

MENDOCINO

Local Agency Formation Commission

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

COMMISSIONERS

Maureen Mulheren, Chair
County Member

Gerald Ward, Vice-Chair/Treasurer
Public Member

Gerardo Gonzalez
City Member

Katharine Cole
Special District Member

Candace Horsley
Special District Member

Glenn McGourty
County Member

Mari Rodin
City Member

Francois Christen, Alternate
Special District Member

Douglas Crane, Alternate
City Member

John Haschak, Alternate
County Member

Vacant, Alternate
Public Member

STAFF

Executive Officer
Uma Hinman

Clerk/Analyst
Larkyn Feiler

Counsel
Marsha Burch

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 Commission Meeting

Monday, April 1, 2024 at 9:00 am

Location

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

Hybrid Meeting

The Mendocino LAFCo will conduct this meeting in a **hybrid** format to accommodate both in-person and remote (video or telephone) participation by the public and staff pursuant to GOV 54953. Unless approved under the provisions of AB 2449, Commissioners will attend in-person at the meeting location identified above. The **hybrid** meeting can be accessed by the public in person, or remotely as described in the Instructions for Remote Participation Option, below.

Instructions for Remote Participation Option

Join Meeting Live: Please click the following Zoom link below to join the meeting or utilize the telephone option for audio only.

1. Zoom meeting link: <https://mendocinocounty.zoom.us/j/88148216547>
2. Telephone option (audio only):
Dial: **(669) 900-9128** (*Please note that this is not a toll-free number*)
Meeting ID: **881 4821 6547**

Public Participation is encouraged and public comments are accepted:

1. Live: via the Zoom meeting link or telephone option above
2. Via Email: eo@mendolaoco.org by 8:30 a.m. the day of the meeting
3. Via Mail: Mendocino LAFCo, 200 S School Street, Ukiah, CA 95482

Meeting Participation

To provide comments, please use the raise hand function in Zoom.

- a) For those accessing from a computer, tablet, or smartphone, the raise hand function may be selected by clicking or tapping it from the reactions options. When joining the Zoom meeting, please enter your name so that you can be identified to speak.
- b) For those utilizing the telephone option (audio only), please use the raise hand feature by pressing ***9** on your keypad to raise your hand, and ***6** to unmute yourself. When it is your turn to speak, you will be called on by the last four digits of your phone number, if available, and asked to identify yourself for the record.

All comments received will be conveyed to the Commission for consideration during the meeting. All meetings are live-streamed, recorded and available through the link below.

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](#).

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. OTHER BUSINESS

None

4. CONSENT CALENDAR

The following consent items are expected to be routine and non-controversial and will be acted on by the Commission in a single action without discussion, unless a request is made by a commissioner or a member of the public for discussion or separate action.

4a) March 4, 2024 Regular Meeting Summary

4b) March 2024 Claims & Financial Report

4c) Office Lease in the Ukiah Valley Conference Center

4d) Ratify Support Letter for SB 1209

4e) Ratify Support Letter for AB 3277

5. PUBLIC HEARING ITEMS

None

6. WORKSHOP ITEMS

None

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

7a) Ukiah Valley Water Authority

The Commission will receive a presentation from member representatives on the new Ukiah Valley Water Authority.

8. INFORMATION AND REPORT ITEMS

The following informational items are reports on current LAFCo activities, communications, studies, legislation, and special projects. General direction to staff for future action may be provided by the Commission. No immediate action will be taken on any of the following items.

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

8b) Correspondence (Copies provided upon request)

8c) CALAFCO Business and Legislative Report

8d) Executive Officer's Report (Verbal)

8e) Committee Reports (Executive Committee, Policies & Procedures) (Verbal)

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

ADJOURNMENT

The next Regular Commission Meeting is scheduled for Monday, **May 6, 2024** at 9:00 AM in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah.

Notice: This agenda has been posted at least 72 hours prior to the meeting and in accordance with the Brown Act Guidelines and GOV 54953, including rules for teleconferencing.

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: Commission meetings are held via a hybrid model – the in-person option held in a wheelchair accessible facility and also by teleconference. Individuals requiring special accommodations to participate in this meeting are requested to contact the LAFCo office at (707) 463-4470 or by e-mail to eo@mendolafco.org. Notification 48 hours prior to the meeting will enable the Commission to make reasonable arrangements to ensure accessibility to this meeting. If attending 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.

