes contact information (and all other requirements) by Jan. 2020

SB 272

Our Enterprise System Catalog is posted on our website

All local agencies must publish a catalog listing all software that meets specific requirements—free tool at getstreamline.com/sb272

AB 2853 (optional):

We post public records to our website

This bill allows you to refer PRA requests to your site, if the content is displayed there, potentially saving time, money, and trees

The Brown Act

AB 392:

Agendas are posted to our website at least 72 hours in advance of regular meetings, 24 hours in advance of special meetings

This 2011 update to the Act, originally created in 1953, added the online posting requirement

AB 2257:

A link to the most recent agenda is on our home page, and agendas are searchable, machine-readable and platform independent

Required by Jan. 2019—text-based PDFs meet this requirement, Microsoft Word docs do not

State Controller Reports

Financial Transaction Report:

A link to the Controller's "By the Numbers" website is posted on our website

Report must be submitted within seven months after the close of the fiscal year—you can add the report to your site annually, but posting a link is easier

Compensation Report:

A link to the Controller's PublicPay website is posted in a conspicuous location on our website

Report must be submitted by April 30 of each year—you can also add the report to your site annually, but posting a link is easier

Healthcare District Websites

AB 2019:

If we're a healthcare district, we maintain a website that includes all items above, plus additional requirements

Including budget, board members, Municipal Service Review, grant policy and recipients, and audits

Open Data

AB 169:

Anything posted on our website that we call "open data" meets the requirements for open data

Defined as "retrievable, downloadable, indexable, and electronically searchable; platform independent and machine readable" among other things

Section 508 ADA Compliance

CA gov code 7405:

State governmental entities shall comply with the accessibility requirements of Section 508 of the federal Rehabilitation Act of 1973

Requirements were updated in 2018—if you aren't sure, you can test your site for accessibility at achecker.ca



California Special Districts Association
CSDA
Districts Stronger Together



STREAMLINE
Website compliance made easy

The Brown Act: new agenda requirements

Tips for complying with AB 2257 by January, 2019

Placement:

What it says: An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda.

What that means: Add a link to the **current agenda directly to your homepage**. It cannot be in a menu item or otherwise require more than a single click to open the agenda.

Exception:

What it says: A link to the agenda management platform may be added to the home page instead of a link directly to the current agenda, if the agency uses an integrated agenda management platform that meets specified requirements, including, among others, that the current agenda is the first agenda available at the top of the integrated agenda management platform.

What that means: If you use an agenda management system, you may add a link to that system directly to your homepage (again, not in a menu item), if the format of the agenda meets the requirements below, and if the current agenda is the first at the top of the list.

Format:

What it says: [agenda must be] Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications. Platform independent and machine readable. Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

What that means: You cannot add Word Docs or scanned (image-based) PDFs of your agenda to your website—Word Docs are not platform independent (the visitor must have Word to read the file), and scanned PDFs are not searchable. Instead, **keep your agenda separate from the packet** and follow these steps:

1. From Word or other document system: Export agenda to PDF
2. Add that agenda to your website (or to your agenda management system), and include a link to that agenda on your homepage
3. Then, you can print the agenda, add it to your pile of documents for the packet, and scan that to PDF - just keep the packet separate from the agenda (only the agenda must meet AB 2257)
4. Keep the link on the homepage until the next agenda is available, then update the link

Questions? Contact sloane@getstreamline.com or dillong@csga.net

MENDOCINO Local Agency Formation Commission

Staff Report

MEETING September 13, 2021
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Applications and Work Load**

RECOMMENDATION

Informational report.

BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 delegates Local Agency Formation Commissions (LAFCo) with regulatory and planning duties to coordinate the logical formation and development of local government agencies. This includes approving or disapproving proposals for reorganizations (i.e., annexations, detachments, dissolutions, etc.), activation of latent powers, sphere of influence amendments, and outside service agreements.

ACTIVE PROPOSALS

Following is a description of the status of each of the proposals currently on file with LAFCo.

Ukiah Valley Fire District Annexation of the City of Ukiah (LAFCo File No. A-2021-02)

On June 29, 2021, LAFCo received a portion of the UVFD's application proposing annexation of the City of Ukiah into the District and a concurrent Sphere Amendment. In recognition of the time sensitive nature of the application, LAFCo staff had agreed to initiate the RTC §99(b) Tax Share Agreement process with the District's submittal of a prima facie application. The deadline for the State Board of Equalization is December 1st of each year in order to process the jurisdictional changes for the year after the following (i.e., complete BOE submittal by December 1, 2021 changes will reflect in the 2023 tax year).

The Notice of Filing that initiates the Tax Share Agreement process was distributed to the County Assessor, Auditor-Controller and CEO on July 2, 2021. The Agency Referral soliciting initial comments from affected agencies was also distributed on July 2nd. County staff are working to get the tax share agreement to the Board of Supervisors as soon as possible so that LAFCo may continue processing of the application.

LAFCo staff has provided an Administrative Draft of the UVFD Municipal Service Review (MSR) to UVFD and City staff for review. The Study will track concurrently with the application.

LAFCo is coordinating with City staff on a weekly basis to facilitate an expeditious process. The target public hearing date is October 4, 2021, so as to meet the Board of Equalization's December 1 deadline for the following tax year. However, LAFCo must have a complete application, including tax share agreement, and issue the Certificate of Filing before the public hearing may be held.

City of Ukiah Annexation of City-Owned Properties (LAFCo File No. A-2021-01)

On February 22, 2021, LAFCo received an application from the City of Ukiah proposing to annex City-owned parcels that are used for government purposes and consisting of approximately 446 acres in total. Parcels include the City's Wastewater Treatment Plant, solid waste transfer station, a portion of the municipal airport and open space. The application referral and notice to the County to initiate the tax share negotiation were routed and comments received. An incomplete letter identifying additional information needs was sent to the City of Ukiah on March 23, 2021. No further information has been received.

City of Ukiah Detachment of UVSD Served Areas (LAFCo File No. D-2020-01)

In April 2020, the City of Ukiah submitted a request to restart a 2014 application for detachment of Ukiah Valley Sanitation District (UVSD) served areas from the City that had been deemed incomplete and placed on-hold by the City in 2015. LAFCo staff responded to the City in May, requiring a new application submittal due to the lapse of time and change in conditions, as well as noting the application as premature pending completion of the UVSD SOI Update. The application will be processed concurrently with the City of Ukiah Municipal Service Review and Sphere of Influence Update. The City submitted an Appeal to the Commission of the Executive Officer's determination that the application is incomplete (letter dated April 26, 2021). The Commission continued the item to June 7, 2021 (Item 5d). The Appeal has been temporarily placed on hold by the City, pending progress on sphere policy amendments that are in process.

City of Fort Bragg Application for an Out of Agency Service Agreement for water services on Minnesota Lane (File No. O-2021-04)

On August 25, 2021, the City of Fort Bragg submitted an application for extending water service to two parcels on Minnesota Lane. The parcels are located outside the City's jurisdiction and within its Sphere of Influence. Both properties are currently served by private wells that have become dry during the current drought. The application is being processed administratively as an urgency health and safety situation.

City of Ukiah Pre-Application for Annexation of Areas North of the City (LAFCo File No. P-2020-02)

Pre-Application request for consultation on the process and potential issues regarding the City's proposal to annex the Brush Street Triangle and Masonite area properties. Staff is coordinating with City staff regarding appropriate process and timing of application processing.

Millview County Water District Pre-Application for Annexation of Masonite Properties (LAFCo File No. P-2020-04)

Pre-Application request for consultation on process and draft documents associated with the MCWD's proposal to annex the Masonite area properties. LAFCo staff have participated in several conference calls with the District and its consultants regarding the proposal and has provided feedback on draft CEQA and application materials.

POTENTIAL FUTURE PROPOSALS

LAFCo staff has been made aware of the following potential future proposals that may come before the Commission for consideration.

City of Ukiah Annexation of Western Hills (Hull Properties)

The City has routed a project referral package stating its intent to acquire and annex approximately 695 acres in the Wester Hills for open space preservation, while allowing the potential for future low density residential development on the approximately 55 easternmost acres, consistent with existing

development in the Western Hills within the City of Ukiah limits. LAFCo received and provided written comments on the project referral in February and a revised referral in March. Staff also provided written comments on the Draft Initial Study/Mitigated Negative Declaration for the project in May. On August 25, 2021, the City of Ukiah Planning Commission considered and recommended to the City Council approval of the Western Hills Open Land Acquisition and Limited Development Agreement Project and adoption of the Draft Initial Study and Mitigated Negative Declaration. The City Council will be considering the project at its September 15, 2021.

Elk Community Services District Activation of Latent Powers for Wastewater Services

The ECSD is preparing an application to activate latent powers for the provision of wastewater services. The District will be assuming ownership and operation of a community leach field within the community of Elk. It is anticipated that the application will be submitted within the next month. Staff has been coordinating with District representatives in development of the application materials.

WORK PLAN

Local policy directs the Commission to annually adopt a Work Plan for purposes of providing a comprehensive overview of municipal service reviews and sphere of influence updates over the course of the fiscal year. This report provides an update on progress made in terms of accomplishing the activities scheduled in the Work Plan. This report also serves to inform the Commission of any changes in circumstances or priorities.

The Fiscal Year 2021-22 Work Plan includes the following agencies:

- Covelo Community Services District - complete
- Ukiah Valley Fire District - complete
- County Service Area 3 – complete
- City of Ukiah – initiate
- Ukiah Valley Sanitation District - initiate

See Attachment 2 Summary Table – Work Plan Tracking and Status.

Attachment 1	Summary Table – Application Activity and Potential Future Proposals
Attachment 2	Summary Table – Work Plan Tracking and Status
Attachment 3	August 2, 2021 Letter to Mendocino County Board of Supervisors regarding CSA 3
Attachment 4	August 25, 2021 Letter to Steve Dunncliff, Mendocino County Deputy CEO

Attachment 1. Summary Table - Application Activity and Potential Future Proposals

APPLICATION ACTIVITY								
<i>Project status as of September 9, 2021</i>								
LAFCo File No.¹	Applicant	Project Name	Date Application Received	Certificate of Filing	LAFCo Hearing Date	Certificate of Completion	BOE Submittal Date	Additional Comments
D-2020-01	Ukiah	City of Ukiah Detachment of UVSD Served Areas	2014; 4/29/2020					Incomplete
P-2020-02	Ukiah	City of Ukiah Pre-Application for Annexation of Areas North of the City	8/12/2020	N/A	N/A	N/A	N/A	Incomplete
P-2020-04	MCWD	Millview County Water District Pre-Application for Annexation of Masonite Properties	10/23/2020	N/A	N/A	N/A	N/A	Incomplete
A-2021-01	Ukiah	City of Ukiah Annexation of City-Owned Properties	3/1/2021					Incomplete
A-2021-02	UVFD	Ukiah Valley Fire District Annexation of the City of Ukiah	6/29/2021					Incomplete; Tax Share Agreement pending
A-2021-04	Fort Bragg	City of Fort Bragg Application for an Out of Agency Service Agreement for water services on Minnesota Lane	8/25/2021					Awaiting deposit
Potential Future Proposals								
N/A	Ukiah	City of Ukiah Annexation of Western Hills (Hull Properties)						City Council considering on 8/15/2021
N/A	ECSD	Elk Community Services District Activation of Latent Powers for Wastewater Services						

¹Key: A – Annexation
 C – Consolidation
 D – Detachment
 F – Formation
 L – Activation of Latent Powers
 O – Out of Agency Service Agreement
 P – Pre-application Review Request
 R – Reorganization

Attachment 2. Summary Table – Work Plan Tracking and Status

FY 2021-22 ESTIMATED WORK PLAN IMPLEMENTATION SCHEDULE AND STATUS						
<i>Work Plan status as of August 2021</i>						
Subject to Change: The estimated schedule and costs for the Fiscal Year 2021-22 Work Plan are subject to change based on agency responsiveness, timely provision of requested information, complexity of issues, level of public and affected agency controversy, and changing needs and priorities.						
CEQA: Based on LAFCo practice, the work plan assumes minimal costs for CEQA compliance related to preparing a Notice of Exemption, unless an agency proposes a non-coterminous SOI and pays for any necessary studies and preparation of a Negative Declaration or Environmental Impact Report.						
Rolling Work Plan: It is difficult to completely contain staff activities in a single fiscal year; therefore, completion of a study may roll over to the next fiscal year. This estimated work plan implementation schedule is intended to enhance communication and transparency.						
Agency	Request for Information	Admin Draft	Public Workshop	Public Hearing	Final Study	Status/Notes
Ukiah Valley Sanitation District	Complete	Pending	TBD	TBD	TBD	The UVSD has provided a response to the Request for Information (RFI) and staff has been collecting available documentation for the MSR/SOI report. Staff has been discussing funding options and timing with UVSD staff. The UVSD Board has provided direction to its staff to work with LAFCo to develop funding terms for consideration by the Board and Commission. LAFCo and District staff are coordinating next steps for the SOI Update. Staff is researching the original UVSD sphere of influence.
City of Ukiah	Pending	Pending	TBD	TBD	TBD	On December 7, 2020, the Commission approved a consultant selection for the City of Ukiah MSR/SOI Update and directed staff to negotiate and execute agreements with the City of Ukiah for funding and the Planwest Partners Team for preparing the City’s MSR/SOI Update. The City has offered to fully fund the Update in order to expedite the process, which would otherwise have required a minimum of two years for LAFCo to fund through its normal budget cycles. An MOU agreement between the City and LAFCo for funding the MSR/SOI Update will need to be developed. LAFCo and City staff and are coordinating the next steps for the SOI Update.
Ukiah Valley Fire District	Complete	Complete	9/13/21	TBD	TBD	The Administrative Draft MSR has been prepared and is being reviewed by UVFD and City staff. The study will track with the

						application for annexation of the City and concurrent Sphere Amendment (LAFCo File No. A-2021-02).
County Service Area 3	In progress	In progress	TBD	TBD	TBD	<p>This will be the first MSR/SOI report for the CSA. Staff is working with County GIS to develop a current map of the CSA and has initiated the Administrative Draft.</p> <p>The County is considering utilizing CSA 3 for a number of local and regional needs including the Sherwood Road secondary access for Brooktrails. The County Board of Supervisors' (BOS) August 3, 2021 agenda included an item to consider establishing a benefit zone for the Sherwood Road secondary access for Brooktrails Township. LAFCo staff submitted a comment letter to the BOS requesting a continuation of the item to allow time to coordinate with LAFCo regarding the current authorized services for CSA 3 (attached).</p>
Covelo CSD	Complete	Complete	7/12/21	9/13/21	TBD	Public hearing noticed for 9/13/21

Attachment 3

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafco.org | Web: http://mendolafco.org

August 2, 2021

Honorable Mendocino County Board of Supervisors
501 Low Gap Road, Room 1010
Ukiah, CA 95482

RE: Request to Postpone Agenda Item 6b and Direct Staff to Coordinate with LAFCo

Dear Board of Supervisors,

I am writing to request that you postpone Agenda Item 6b today related to next steps for implementing the County Service Area 3 Benefit Zone Pilot Program for the Sherwood Road Area and direct County staff to allow time to coordinate with LAFCo regarding the current authorized services for County Service Area (CSA) 3.

As background, LAFCo and County staff worked together in 2019 to maintain CSA 3 as an active district after many years of inactivity and LAFCo budgeted funds to prepare a Municipal Service Review (MSR) and Sphere of Influence (SOI) Plan to confirm the powers, or services, and boundary of this dependent district. The MSR/SOI process was waylaid by COVID-19 as County staff were necessarily focused on the critical service of responding to public health needs from the pandemic. LAFCo has again budgeted for the CSA 3 MSR/SOI process this fiscal year and LAFCo staff efforts are currently underway.

While LAFCo does not have authority over the creation of benefit zones within a CSA pursuant to GOV §25217.3, LAFCo does have authority over the powers, or services, of a CSA pursuant to GOV 25213.5(a). Services must be active in order for zones of benefit to be established for those services. Therefore, we respectfully request time to work with your staff to determine whether the services needed to effectuate the purposes of the CSA 3 Benefit Zone Pilot Program for the Sherwood Road Area first require an application to LAFCo for activation of latent powers.

As an observational note, it appears that this item has been agendized under the business of the Board of Supervisors instead of the CSA 3 Board of Directors. The proposed action we believe must be made by the Board, sitting as the Board of CSA 3.

We look forward to working with your staff to address the current authorized services for CSA 3 and finishing the MSR/SOI for this dependent district this fiscal year. Please feel free to contact me for additional information or with any questions.

Sincerely,



Uma Hinman
Executive Officer

Cc: Carmel J. Angelo, Mendocino County CEO
Howard Dashiell, Mendocino County Department of Transportation

Attachment 4

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center | 200 South School Street | Ukiah, California 95482
Telephone: (707) 463-4470 | E-mail: eo@mendolafco.org | Web: http://mendolafco.org

August 26, 2021

Mr. Steve Dunicliff, Mendocino County Deputy CEO
501 Low Gap Road, Room 1010
Ukiah, CA 95482

RE: County Service Area (CSA) No. 3 – Activation of Powers

Dear Steve,

On August 3, 2021, the Mendocino County Board of Supervisor's agenda included consideration of utilizing County Service Area (CSA) 3 for the Benefit Zone Pilot Program for the Sherwood Road Area. We appreciate the Board continuing the matter to allow time for coordination with LAFCo to determine whether the services needed to effectuate the purposes of the CSA 3 Benefit Zone Pilot Program first require an application to LAFCo for activation of latent powers.

LAFCo Legal Counsel Browne and County Counsel Curtis have discussed CSA 3 with the concurrence that while the County may proceed with planning and design efforts, no construction or assessments may commence until LAFCo has approved an activation of latent powers and established a service area.

LAFCo's authority to establish powers, or services, of a CSA are pursuant to GOV 25213.5(a). Services must be activated in order for the CSA Board to establish zones of benefit for those services. LAFCo staff will work as quickly as possible towards an expeditious processing of an [application](#) to activate the necessary latent powers for CSA 3.

Additionally, LAFCo has budgeted funds to prepare a Municipal Service Review (MSR) and Sphere of Influence (SOI) Plan to confirm the powers, or services, and boundary of this dependent district. The MSR/SOI process was waylaid by COVID-19 as County staff were necessarily focused on the critical service of responding to public health needs from the pandemic. LAFCo has again budgeted for the CSA 3 MSR/SOI process this fiscal year and LAFCo staff efforts are currently underway.

We look forward to working with the County to process an application to activate latent authorized services for CSA 3 and finishing the MSR/SOI for this dependent district this fiscal year. Please feel free to contact me for additional information or with any questions.

Sincerely,



Uma Hinman
Executive Officer

Enc: Application Form
Cc: Carmel Angelo, CEO, Mendocino County
Christian Curtis, County Counsel, Mendocino County
Howard Dashiell, Director, Mendocino County Department of Transportation

MENDOCINO Local Agency Formation Commission

Staff Report

MEETING September 13, 2021
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **CALAFCO Business and Legislative Report**

RECOMMENDATION

Informational report.

DISCUSSION

Staff will provide an overview of CALAFCO Business and legislative activities.

The CALAFCO Annual Conference has been canceled due to ongoing health and safety concerns regarding the pandemic. Moving the program to a virtual format is in process.

The CALAFCO Business Meeting and Board Elections will be held virtually on October 7, 2021. During the August Executive Committee meeting, the Chair selected Commission Mulheren as the voting delegate. At the time, she was the only Commissioner planning to attend the conference.

The CALAFCO Board Meeting will be held on October 8, 2021, information to follow.

Regional Roundtables, which are typically held on the second day of the conference, will be scheduled for a virtual format in December of this year.

Attached are relevant CALAFCO notices and announcements.

Attachment 1 CALAFCO Notice of 2021 Annual Conference Cancellation

Attachment 2 CALAFCO Quarterly Report

Attachment 3 CALAFCO Legislative Report

Hyperlink: [Metamorphosis of Special Districts: Current Methods for Consolidation, Dissolution, Subsidiary District Formation and Merge](#)

September 7, 2021

Dear CALAFCO Membership:

We continue to live in challenging times, dealing with the myriad of disruptive changes thrust upon us and our agencies including navigating our way through the roller coaster ride of the pandemic, the drought, unprecedented heat waves, another record-setting wildfire season, and figuring out how to maintain or increase current services with less resources. We remain proud of you, our members and business partners, who continue to demonstrate courage, resilience and leadership in the face of all these challenges.

As we planned our Annual Conference in Newport Beach for October 6 – 8 this year, and time marched on, it became very clear with only five weeks until the Conference that our registration numbers were going to be at an all-time low, with less than half of our normal attendance. After hearing from many of you, we understand there is hesitancy to travel and gather in large numbers with the various strains of COVID-19 continuing to increase. We are also keenly aware that this year many of you have slashed training and travel in your budgets.

After careful thought and consideration, CALAFCO has decided to cancel this year's in-person Annual Conference which was scheduled for October 6 – 8 in Newport Beach.

The Board met in a special meeting on September 2, 2021 and after considering all the facts (the staff report is posted on the CALAFCO website in the Board of Directors meeting area), unanimously voted to cancel the in-person event this year. The Board of Directors and Executive Director believe CALAFCO has an ethical and corporate responsibility to our members, guests, speakers, and their families. This responsibility includes mitigating as much as possible the spread of the virus and being responsible in our decisions to aid in the containment and protect the health and safety of our members. It also means mitigating any significant financial loss CALAFCO may incur by holding the event.

In addition to our concern for your health and safety, the substantial reduction in attendance would require CALAFCO to withdraw Fund Reserves of over \$33,000 to cover the loss caused by such low registration numbers. At any time, especially in these challenging fiscal times, that is not a responsible financial practice, and we believe we must continue to practice fiscal responsibility as the trusted steward of the Association's finances.

CALAFCO's primary mission is education and providing educational opportunities for our members. The Annual Conference is our signature event and one of the best ways we do that. And, this year is CALAFCO's 50th anniversary. Not holding the event this year is another year away from you, our membership. And we miss you!

We thank those of you who registered or planned to register and attend the Conference. We thank all of you who chose to sponsor this year's Conference. We also thank all our speakers who were busy preparing and working on their presentations. As we take our mission seriously and the program being planned was a good one, we plan to bring as many of those educational and networking opportunities as possible to you in a virtual format.

So, what's next?

CONFERENCE 2021 & 2022

- Staff successfully negotiated moving the 2021 event with the Hyatt Regency Newport Beach John Wayne Airport to next year with no penalty fees, and no increase in the contracted room rate from this year. We will keep the same dates as we had scheduled for 2022 which is October 19 – 21, 2022. The contract for 2022 which was with Tenaya Lodge in Yosemite was successfully moved to 2024 without penalty. Check the CALAFCO website for locations and dates for the next several years.

- We will celebrate CALAFCO's 50th + 1 next year!
- We will work with each of you to refund all registration payments made online in their entirety without any penalties.
- Any registrations received in the mail with a check will be returned (most checks were held and not cashed).
- For any registration checks received that were deposited, a full refund will be issued.
- We will also work with all our sponsors to do the same.
- **All hotel reservations at the Hyatt must be cancelled. You are responsible for cancelling your own reservations, and you are encouraged to do that ASAP to avoid any possible late cancellation fee or no-show charges because this was a detail left undone.**

DELIVERY OF EDUCATION SESSIONS

- Staff is working to schedule planned sessions (with exception of topical roundtables and legislative update) over the course of the next several months (October through January).
- A full schedule will be published as soon as we have confirmation from all our speakers on this change.

ANNUAL BUSINESS MEETING – BOARD ELECTIONS – BOARD MEETING – ACHIEVEMENT AWARDS – REGIONAL ROUNDTABLES

- **The annual business meeting will be held as planned on October 7, 2021 at 9:00 a.m. It will be held virtually. The announcement, agenda and packet for the business meeting will be published shortly.**
- **Board elections will be held by all electronic ballot, just as was done in 2020. Watch for details coming out this week. The election committee will meet virtually October 7, 2021 at 8:00 a.m. to count the votes and certify the election (just before the annual business meeting).**
- **The Board meeting scheduled for in person October 8 at 7:30 a.m. will be held on October 8 at 11:00 a.m. virtually. The meeting agenda and packet will be published towards the end of September.**
- **The Achievement Awards will be presented during the Annual Business meeting on October 7, 2021 at 9:00 a.m.**
- **Regional Roundtables are being scheduled for early December (all LAFCo meeting schedules were checked in this planning). Watch for them to be included in the master program schedule.**

If you have any questions, please contact Executive Director Pamela Miller. You can reach her at pmiller@calafco.org.

On behalf of the Board, we thank you for your understanding, patience and support of the Association. We are proud to be of service to you, our members.

Yours sincerely,



Michael Kelley
Chair of the Board



Pamela Miller
Executive Director

CC: CALAFCO Board of Directors

MEMORANDUM

DATE: September 9, 2021

TO: Member LAFCo Executive Officers
CALAFCO Associate Members

FROM: Pamela Miller, Executive Director

RE: **CALAFCO 2021 Annual Business Meeting Notice and Agenda**

CALAFCO Bylaws (§3.4) require the Association to notify each Member LAFCo and Associate Member of the Corporation of meetings, not less than 30 days prior to that meeting.

NOTICE

The Annual Meeting of the California Association of Local Agency Formation Commissions will be held at 9:00 a.m. on Thursday, October 7, 2021. The Annual Meeting will be preceded by the Election Committee virtual meeting at 8:00 a.m. for the purpose of counting the e-ballots electing members to the Board of Directors. The Annual Meeting will be held virtually via Zoom webinar with access information located at the top of the meeting agenda, which is attached.

CALAFCO Bylaws (§3.7.1) also require each Member LAFCo designate in writing their voting delegate prior to or at the meeting. If you have not done so, please e-mail the name of your delegate to the Executive Director prior to the meeting. An updated list of voting delegates is being maintained in the members section of the website.

Thank you for sharing and discussing this information with your Commission. Please contact me with questions or for additional information.

CALAFCO 2021 Annual Meeting

Thursday, October 7, 2021

ANNUAL MEETING

9:00 a.m. to 11:00 a.m.

Virtual via Zoom Webinar

<https://us02web.zoom.us/j/86955254717?pwd=N2xyWXNKZStVenBpbER0emJuczJ6Zz09>

Passcode: 449731

Phone: 669-900-6833

ANNUAL MEETING AGENDA

1. Call to Order/Roll Call of Member LAFcos Michael Kelley, Chair
2. Approve Minutes from the October 31, 2019 CALAFCO Business Meeting at the Hyatt Regency, Sacramento, CA.
3. Introduction of Board Members elected by e-ballot Gay Jones
Elections Committee Chair
4. Election for any at-large seats to the Board of Directors Gay Jones
Elections Committee Chair
 - 4.1. Nominations from the Floor
 - 4.2. Candidates Forum
 - 4.3. Voting Process
5. Acknowledgement of Associate Members Pamela Miller, Executive Director
6. Report from the Board of Directors on significant Association activities for 2020-21 Executive Board Members
7. New Business
8. Presentation of Annual Achievement Awards Anita Paque & Josh Susman
Awards Committee Chair & Member
9. Comments from CALAFCO Members
10. Announcements

Adjourn to the 2022 Annual Business Meeting, Thursday, October 20, 2022, at 9:00 a.m. at the Hyatt Regency Newport Beach John Wayne Airport, CA.

A message from the Executive Director

Greetings from your CALAFCO Board of Directors and Executive Director. It's summer and a hot one it is.

As the drought continues, wildfires begin to rage, and we continue to deal with the pandemic, we hope everyone is staying healthy and safe

This Third Quarterly Report of 2021 will begin by highlighting the news in our CALAFCO family first, followed by Association updates. Happy reading!

LAFcos in the News

Congratulations on these retirements

We want to congratulate two long-time LAFCo leaders on their retirements. Their contributions to CALAFCO and to LAFcos statewide are far too numerous to list here. Needless to say, they both leave huge shoes to fill and will be greatly missed. We wish them both all the best in their retirement!



After a 33-year career in local government, **Don Lockhart**, Sacramento LAFCo Executive Officer, retired at the end of July. Don began his local government career in Calaveras, then after 12 years at the City of Sacramento (where he processed his first annexation), he joined the Sacramento LAFCo team in

2002. Don became the Executive Officer in 2017. Don also served as CALAFCO Deputy Executive Officer in 2008 and 2011.

Also calling it time to retire this month is Placer LAFCo Executive Officer **Kris Berry**. Her local government career began 36 years ago in Monterey County as a Planner, and after 17 years she joined the Monterey LAFCo team. She's been the Placer LAFCo EO for well over 16 years. Kris also served as CALAFCO Deputy Executive Officer in 2016-17.



Napa LAFCo moved offices



Napa LAFCo recently moved offices. The new address is 1754 Second Street, Suite C, Napa, CA 94559. Executive Officer **Brendon Freeman** thanks **Kathy Mabry**, Commission

Secretary, who he says, "Did most of the heavy lifting in terms of finding the office and coordinating moving logistics".

Sacramento LAFCo Welcomes New Executive Officer

Sacramento LAFCo announced the hiring of **José Henríquez** as the new Executive Officer. Most recently, José was the Executive Officer of El Dorado LAFCo.

El Dorado LAFCo Announces Interim Executive Officer

Erica Sanchez has transitioned to the Interim EO position for El Dorado LAFCo, with the departure of José.



CALAFCO Educational Events

MARK YOUR CALENDARS FOR THESE UPCOMING CALAFCO EDUCATIONAL EVENTS!

CALAFCO 2021 ANNUAL CONFERENCE

Join us **October 6-8** at the **Hyatt Regency Newport Beach John Wayne Airport** for the 2021 Annual Conference. It's been so long since we've gathered in person and the time is finally here! All Conference details including info about the program, registration and hotel reservations can be found on the CALAFCO website at www.calafco.org.



Deadline to register for the Conference is September 17 and hotel reservation cutoff date is September 6.

CALAFCO UNIVERSITY

We are pleased to continue offering webinars at no cost to our members. During the month of August we are featuring a very special 4-part series on **Fire and EMS Agencies: Basics, Challenges and LAFcos' Role & Responsibility**. The first three sessions feature diverse and highly experienced panels that are focusing on the various service models and types of services offered by these unique agencies, how to conduct a thorough evaluation of services, and what's involved in changing contracts (\$56134). The final session will present three very different case studies from urban, suburban and rural LAFcos.



Join us on September 1 for another session on *Forming a CSD*. Details for all CALAFCO University courses are on the CALAFCO website.

CALAFCO Board of Directors

CALAFCO BOARD ACTIONS

The Board met virtually on July 30 with a full agenda. Under the leadership of *Chair Mike Kelley*, the Board took a number of actions.



- ✓ **The FY 2020-21 final year-end budget was presented.** The Board received the year-end fiscal report which includes a net balance of \$69,986. For the first time, CALAFCO had to sustain itself solely on member dues as there was no Staff Workshop, Conference or CALAFCO U revenue. Savings were realized in many operational areas.
- ✓ **Updated Policies for Sections III and IV of the current CALAFCO Policies were adopted.** One of the goals for 2021 is to conduct a comprehensive review of CALAFCO Policies, considering two sections per quarter. This is the second of a three-phase update process. The updated policies can be found on the CALAFCO website.
- ✓ **Associate member survey was presented.** CALAFCO recently conducted a survey of our Associate members to get feedback on membership services provided and how we can enhance our partnership value with them. Staff will continue to gather information from our Associate members as we work towards revitalizing and enhancing that program.
- ✓ **The Board received the Legislative Committee report and began discussion on legislative priorities for 2022.** An update on current legislative matters was provided, followed by a discussion about potential legislative priorities for 2022. The Board considered the extension of service proposal it tabled for 2021 and committed to revisit for 2022, along with supporting moving forward the consolidated language of existing protest provisions and an Omnibus bill.

Last quarter we reported to you on the Board's approval of CALAFCO filing an amicus letter to the CA Supreme Court requesting they review the decision in the case of *San Luis Obispo Local Agency Formation Commission v. City of Pismo Beach*. The letter was filed and the Court denied the request to review the decision, and further denied the request to de-publish the decision. While the Board acknowledges this is an important and unfavorable decision for LAFCoS, there is mixed sentiment amongst LAFCoS as to the overall impact of this decision. As a result, there will be

discussion of the matter during the Annual Conference at the legal counsel roundtable and during a topical roundtable breakout session.

- ✓ **Several other reports were received.** Including Elections Committee, Awards Committee, a CALAFCO U update and an update on the Conference.

All Board meeting documents are on the CALAFCO website.

CALAFCO Administrative Update

A reminder to all our members that September 1 is the deadline to remit your CALAFCO dues for FY 2021-22. We are pleased to report that all Associate Members have been transitioned to a FY cycle rather than calendar year cycle and thank them for their patience during that transition.



CALAFCO Legislative Update



This is the first year in the two-year legislative cycle, and wow has it been a busy one so far for CALAFCO.

This year, 2,721 bills were introduced which is about the average number. However, complicating the legislative process this year is the fact the Legislature has compressed their hearing schedule due to a shortage of hearing rooms that allow for social distancing. This means there is not the normal timeframe to negotiate amendments before bills get heard in committee and legislators are being required to seriously prioritize their bills for passage. (Only 12 bills per author were allowed to move from their house of origin to the other house.)

The Legislature returns from summer recess on August 16 and there will be the last minute flurry of amendments and pushing bills through the pipeline. Looming deadlines include: August 27 - last day for fiscal committees to meet and push out bills; September 3 - last day to amend bills on the floor; and September 10 - last day for the Legislature to pass bills. The last day for the Governor to sign bills is October 10, 2021.

This year, more than in past years, CALAFCO has been called on to work with legislators, their staff, and stakeholders in crafting amendments to bills. CALAFCO staff has done a large amount of negotiation on current



and potential legislation, beginning last November and continuing today.

This year alone, four subcommittees were created to work on various bills, including the Caballero water authority bill (never introduced), AB 1195 (C. Garcia), SB 403 (Gonzalez) and SB 96 (Dahle). CALAFCO wishes to thank all the Legislative Committee and Advisory Committee volunteers, and also those who serve on these various subcommittees.

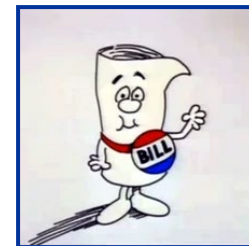
We are currently tracking 33 bills. Here are a few of the bills of importance we are tracking or have worked on:

- ✓ **AB 1581 (Assembly Local Government Committee Omnibus) CALAFCO Sponsor.** The annual Omnibus bill authored by the Assembly Local Government Committee (ALGC) and sponsored by CALAFCO was first introduced on March 9, 2021 and contained four proposals. Amended on April 19, the bill added two proposals originally approved by the Committee that required extended stakeholder review, and seven additional items that were a product of the Protest Working Group, eliminating obsolete special provisions. In total, the Omnibus bill this year contains thirteen (13) proposals. *The bill was signed into law by the Governor on June 28, 2021.*
- ✓ **AB 1195 (C. Garcia) CALAFCO Watch With Concerns.** Drinking water. Creates the So LA County Human Rights to Water Collaboration Act and gives the Water Board authority to appoint a Commissioner to oversee the Central Basin Municipal Water District. CALAFCO worked extensively with staff from both the author and Speaker's offices, as well as other stakeholders on crafting amendments that include a special pilot program for LA LAFCo. The bill passed the Assembly but given substantial pushback from stakeholders, it was *held over in the Senate as a two-year bill.*
- ✓ **SB 403 (Gonzalez) CALAFCO Neutral.** Drinking water consolidation. Authorizes the Water Board to order consolidation where a water system serving a disadvantaged community is an at-risk water system, as defined, or where a disadvantaged community is substantially reliant on at-risk domestic wells, as defined. All three of our requested amendments were accepted by the author and we removed our opposition as a result. After undergoing three rounds of amendments since introduction, the bill passed the Senate and is in the *Assembly Appropriations Suspense file.*
- ✓ **AB 897 (Mullin) CALAFCO Support.** Regional Climate Networks. The bill builds on existing programs through the Governor's Office of Planning and Research (OPR) by promoting regional collaboration in climate adaptation and resilience planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region. CALAFCO requested an amendment to explicitly state LAFCos are eligible entities for

participation in the regional climate networks, which was accepted. *The bill is now awaiting hearing in Senate Appropriations.*

All bills being tracked by CALAFCO can be found on the CALAFCO website inside the Legislation section of the site (log in with your member id first to access this section). CALAFCO's position on all bills is reflected there, and any letters issued by CALAFCO are posted. The CALAFCO Legislative Committee meets regularly and all meeting materials are located in the Legislation section of the CALAFCO website.

Watch for solicitation of legislative proposals for 2022 coming soon!



CALAFCO Associate Members' Corner



This section is dedicated to highlighting our Associate Members. The information below is provided to CALAFCO by the Associate member upon joining the Association. All Associate member information can be found in the CALAFCO Member Directory.

Economic & Planning Systems (EPS)

EPS is an urban economics consulting firm specializing in governance analysis; LAFCo special studies and service reviews; tax sharing; annexation; incorporation, and reorganization feasibility; fiscal analysis; public finance; demographic and regional forecasting. **EPS** has been an Associate member since June 2005. Learn more about **EPS** and their services at www.epsys.com, or contact **Ashleigh Kanat** at akanat@epsys.com.





Goleta West Sanitary District

A Silver Associate Member since August 2011, **Goleta West Sanitary District** provides wastewater collection and treatment as well as street sweeping services. Formed in 1954, the district serves over 35,000 people. For more information, visit their website at www.goletawest.com, or email their General Manager **Mark Nation** at info@goletawest.com.



LACO Associates

LACO Associates has been a Silver Associate Member since February 2012. **LACO** provides integrated solutions for development, infrastructure and geo-environmental projects. Their services include planning, design, engineering and geo-environmental as well as CEQA compliance, GIS, MSRs and economic studies. For more information visit their website at www.lacoassociates.com, or email **Kevin Doble** at doblek@lacoassociates.com.



Griffith, Masuda & Hobbs

Griffith, Masuda & Hobbs has been a Silver Associate Member since March 2012. Founded in 1920, they specialize in water, energy, environmental and public law matters. They focus on serving public agencies and serve as general counsel or special water counsel to various agencies in the Central Valley. For more information, visit their website at www.calwaterlaw.com or email **David Hobbs** at dhobbs@calwaterlaw.com.

HdL Coren & Cone

HdL Coren & Cone has been a Silver Associate Member since July 2013. They assist local agencies by using property tax parcel data for developing specialized data reports, focused economic development strategies and revenue projections. HdLCC provides services to cities, counties and special districts in the state. For more information, visit them at www.hdlcompanies.com, or email **Paula Cone** at pcone@hdlccpropertytax.com.

Planwest Partners, Inc.

Planwest Partners Inc. has been a Silver Associate Member since August 2014. They provide contract LAFCo staffing services to multiple LAFCos. This includes preparing and conducting MSRs and SOI updates, public noticing, environmental documents, GIS, fiscal and economic studies, website management, application processing, facilitation and training. For more information, visit them at www.planwestpartners.com, or email **George Williamson** at georgew@planwestpartners.com.



CALAFCO wishes to thank all of our Associate Members for your ongoing support and partnership. We look forward to continuing to highlight you in future Quarterly Reports. Look for our next update to include short interviews featuring our Associate Members.

Did You Know??

Meeting Documents Online

Did you know that all **CALAFCO Board of Directors and Legislative Committee meeting documents are online?** Visit the Boards & Committees pages in the Members Section of the site. Board documents cover 2008 to present and Legislative Committee documents span 2007 to present.



CALAFCO Webinars & Courses Archived

Did you know that all **CALAFCO Webinar recordings are archived on the CALAFCO website and available at no cost for on-demand viewing?** Visit the CALAFCO website in the CALAFCO Webinars section (log in as a member first). There are now 30 CALAFCO U courses archived, and 8 webinars are archived and available for on-demand viewing.



IMPORTANT REMINDERS

Deadline to submit Achievement Award nominations is August 13, 2021 at 3:00 p.m.

Deadline to submit Board election nomination packets is September 7, 2021 at 5:00 p.m. and requests for absentee ballots must be received by September 7, 2021 at 5:00 p.m.

Mark Your Calendars For These Upcoming CALAFCO Events

- ❖ CALAFCO U webinar on Fire/EMS Agency series – 8/16, 8/23 and 8/26
- ❖ CALAFCO U webinar on Forming a CSD – 9/1
- ❖ CALAFCO Leg meeting – 9/10 (virtual)
- ❖ CALAFCO Annual Conference – 10/6 – 10/8 (Newport Beach)
- ❖ CALAFCO Board Meeting – 10/8 (Newport Beach)
- ❖ CALAFCO Leg meeting – 10/22 (location TBD)



The **CALAFCO 2021 Calendar of Events** can be found on the CALAFCO website.



CALAFCO Daily Legislative Report as of Thursday, September 09, 2021

1

[AB 339](#) (Lee D) Local government: open and public meetings.

Current Text: Amended: 9/3/2021 [html](#) [pdf](#)

Introduced: 1/28/2021

Last Amended: 9/3/2021

Status: 9/7/2021-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

Calendar:

9/9/2021 #110 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary:

The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Under existing law, a member of the legislative body who attends a meeting where action is taken in violation of this provision, with the intent to deprive the public of information that the member knows the public is entitled to, is guilty of a crime. This bill would require local agencies to conduct meetings subject to the act consistent with applicable state and federal civil rights laws, as specified.

Attachments:

[AB 339 Fact Sheet](#)

Position: Watch

Subject: Other

CALAFCO Comments: This bill allows for continued remote participant in local (and state) hearings/meetings while adding requirements for both call-in and internet service based options for all public meetings; requires providing closed caption services; and requires agencies to provide language access services. The bill requires teleconferenced meetings to include an in-person public comment opportunity that creates a place where members of the public can gather at a designated site to give public comment (barring any in-person restrictions). Further, the bill requires the agenda and instructions for accessing the meeting to be translated into all languages for which 5% of the population in the area governed by the local agency is a speaker.

The bill adds requirements for local agencies to employ a sufficient amount of qualified bilingual people to provide translation services during the meeting in the language of the non-English speaking person (consistent with all languages for which 5% of the population in the area governed by the local agency speak). The bill adds similar requirements for any state legislative body. All of these new requirements are unfunded mandates.

This bill is sponsored by the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

The bill was significantly amended on 4-15-21. These amendments removed all state requirements as noted above. Further, they require public participation by phone or internet (with video/audio), and allow agencies to create a registration process for public comments so long as people can register to speak via phone and in person.

The amendments remove the blanket requirement to translate the agenda and meeting access information and makes those an on-request requirements. The amendments also remove the blanket requirement for agencies to have sufficient qualified bilingual translators during meetings and changes that requirement to on-request, and requires agencies to make public the process to make such a request.

All requirements remain unfunded mandates.

Amended on 5-4-21 as a result of the ALGC hearing, this version of the bill now:

- Limits the bill's applicability to the meetings of city councils and county boards of supervisors only, the jurisdictions of which contain a population of at least 250,000 people;

- Requires public access via telephone OR internet (not both);
- Removes language requiring two-way operability for internet;
- Removes all language translation requirements;
- Removes language allowing local agencies to require members of the public to register in order to provide public comment;
- Removes language allowing teleconferencing to be used by members of the legislative body (to avoid inadvertently precluding the use of teleconferencing by the public);
- Refines language referring to "all meetings" to state "all open and public meetings" (to ensure closed sessions are not subject to the provisions of the bill);
- Restores current law allowing public comment before an agenda item is taken up; and,
- Adds a sunset date of December 31, 2023.

As amended 6/25/21 - The bill requires a city or county with over 250,000 to conduct public meetings with a two-way telephone or internet option for the public. It also requires them, if as of 6-15-21 the agency has provided video streaming of their public meetings, to continue to do so. Also requires the agency to provide in-person public comment unless the law prohibits in-person gatherings.

The 7/5/21 amendment specifies that the agency shall continue to provide streaming if they have conducted at least one (not all) meeting in that manner as of 6-15-21.

The amends of 8/25/21 are related to chaptering with AB 361.

UPDATE: Amendments from 9/3 are minor and technical in nature.

AB 361 (Rivas, Robert D) Open meetings: state and local agencies: teleconferences.

Current Text: Amended: 9/3/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Last Amended: 9/3/2021

Status: 9/7/2021-Read second time. Ordered to third reading. Re-referred to Com. on RLS pursuant to Senate Rule 29.10 (b). From committee: Be re-referred to Com. on JUD. Re-referred. (Ayes 5. Noes 0.) (September 7). Re-referred to Com. on JUD.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

9/9/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE JUDICIARY, UMBERG, Chair

Summary:

Would, until January 1, 2024, authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

Attachments:

[CALAFCO Support July 2021](#)

[AB 361 Fact Sheet](#)

Position: Support

Subject: Brown Act

CALAFCO Comments: Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that certain requirements are met (noticing, public access, etc.). This bill allows a local agency to conduct meetings using teleconference methods without complying with certain teleconferencing requirements if they are meeting for the purposes of declaring or ratifying a local emergency, during a declared state or local emergency (as defined in statute), when state or local health officials have imposed or recommended certain measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

The legislative body must give notice of the meeting and post agendas to allow members of the public to access the meeting and address the legislative body, offer public comment, and protect

rights of the parties and public appearing before the legislative body. The bill also rescinds the requirement that at least a quorum of the body must meet within the jurisdictional boundaries of the agency under these circumstances when meeting via telecon.

As amended on 4/6/21, the bill now specifies that the new statute can be applied if meeting in person presents imminent risk to the health & safety of attendees; Requires the agenda to provide opportunity for anyone to attend via call-in or internet option; should there be a service disruption that prevents remote public participation, the agency must take no further action on any agenda item until service is restored; the agency cannot require submittal of public comments in advance of the meeting; and requires the legislative body, every 30 days after the initial declaration of emergency, should the emergency remain active, to make certain findings that the emergency still exists and prevents in-person meetings.

As amended on 5-10-21, the amendments tighten restrictions for in-person meetings to only the determination that meeting in person presents imminent risk to the health and safety of attendees (removing the option to consider if attendance by one of more members of the legislative body is hindered).

As amended 7/6/21, the bill now only applies to state declared emergencies; adds specific requirements for making accommodations for various types of public comment processes during local government meetings; adds a sunset date of 1-1-24; and allows agencies to use telecon methods to meet and specifies requirements for those meetings.

UPDATE: The amendment of 8/31/21 adds an urgency clause which means there will be little to no break in the Governor's Executive Order for meeting remotely. The amendments of 9/3/21 add 89305.6 to the Education Code and 11133 to the Government Code to cover Boards of Education and state meetings.

This bill is sponsored by the CA Special Districts Association (CSDA). The bill is not marked fiscal. A fact sheet is posted in the tracking section of the bill.

AB 703 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Amended: 4/29/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Last Amended: 4/29/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 2/25/2021)(May be acted upon Jan 2021)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

Summary:

Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act’s requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction.

Position: Watch

Subject: Brown Act

CALAFCO Comments: As amended on 4/29/21, the bill requires local agencies to allow for public participation during meetings of the legislative body both at in-person and via a call-in or internet-based option. It further requires that if the agency holds a teleconference meeting, at least a quorum of the governing body shall participate in person from a single location which shall be open to the public (and located within the boundaries of the jurisdiction).

Despite these requirements, the bill is not marked fiscal. Further, it applies only to local agencies, not state agencies.

The bill is sponsored by Three Valleys Municipal Water Agency.

AB 1195 (Garcia, Cristina D) Drinking water.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/24/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was N.R. & W. on 6/9/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law authorizes the state board to provide for the deposit into the fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would prohibit a public water system from transferring or abandoning a water right held by the public water system except upon approval of the state board, as prescribed.

Attachments:

[CALAFCO Letter of Concern - April 2021](#)

[AB 1195 Fact Sheet](#)

Position: Watch With Concerns

Subject: Water

CALAFCO Comments: As amended on 4-6-21, the bill was gut and amended and now creates the So LA County Human Rights to Water Collaboration Act. It requires the Water Board to appoint a commissioner to implement the Safe & Affordable Funding for Equity & Resilience Program and gives the commissioner certain authorities (although they are not clearly spelled out). It requires the commissioner by 12-31-24 to submit to the Water Board a plan for the long-term sustainability of public water systems in southern LA County and prescribes what shall be included in the plan. The bill also creates a technical advisory board and requires the commissioner to oversee the Central Basin Municipal Water District.

In its current form the bill creates numerous concerns. CALAFCO's letter of concern is posted in the tracking section of the bill, and includes: (1) Focus of the bill is very broad as is the focus of the commissioner; (2) In an attempt to prevent privatization of water systems there is language regarding severing water rights. That language could be problematic should a consolidation be ordered; (3) Diminishing local control that is being invested in the state (an ongoing concern since SB 88); (4) A clear distinction needs to be made between an Administrator and Commissioner; (5) The poorly written section on the technical advisory board; and (6) The lack of LAFCo involvement in any consolidation process.

As amended on 5-24-21, the bill changes the water rights provision now requiring approval by the water Board; uses the definitions of "at risk system" and "at risk domestic well" found in SB 403 (Gonzalez) as well as the 3,300 connect cap; requires the commissioner appointed by the board to be from the local area; requires the commissioner to do certain things prior to completing the regional plan; and requires the commissioner to apply to LA LAFCo for extension of service, consolidation or dissolution as appropriate. The bill also creates a pilot program for LA LAFCo giving them the authority to take action rather than the water board, providing it is within 120 days of receipt of a completed application. If the LAFCo fails to take action within that time, the matter goes to the water board for their action.

The pilot program also gives LA LAFCo the authority to approve, approve with conditions or deny the application; further giving LAFCo authority to consider consolidation or extension of service with a local publicly owned utility that provides retail water, a private water company or mutual; the bill also waives protest proceedings, gives the LAFCo authority to address governance structure and CEQA is waived, provides full LAFCo indemnification and funding.

There are still issues with the proposed technical advisory board section of the bill, and questions about timing of some of the processes. CALAFCO continues to work with the author and speakers' offices as well as other stakeholders on ongoing amendments.

The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill. CALAFCO's letter of concern is also posted there.

THIS IS NOW A 2-YEAR BILL.

AB 1581 (Committee on Local Government) Local government: omnibus.

Current Text: Chaptered: 6/29/2021 [html](#) [pdf](#)

Introduced: 3/9/2021

Last Amended: 4/19/2021

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 31, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law requires a local agency formation commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Current law requires, when a proposed change of organization or reorganization applies to 2 or more affected counties, that exclusive jurisdiction vest in the commission of the principal county, unless certain things occur. This bill would add the determination of a sphere of influence to the types of proposed changes for which exclusive jurisdiction may or may not vest in a principal county.

Attachments:

- [LAFCo Template Request Gov Signature](#)
- [CALAFCO Request Governor Signature June 2021](#)
- [LAFCo Support letter template](#)
- [CALAFCO Support letter](#)

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the annual ALGC Omnibus bill which CALAFCO sponsors. Sections amended are: 56133(a) and (f); 56325.1 (renumbered to 56331.4); 56427; and 56879(a).

As amended on 4/19, additional sections amended include 56066, 56123, 56124, 56375. Further the bill repeals sections 56375.2, 56387, 56388, 56747, 56760, 57001.1, 57075.5, 57202.1 and 57383.

SB 810 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 6/29/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 36, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the First Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill would declare that it is to take effect immediately as an urgency statute.

Attachments:

- [CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

SB 811 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 6/29/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 37, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the Second Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill would declare that it is to take effect immediately as an urgency statute.

Attachments:

[CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

SB 812 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 6/29/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 38, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the Third Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

AB 1250 (Calderon D) Water and sewer system corporations: consolidation of service.

Current Text: Enrollment: 9/7/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Last Amended: 7/5/2021

Status: 9/7/2021-Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 54. Noes 0.).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Safe Drinking Water Act provides for the operation of public water systems, which include small community water systems, and imposes on the State Water Resources Control Board related regulatory responsibilities and duties. Current law authorizes the state board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2021, would authorize a water or sewer system corporation to file an application and obtain approval from the Public Utilities Commission through an order authorizing the water or sewer system corporation to consolidate with a small community water system or state small water identified as failing or at risk of failing by the state board.

Attachments:

[AB 1250 Fact Sheet 2021](#)

Position: Watch

Subject: Municipal Services, Water

CALAFCO Comments: The intent of the bill is to prescribe response timelines for the PUC in terms of processing consolidations. This bill creates the Consolidation for Safe Drinking Water Act of 2021. The bill allows a water or sewer corp to file an application with the Public Utilities Commission (PUC) to approval to consolidate with a public or state small system. The bill requires the PUC to act on the application within 8 months of receipt. If a consolidation is valued at \$5 million or less, the water or sewer corp can file an advise letter and get the PUC approval via

resolution. In this instance, the PUC has 120 days to act on the request. The bill also give the PUC authority to designate a different procedure to request consolidation for systems valued less than \$5M.

The bill requires the PUC to prioritize consolidation requests based on compliance records and requires the entity requesting consolidation to conduct a thorough public process.

The bill is sponsored by the California Water Association and does not have an impact on LAFCos. Nevertheless, CALAFCO will keep a watch on the bill. A fact sheet is posted in the tracking section of the bill.

The amendments on 5/24/21 establish the Consolidation For Safe Drinking Water Fund, with all moneys available, upon appropriation, going to the PUC in order to process the applications and cover any associated regulatory costs, and requires a water or sewer system corporation to pay a fee of \$10,000 when filing an application pursuant to the above provision and requires the fee to be deposited into the fund.

UPDATE: The 7/5/21 amendments change the type of system focused for consolidation from public to small community. Also adds the ability to consolidate systems to include state small systems, and no longer requires the consolidation to be into a public system. Also extended the PUC timeline to approve or deny an application for consolidation from 8 to 12 months.

SB 403 (Gonzalez D) Drinking water: consolidation.

Current Text: Enrolled: 9/7/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Last Amended: 7/5/2021

Status: 9/2/2021-Assembly amendments concurred in. (Ayes 30. Noes 9.) Ordered to engrossing and enrolling.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would revise those consolidation provisions, including, among other revisions, authorizing the state board to also order consolidation where a water system serving a disadvantaged community is an at-risk water system, as defined, or where a disadvantaged community is substantially reliant on at-risk domestic wells, as defined.

Attachments:

- [CALAFCO Removal of Opposition Letter June 2021](#)
- [CALAFCO Oppose Unless Amended Letter April 2021](#)
- [SB 403 Fact Sheet 2021](#)

Position: Neutral

Subject: Disadvantaged Communities, Water

CALAFCO Comments: Current law (Health & Safety Code Section 116682) authorizes the State Water Resources Control Board (Board) to order consolidation (physical or operational) of a public water system or state small water system serving a disadvantaged community that consistently fails to provide an adequate supply of safe drinking water, or a disadvantaged community (in whole or part) that is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would add to that a water system or domestic well(s) that are at risk of failing to provide an adequate supply of safe drinking water, as determined by the Board. The bill also requires the Board, before ordering consolidation, to conduct outreach to ratepayers and residents served by the at-risk system and to consider any petition submitted by members of a disadvantaged community being served by the at-risk system.

There appears to be several problems with this bill: (1) The bill does not define "at risk" and there is no definition of "at risk" currently in H&S Code Sec. 116681; (2) There is a lack of consultation with GSAs by the State Board when considering ordering consolidation or extension of service; (3) There is no requirement or even consideration for annexation upon extension of service; and (4) there does not appear to be a limitation of the number of connections or the extent to which the system can be extended.

The bill is co-sponsored by the Leadership Counsel for Justice and Accountability, Clean Water Action and Community Water Center. A fact sheet is posted in the tracking section of the bill. CALAFCO's position letter is also posted there.

Specific to SB 403, we requested 3 amendments: (1) Define "at risk"; (2) Add a requirement for the SWRCB to consult with GSAs when considering a domestic well consolidation; and (3) Put a cap on the number of users to be added by the subsuming system or the extent to which the service is being extended. Additionally, CALAFCO recommended a comprehensive review of the current mandatory consolidation process citing a host of issues the current process creates.

As amended on 4/27/21, the bill now defines "at risk system" and "at risk domestic well"; creates an appeal process for potentially subsumed water systems; requires inspection or testing of wells to determine "at risk" status; and allows the Board to prioritize systems historically overburdened by pollution and industrial development or other environmental justice concerns. It also puts a cap of 3,300 or fewer connections on systems that can be subsumed. These amendments address 2 of our 3 requested amendments. We will continue to work with the author on requiring the SWRCB to consult with GSAs on wells.

Amends from 6/8/21 add a requirement for the Water Board to consult with GSAs. This is the last remaining amendment requested by CALAFCO so we have removed our opposition and gone to Neutral. The other amendment in this version simply reorders a subsection with no substantive impacts.

UPDATE: Amended on 7/5, the bill now requires the water board to consult with the potentially receiving water system and adds language that specifies the input allowed by that system (amendments requested by ACWA and granted during the ALGC hearing).

3

AB 11 (Ward D) Climate change: regional climate change authorities.

Current Text: Amended: 1/21/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 1/21/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 1/11/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the Strategic Growth Council, by January 1, 2023, to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.

Attachments:

[AB 11 Fact Sheet](#)

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 1/21/21, this bill authorizes/requires the Strategic Growth Council (SGC) to establish up to 12 regional climate change authorities by January 1, 2023, to include local agencies and regional stakeholders. The SGC is required to adopt guidelines that: (1) Define the authority; (2) Include guidelines for establishing an authority via a stakeholder-driven process; (3) Consult with OPR (and other state authorities) in development of the guidelines and award annual grants to authorities.

The bill outlines the regional climate change authorities in summary as: coordination, capacity-building, and technical assistance activities within their boundaries, promote regional alignment and assist local agencies in creating and implementing plans developed pursuant to Section 65302 of the Government Code, other federal or state mandates, and programs designed address climate change impacts and risks. The bill also requires the authority to submit annual reports to the SGC, with the scope of the report outlined in the bill.

sheet is posted in the tracking section of the bill.

UPDATE 3/17/21: CALAFCO learned from the author's office they do not intend to move the bill forward, but instead work with Assm. Mullin on AB 897 and merge the two bills.

[AB 473](#) (Chau D) California Public Records Act.

Current Text: Enrollment: 9/8/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Last Amended: 8/16/2021

Status: 9/8/2021-Enrolled and presented to the Governor at 4:30 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.

Position: Watch

Subject: Public Records Act

CALAFCO Comments: This bill is a redo of AB 2138 from 2020 that did not move forward. According to the author's office, this bill and AB 474 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

UPDATE: Amendments of 8/16/21 are to insert enactment clause relating to AB 386, AB 562 and AB 823.

[AB 474](#) (Chau D) California Public Records Act: conforming revisions.

Current Text: Enrolled: 9/3/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Last Amended: 8/16/2021

Status: 9/1/2021-Assembly Rule 77 suspended. (Ayes 54. Noes 16.) Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 78. Noes 0.)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact various conforming and technical changes related to another bill, AB 473, which recodifies and reorganizes the California Public Records Act. This bill would only become operative if AB 473 is enacted and reorganizes and makes other nonsubstantive changes to the California Public Records Act that become operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

Position: Watch

Subject: Public Records Act

CALAFCO Comments: This bill is a redo of AB 2438 from 2020 that did not move forward. According to the author's office, this bill and AB 473 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

Amendments of 5/27 are technical and minor in nature, and make it the conforming act to AB 473.

UPDATE: Amendments from 8/16/21 and 6/21/21 are only minor, technical clean-up amends.

[AB 897](#) (Mullin D) Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.

Current Text: Amended: 7/14/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 7/14/2021

Status: 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/16/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

Attachments:

[CALAFCO Support July 2021](#)

[AB 897 Fact Sheet](#)

Position: Support

Subject: Climate Change

CALAFCO Comments: As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

As amended, the bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 1-1-23 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill outlines the authority of a regional climate network, and defines eligible entities. Prior versions of the bill kept the definition as rather generic and with each amended version gets more specific. As a result, CALAFCO has requested the author add LAFCOs explicitly to the list of entities eligible to participate in these regional climate networks.

As amended on 4/7, AB 11 (Ward) was joined with this bill - specifically found in 71136 in the Public Resources Code as noted in the amended bill. Other amendments include requiring OPR to, before 7-1-22, establish geographic boundaries for regional climate networks and prescribes requirements in doing so.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

As amended 4/19/21: There is no longer a requirement for OPR to include in their guidelines how a regional climate network may develop their plan: it does require ("may" to "shall") a regional climate network to develop a regional climate adaptation plan and submit it to OPR for approval; adds requirements of what OPR shall publish on their website; and makes several other minor technical changes.

As amended 7/1/21, the bill now explicitly names LAFCo as an eligible entity. It also adjusts several timelines for OPR's requirements including establishing boundaries for the regional climate networks, develop guidelines and establish standards for the networks, and to make recommendations to the Legislature related to regional adaptation. Give the addition of LAFCo as an eligible entity, CALAFCO is now in support of the bill.

Amendments of 7/14/21, as requested by the Senate Natural Resources & Water Committee, mostly do the following: (1) Include "resilience" to climate adaptation; (2) Prioritize the most vulnerable communities; (3) Add definitions for "under-resourced" and "vulnerable" communities; (4) Remove the requirement for OPR to establish geographic boundaries for the regional climate networks; (5) Include agencies with hazard mitigation authority and in doing so also include the

Office of Emergency Services to work with OPR to establish guidelines and standards required for the climate adaptation and resilience plan; and (6) Add several regional and local planning documents to be used in the creation of guidelines.

UPDATE: The bill was held in Appropriations as a 2-year bill.

[AB 903](#) (Frazier D) Los Medanos Community Healthcare District.

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 4/19/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was GOV. & F. on 5/19/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services in the district’s territory. The bill would require the county to complete a property tax transfer process to ensure the transfer of the district’s health-related ad valorem property tax revenues to the county for the sole purpose of funding the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as specified, the bill would impose a state-mandated local program.

Position: Watch

CALAFCO Comments: This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

The amendment on 4/5/21 was just to correct a typo in the bill.

As amended on 4/19/21, the bill specifies monies received by the county as part of the property tax transfer shall be used specifically to fund the Los Medanos Area Health Plan Grant Program within the district's territory. It further adds a clause that any new or existing profits shall be used solely for the purpose of the grant program within the district's territory.

UPDATE: The bill did not pass out of Senate Governance & Finance Committee and will not move forward this year. It may be acted on in 2022.

[AB 959](#) (Mullin D) Park districts: ordinances: nuisances: abatement.

Current Text: Enrolled: 9/7/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 8/16/2021

Status: 9/2/2021-Assembly Rule 77 suspended. (Ayes 54. Noes 16.) Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 77. Noes 0.).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law prescribes procedures, including the election of a board of directors, for the formation of regional park districts, regional park and open-space districts, or regional open-space districts. Current law authorizes 3 or more cities, together with any parcel or parcels of city or county territory, whether in the same or different counties, to organize and incorporate, but requires that all the territory in the proposed district be contiguous. Current law requires the board of directors to superintend, control, and make available to all the inhabitants of the district all public recreation lands and facilities, as provided. Current law requires the board of directors to act only by ordinance, resolution, or a motion duly recorded in the minutes of the meeting. This bill would authorize the board of directors of a district, by ordinance, to declare an encroachment onto district lands constitutes a nuisance.

Attachments:

[AB 959 Fact Sheet](#)

Position: Watch

CALAFCO Comments: As introduced, this bill gives authority to independent regional park & open space districts governed by PRC 5500 to: (1) Declare by ordinance what constitutes a public nuisance; (2) Abate those public nuisances by either administrative or civil actions; and (3) Ability to recover costs incurred in abating the public nuisance, including attorneys' fees. There are 4 of these independent special districts: (1) Midpeninsula Regional Open Space District; (2) East Bay Regional Park District; (3) Monterey Peninsula Regional Park District; and (4) Napa County Regional Park and Open Space District. A fact sheet is posted in the tracking section of the bill.

As amended on 5-10-21, the bill requires the district Board to adopt an ordinance declaring what constitutes a nuisance. It authorizes the district to initiate civil action and recover damages.

The amendment of 6/18/21 corrects a code citing.

The amendments of 7/6/21 do several things: (1) change the definition of nuisance to an encroachment onto district land; (2) allows the district to establish nuisance abatement procedures upon adoption of an ordinance; (3) specifies the requirements of the nuisance abatement procedures; and (4) still allows the district to collect abatement costs with a clearly defined process.

UPDATE: The amendments of 8/16/21 are minor in nature and add language requiring hearing notification to and certain responsibilities for the party who is responsible for the nuisance.

AB 975 (Rivas, Luz D) Political Reform Act of 1974: statement of economic interests and gifts.

Current Text: Amended: 5/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/18/2021

Status: 6/1/2021-Ordered to inactive file at the request of Assembly Member Luz Rivas.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters	
1st House				2nd House								

Summary:

The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. The Fair Political Practices Commission is the filing officer for statewide elected officers and candidates and other specified public officials. If the Commission is the filing officer, the public official generally files with their agency or another person or entity, who then makes a copy and files the original with the Commission. This bill would revise and recast these filing requirements to make various changes, including requiring public officials and candidates for whom the Commission is the filing officer to file their original statements of economic interests electronically with the Commission.

Position: Watch

Subject: FPPC

CALAFCO Comments: As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

The amendment on 4/21/21 just corrects wording (technical, non-substantive change).

The amendments on 5/18/21 clarify who is to file a statement of economic interest to include candidates (prior text was office holders).

AB 1021 (Mayes I) Imperial Irrigation District.

Current Text: Enrolled: 9/7/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 8/19/2021

Status: 9/2/2021-Assembly Rule 77 suspended. (Ayes 43. Noes 12.) Urgency clause adopted. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 72. Noes 0.).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the local agency formation commissions for the County of Imperial and the County of Riverside to conduct and publish on their internet websites a joint study of options for providing continued publicly owned and managed electrical service in perpetuity to the Imperial Irrigation District's electrical service area, as defined, customers and options for alternative governance structures that would extend voting rights to registered voters who reside within the Imperial Irrigation District electrical service area to provide for proportional representation on a governing board that will have primary jurisdiction on all electrical service matters, as specified. The bill would require the study to be published no later than July 1, 2022. By imposing new duties on the specified local agency formation commissions, the bill would impose a state-mandated local program.

Attachments:

[CALAFCO Oppose Unless Amended 5-26-21](#)

Position: Oppose unless amended

Subject: Special Districts Governance

CALAFCO Comments: As amended on 3/18/21, the bill focuses on the Imperial Irrigation District. The bill requires Imperial and Riverside LAFcos to conduct a special study of voting rights and options for providing electricity in the district area should the district decide it no longer desires to provide that serve, to be completed by December 31, 2022, as an unfunded mandate. The bill also requires membership of the district board to increase from 5 to 8 members, with the additional 3 members residing in Riverside County in the area being serviced by the district and appointed by the County Supervisor of that County district. The three new members will be non-voting members.

CALAFCO met with the author's staff on March 18 to discuss concerns on the bill, with input from Riverside and Imperial LAFcos (who will meet with the author's office as well). Concerns include: (1) The unfunded mandate and timing of the study; (2) As representation in the Riverside County service area is the issue, governance structure should also be a part of the study; (3) Section 21562.6 of the Water Code as added is far too vague. CALAFCO offered specific suggestions for clarification in this section.

This bill is similar to AB 854 (2019), which died in Appropriations. CALAFCO had a Watch position on that bill as the two member LAFcos had opposing positions, and this is a local matter. However, there is concern about requiring a study without funding (the last time the Legislature mandated a special study on a district it required the study be funded by the district).

The bill is author-sponsored and as of now there is no budget appropriation to cover cost.

As amended on 4/19/21, the bill makes substantive changes including: (1) Requires state funding for the study and prescribes an 18-month timeline for completion upon receipt of funds; (2) Adds study content of options for governance structure of the district; (3) Changes the number from 3 to 1 of nonvoting board members appointed to the district Board; and (4) Specifies requirements for the appointment.

The amendments of 5/24/21 remove the funding for the special study, making it an unfunded mandate. The bill also now requires the study to be completed by 7-1-23. As a result of the funding removal and the concerning precedent setting nature of requiring LAFco to conduct a special study without funding, CALAFCO has taken an OPPOSE UNLESS AMENDED position requesting funding be restored.

As amended 7/1/21, the bill: (1) has an urgency clause; (2) requires the study to be completed by 7-1-22 (instead of 7-1-23), and (3) removes voting rights from the study. There is still no funding written into the bill, although budget trailer bill SB 129 contains the appropriation. As the appropriation of \$500,000 goes directly to the County of Riverside, a process by which both LAFcos receive that funding must be established and outlined within the text of the bill. CALAFCO will remain opposed until that is completed.

The amendments of 8/16/21 add specificity to the study requirements; adds an effective date to section 21562.6 (1-1-23); adds the the newly added Board of Director is specific to electrical issues of the district; requires the district's general counsel to determine which issues coming before the board are electrical-related; provides a term end date for the electrical service board member should the district no longer serve 60%+ customers within the electrical service area; and

adds a definition for "electrical issue".

UPDATE: The amendments of 8/19 completely removed everything in the bill except the requirement for Riverside and Imperial LAFCOs to conduct the joint study. The bill still has no funding language in to so we will retain our Oppose Unless Amended position.

AB 1053 (Gabriel D) City selection committees: County of Los Angeles: quorum: teleconferencing.

Current Text: Amended: 4/20/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 4/20/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/18/2021)(May be acted upon Jan 2021)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law creates a city selection committee in each county that consists of 2 or more incorporated cities for the purpose of appointing city representatives to boards, commissions, and agencies. Under current law, a quorum for a city selection committee requires a majority of the number of the incorporated cities within the county entitled to representation on the city selection committee. Current law requires a city selection committee meeting to be postponed or adjourned to a subsequent time and place whenever a quorum is not present at the meeting. This bill, for the city selection committee in the County of Los Angeles, would reduce the quorum requirement to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to items that appeared on the immediately preceding agenda where a quorum was not established.

Attachments:

[CALAFCO Removal of Opposition Letter April 2021](#)

[CALAFCO Oppose Unless Amended April 2021](#)

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 3/18/21, the bill reduces the quorum requirement for a city selection committee to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to replicate the meeting for which a quorum was not established. The bill also authorizes a city selection committee to conduct their meetings be teleconference and electronic means.

The bill is sponsored by the Las Virgenes-Malibu Council of Governments.

CALAFCO's letter of Oppose Unless Amended is posted in the bill detail area.

UPDATE AS OF 4/21/21 - As amended on 4/20/21, the scope of the bill is significantly narrowed to apply only to the County of Los Angeles' City Selection Committee. This amendment resolves CALAFCO's concerns and we have removed our opposition and will retain a Watch position. CALAFCO's letter of opposition removal is posted in the bill detail area.

UPDATE: The bill failed to move out of committee so it is now a 2-year bill.

AB 1246 (Nguyen R) Community services districts.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/19/2021)(May be acted upon Jan 2021)

2 year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, the Community Services District Law, authorizes the formation of community services districts for various specified purposes, including supplying water, treating sewage, disposing of solid waste, and providing fire protection. The law specifies its relation and effect on certain districts organized pursuant to former laws and to actions taken by them, among other things. This bill would make nonsubstantive changes to those provisions.

Position: Watch

CALAFCO Comments: This is a spot bill.

[AB 1295](#) (Muratsuchi D) Residential development agreements: very high fire risk areas.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/4/2021)(May be acted upon Jan 2021)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires the Director of Forestry and Fire Protection to identify areas in the state as very high fire hazard severity zones based on the severity of fire hazard that is expected to prevail in those areas, as specified, and requires each local agency to designate, by ordinance, the very high fire hazard severity zones in its jurisdiction. Current law additionally requires the director to classify lands within state responsibility areas into fire hazard severity zones. This bill, beginning on or after January 1, 2022, would prohibit the legislative body of a city or county from entering into a residential development agreement for property located in a very high fire risk area. The bill would define "very high fire risk area" for these purposes to mean a very high fire hazard severity zone designated by a local agency or a fire hazard severity zone classified by the director.

Attachments:

[AB 1295 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits a city or county from entering into a residential development agreement for property located within a very high fire risk area as of 1-1-2022.

This bill appears similar to SB 55 (Stern) except: (1) This bill explicitly calls out residential development, whereas SB 55 addresses new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone; and (2) SB 55 adds a state responsibility area.

The bill is not marked fiscal. This is an author-sponsored bill and a fact sheet is posted in the tracking section of the bill.

[SB 10](#) (Wiener D) Planning and zoning: housing development: density.

Current Text: Enrollment: 9/3/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 7/5/2021

Status: 9/3/2021-Enrolled and presented to the Governor at 2 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area or an urban infill site, as those terms are defined. The bill would prohibit a local government from adopting an ordinance pursuant to these provisions on or after January 1, 2029. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act. The bill would prohibit an ordinance adopted under these provisions from superceding a local restriction enacted or approved by a local initiative that designates publicly owned land as open-space land or for park or recreational purposes.

Position: Watch

Subject: Housing

CALAFCO Comments: While not directly affecting LAFcos, the requirements in the bill are of interest. As amended on 4/13/21, the bill authorizes a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined in the bill. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2023, based on specified criteria. The bill would specify that an ordinance adopted under these provisions

provisions, and any resolution adopted to amend the jurisdiction's General Plan Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is exempt from CEQA. The bill imposes specified requirements on a zoning ordinance adopted under these provisions. The bill would prohibit a legislative body that adopts a zoning ordinance pursuant to these provisions from subsequently reducing the density of any parcel subject to the ordinance and makes void and unenforceable any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that effectively prohibits or unreasonably restricts a use or density authorized by an ordinance adopted pursuant to the provisions in the bill.

The amendment of 4/27/21 amends 65913.5(a)(3) to remove exemption of parcels excluded from specified hazard zones by a local agency pursuant to 51179(b).

The amendments on 5/26 prohibit a residential or mixed-use residential project consisting of 10 or more units that is located on a parcel zoned pursuant to these provisions from being approved ministerially or by right or from being exempt from CEQA, except as specified, and repeal these provisions on January 1, 2029.

The 6/24/21 amendments prohibit an ordinance adopted pursuant to the provisions in this bill from superseding any local restrictions brought about by a local voter initiative; requires an ordinance to be adopted by 2/3 vote of the governing body if the ordinance supersedes any zoning restriction established by a local voter initiative; and completely removes SECTION 1 (the addition of Sec. 4752 to the Civil Code).

UPDATE: The 7/5/21 amendments remove the requirements added on 6/24 pertaining to zoning restrictions that a local initiative be a voter initiated initiative. Also makes minor changes to the timing of the bus corridor criteria.

SB 12 (McGuire D) Local government: planning and zoning: wildfires.

Current Text: Amended: 7/1/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 7/1/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was H. & C.D. on 6/24/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

Position: Watch

Subject: Growth Management, Planning

SB 13 (Dodd D) Local agency services: contracts: Counties of Napa and San Bernardino.

Current Text: Enrollment: 8/30/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 6/28/2021

Status: 8/30/2021-Enrolled and presented to the Governor at 1 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes a pilot program under which the commissions in the Counties of Napa and San Bernardino, upon making specified determinations at a noticed public hearing, may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, as provided. Current law

requires the Napa and San Bernardino commissions to submit a report to the Legislature on their participation in the pilot program, as specified, before January 1, 2020, and repeals the pilot program as of January 1, 2021. This bill would reestablish the pilot program, which would remain in effect until January 1, 2026. The bill would impose a January 1, 2025, deadline for the Napa and San Bernardino commissions to report to the Legislature on the pilot program, and would require the contents of that report to include how many requests for extension of services were received under these provisions.

Attachments:

[CALAFCO Oppose Unless Amended letter May 2021](#)

Position: Oppose unless amended

Subject: CKH General Procedures

CALAFCO Comments: This bill is the same as SB 799 from 2020 and seeks to re-establish and continue the pilot program for five more years. The program ended as of January 1, 2021 but due to the pandemic, SB 799 from 2020 to extend the sunset was not moved forward in the legislature.

As amended on 4/29/21, the bill now adds 56133.6 which seeks to address several projects in the City of St. Helena, and resolve a current law suit between the winery and the city. The amendments authorize Napa LAFCo to consider new or extended service by the city to specific parcels with certain conditions. The bill requires the Napa LAFCo make certain determinations if approving, include any decision in their required report to the Legislature and has a sunset of 1-1-26.

CALAFCO has made a request for several technical amendments to the version dated 4-29-21, and has concern this addition strays too far from the original intent of the pilot program. Requested amendments on the table now include: (1) Rewording of both sections 56133.5(a)(2) and 56133.6(a)(3) to explicitly state both (A) and (B) are required; (2) Reword the new addition to 56133.5(d) so that it does not presume Napa LAFCo will authorize the new or extension of service; and (3) Rewrite 56133.6(a)(1) to clarify that (A) must apply to both (B) and (C).

As amended on 5-11-21, all requested technical amendments were made, however the intent of the pilot program has changed with the addition of 56133.6 and Napa LAFCo's ability to approve extension of service for parcels that do not meet the pilot program's requirement of planned use as defined in 56133.5. For this reason, CALAFCO is opposed unless amended, requesting the removal of 56133.6. Our letter is in the bill detail section.

UPDATE: Amendments from 6/28/21 are minor in nature and serve as clean-up.

[SB 55](#) (Stern D) Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses.

Current Text: Amended: 4/5/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 4/5/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/3/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptured
1st House				2nd House							

Summary:

Would, in furtherance of specified state housing production, sustainability communities strategies, greenhouse gas reduction, and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area unless there is substantial evidence that the local agency has adopted a comprehensive, necessary, and appropriate wildfire prevention and community hardening strategy to mitigate significant risks of loss, injury, or death, as specified. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

Attachments:

[SB 55 Fact Sheet](#)

Position: Watch

Subject: Growth Management, Planning

CALAFCO Comments: This bill prohibits the creation or approval of a new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone or a state responsibility area. The bill is author-sponsored and imposes unfunded mandates. A fact sheet is posted in the

tracking section of the bill.

As amended on 4/5/21, the bill removes the "blanket approach" to prohibiting development as noted above by adding specificity. The bill prohibits development in either of the areas noted above unless there is substantial evidence that the local agency has adopted a comprehensive, necessary and appropriate wildfire preventions and community hardening strategy to mitigate significant risks of loss, injury or death as specified in the bill. Additionally, the bill provides a qualifying developer a supplemental height bonus and a supplemental density bonus, as specified, if the development is located on a site that meets certain criteria, including, among others, not being located in a moderate, high, or very high fire hazard severity zone, as specified. These requirements are unfunded mandates.

This bill appears similar to AB 1295 (Muratsuchi) except this bill appears to be broader in scope in terms of the type of development prohibited and includes a state responsibility area, whereas AB 1295 only addresses residential development in a very high fire risk area.

SB 96 (Dahle R) Fallen Leaf Lake Community Services District Fire Department Protection Act of 2021: elections.

Current Text: Introduced: 12/21/2020 [html](#) [pdf](#)

Introduced: 12/21/2020

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 1/28/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill. The bill, notwithstanding existing law, would provide that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District, as specified. The bill would require the designations of voters and authority of legal representatives to be filed with the El Dorado County elections official and the secretary of the Fallen Leaf Lake Community Services District and maintained with the list of qualified voters of the district. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Special Districts Governance

CALAFCO Comments: This bill is the same as SB 1180 from 2020 which did not move through the legislature. It is a local El Dorado County/district bill. This bill does several things. (1) Provides that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services. (2) The bill also would authorize a voter who is not a resident of the district but owns a real property interest in the district to designate only one voter to vote on their behalf, regardless of the number of parcels in the district owned by the nonresident voter. (3) This bill would prohibit the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection and medical services, including emergency response and services, as well as parks and recreation services and facilities.

CALAFCO is working with the sponsors of the bill and the SGFC on a broader solution to this problem, which is not exclusive to this district.

SB 261 (Allen D) Regional transportation plans: sustainable communities strategies.

Current Text: Introduced: 1/27/2021 [html](#) [pdf](#)

Introduced: 1/27/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/15/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation

system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board. This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

Position: Watch

Subject: Sustainable Community Plans

SB 273 (Hertzberg D) Water quality: municipal wastewater agencies.

Current Text: Enrollment: 9/3/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Last Amended: 6/21/2021

Status: 9/3/2021-Enrolled and presented to the Governor at 2 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, as defined, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The bill would require a municipal wastewater agency that enters into or amends one of these agreements after January 1, 2022, to file a copy of the agreement or amendment with the local agency formation commission in each county where any part of the municipal wastewater agency's territory is located, but would exempt those agreements and amendments from local agency formation commission approval except as required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Attachments:

[CALAFCO Support June 2021](#)

[SB 273 Fact Sheet](#)

Position: Support

Subject: Municipal Services

CALAFCO Comments: This bill is a redo of SB 1052 from 2020 that was not moved forward because of the pandemic. This bill adds authority to municipal wastewater agencies as outlined in 13911(a) and (b) relating to stormwater runoff and management. The bill authorizes this additional authority while keeping the LAFCo process to activate these latent powers intact.

UPDATE: The amendment of 6/21/21 adds a requirement that upon entering into the agreement, the agency has 30 days to file a copy of that agreement or amended agreement with the LAFCo, as requested by CALAFCO.

The bills is sponsored by the CA Assn of Sanitation Agencies. A fact sheet is posted in the tracking section of the bill.

SB 274 (Wieckowski D) Local government meetings: agenda and documents.

Current Text: Enrollment: 8/30/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Last Amended: 4/5/2021

Status: 8/30/2021-Enrolled and presented to the Governor at 1 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all

the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by email or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.

Attachments:

[CALAFCO Support SB 274 \(3-15-21\)](#)
[SB 274 Fact Sheet](#)

Position: Support

Subject: Public Records Act

CALAFCO Comments: This bill is a modified redo of SB 931 from 2020 that did not move forward because of the pandemic. This bill updates the Government Code to require a public agency to email the agenda or agenda items to anyone who requests it or the link to the website where the documents can be accessed (current law requires the mailing of such documents upon request, this bill adds the option to email if requested). A fact sheet is posted in the tracking section of the bill.

The amendment on 4/5/21 was to correct a typo reflecting the authority to email information.

[SB 475](#) (Cortese D) Transportation planning: sustainable communities strategies.

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 3/10/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/26/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan’s consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.

Position: Watch

Subject: Sustainable Community Plans

[SB 499](#) (Leyva D) General plan: land use element: uses adversely impacting health outcomes.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 2/25/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.

Attachments:

[SB 499 Fact Sheet](#)

Position: Watch

Subject: Disadvantaged Communities

CALAFCO Comments: As introduced, this bill would prohibit the land use element of a general plan from designating or expanding land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes within or adjacent to disadvantaged communities (DACs) or a racially and ethnically concentrated area of poverty.

The sponsor of this bill is the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

SB 574 (Laird D) Agricultural preserves: Williamson Act.

Current Text: Enrollment: 8/30/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 3/4/2021

Status: 8/30/2021-Enrolled and presented to the Governor at 1 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Under the California Land Conservation Act of 1965, the board of supervisors or city council may grant tentative approval for a cancellation by petition of a landowner as to all or any part of land subject to a contract, as specified. Prior to any action by the board or council giving tentative approval to the cancellation of any contract, the county assessor is required to determine the current fair market value of the land as though it were free of the contractual restriction, and requires the assessor to send the fair market value to the Department of Conservation, hereafter department, at the same time the assessor sends the value to the landowner. Current law provides for a certificate of tentative cancellation upon tentative approval of a petition by a landowner accompanied by a proposal for a specified alternative use of the land, as provided. Current law requires the board of supervisors or city council to provide notice to the department related to cancellation of the contract as well as in other specified instances. This bill would revise and recast these provisions to no longer require the assessor to provide notice to the department and to require the board of supervisors or city council to provide notice to the department if the certificate of tentative cancellation is withdrawn, as specified.

Position: Watch

CALAFCO Comments: This bill narrows the role of Department of Conservation (DOC) in administering the Williamson Act. It does not change other provisions in the Act except for lessening reporting requirements by local governments to the DOC. The bill repeals the ability of the DOC to agree on a cancellation value for contracted land with a landowner, along with the requirement that the department provide a preliminary valuation to the applicable assessor, and repeals the requirement that the DOC approve cancellation of a farmland security contract. The bill also repeals and narrows reporting requirements by requiring the DOC to post all local government reports on Williamson Act lands/contracts on its website rather than create a report and submit to the Legislature. The bill also repeals certain reporting requirements by local governments (cities and counties) to the DOC regarding Williamson Act contracts.

As amended on 3/4/21, the bill requires cities/counties to file annual maps on Act lands; and removes the requirement for state approval for the amount of security to be paid when paying cancellation fee.

CALAFCO will continue to watch this bill to ensure no detrimental changes are made to the Act through future amendments.

SB 813 (Committee on Governance and Finance) Local Government Omnibus Act of 2021.

Current Text: Enrollment: 9/3/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Last Amended: 6/21/2021

Status: 9/3/2021-Enrolled and presented to the Governor at 2 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law provides that a person who has made an offer to purchase an interest in an undivided-interest subdivision, as specified, and not exempted, has the right to rescind any contract resulting from the acceptance of that offer during a specified timeframe. Current law defines and describes the terms "subdivided lands" and "subdivision" for these purposes. Current law requires any person who intends to offer subdivided lands for sale or lease, as specified, to file with the Bureau of Real

Estate an application for a public report consisting of, among other things, a notice of intention and a completed questionnaire. Current law exempts the proposed sale or lease of those lots or other interests in a subdivision that are limited to industrial or commercial uses by law or by a declaration of covenants, conditions, and restrictions that has been recorded in the official records of the county or counties in which the subdivision is located from certain of those provisions relating to the filing of a report with the Bureau of Real Estate and sales contracts. This bill would instead exempt the proposed sale or lease of those lots or other interests from all provisions as specified.

Position: Watch

CALAFCO Comments: This is the annual Senate Governance & Finance Committee Omnibus bill.

Total Measures: 33

Total Tracking Forms: 33

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