MENDOCINO

Local Agency Formation Commission

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Agenda Item No. 4a

COMMISSIONERS

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County Member

Gerald Ward, Vice-Chair/Treasurer
Public Member

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Special District Member

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REGULAR MEETINGS

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

DRAFT MEETING MINUTES Regular Commission Meeting

Regular Meeting (Hybrid) of Monday, March 4, 2024

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

1. CALL TO ORDER and ROLL CALL (Video Time 5:15)

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

Regular Commissioners Present: Maureen Mulheren, Gerald Ward, Gerardo Gonzalez, Katharine Cole, Candace Horsley, Glenn McGourty, Mari Rodin

Regular Commissioners Absent: None

Alternate Commissioners Present: Francois Christen, Douglas Crane

Alternate Commissioners Absent: John Haschak

Staff Present: Uma Hinman, Executive Officer; Larkyn Feiler, Clerk/Analyst; Marsha Burch, Legal Counsel

2. PUBLIC EXPRESSION (Video Time 4:01)

None

3. OTHER BUSINESS (Video Time 4:01)

None

4. CONSENT CALENDAR (Video Time 4:51)

4a) February 5, 2024 Regular Meeting Summary

Commissioner Ward noted discrepancies in the Commissioner appointments to the committees.

4b) February 2024 Claims & Financial Report

February 2024 Claims totaling:	\$18,706.37
Hinman & Associates Consulting	12,356.32
Commissioner Stipends	100.25
Marsha Burch Law Office	1,102.50
Streamline	63.00
Newspapers	619.54
Mendocino County CEO	375.00
Mendocino County Auditor-Controller	3,440.00
Ukiah Valley Conference Center	649.76

EO Hinman referred Commissioners to the revised staff report for Item 4b February 2024 Claims & Financial Report provided to the Commissioners at the start of the meeting, noting the addition of the Ukiah Daily Journal invoice that was received after the agenda packet was distributed.

Commissioner Ward inquired about the Auditor-Controller’s A-87 Costs and asked for further investigation into the increased cost. He also confirmed that LAFCo owns one laptop and various software licenses and subscriptions.

Motion: Approve the consent calendar.		
Motion Maker: Gonzalez	Motion Second: McGourty	Outcome: Passed unanimously
Roll Call Vote: Ayes: (7) Ward, Gonzalez, McGourty, Rodin, Horsley, Cole, and Mulheren		

5. PUBLIC HEARING ITEMS

None

6. WORKSHOP ITEMS

6a) Mendocino County Waterworks District No. 2. Municipal Service Review and Sphere of Influence Study (Video Time 12:02)

EO Hinman provided a brief presentation on the workshop draft of the Mendocino County Waterworks District No. 2 MSR/SOI (12:50-16:50). This is the first MSR/SOI study for the district. The following comments were provided by the Commissioners:

Commissioner Rodin

- Confirmed that the SOI for the District is coterminous with the District’s boundaries.
- Requested a summary of the facilities near the Agency Profile.
- Would prefer the language ‘outside of district boundaries’ as opposed to ‘out of agency.’

Commissioner McGourty

- Requested additional information about the facilities and physical assets be included near the Agency Profile.
- Expressed concern over the District’s aging infrastructure and deferred maintenance.
- Inquired about the status of the District’s infrastructure and facilities; Board President Koza responded that there is minimal record of the history of the facilities and infrastructure, and that repairs are made as-needed.
- Noted that the Division of Contracts and Grants through the County’s CEO Office assists small communities with sourcing grants and should be looked at for potential resources

Commissioner Horsley

- Inquired if regional transportation is something LAFCo needs to review; EO Hinman confirmed that the CKH requires LAFCo to look at regional transportation plans in the MSR.
- Confirmed that latent powers are identified by the Principal Act, and upon LAFCo approval may be activated for the District; however, the District only provides wastewater.
- Asked if each agency must have its own website to comply with State law. EO Hinman responded staff would research that question.
- Asked if it was necessary to have an established strategic plan, mission statement, and goals and confirmed that they are used as indicators for help determine the functioning of an agency or district.
- Confirmed that the payroll of the part-time employee contracted from GCSD was covered by the District;
- Asked why the District’s savings has increased over time while the checking account decreases.
- Commented that the violations noted in the report are relatively common for a wastewater agency and not necessarily of great concern.

Commissioner Ward

- Asked why this is the first MSR for the District despite operating for over 50 years.
- Inquired about the difference between recommendations and determinations in the document.

- Expressed interest in seeing a rough plan or a strong recommendation for consolidation of GCSD and MCWD2.
- Noted that the SRWCB grant funding may be an option for the Gualala region to support a future consolidation.

Commissioner Gonzalez

- Recommended that the District’s meeting information be posted on an easily locatable website for public accessibility; confirmed that LAFCo’s website has a page dedicated to [special districts](#) with links to district websites and/or contact pages.
- Noted that the MCWD2’s landing page on the GCSD website should be more visible.
- Expressed concern over the next potential Prop 218 rate increase and how it could affect District customers.

Chair Mulheren

- Requested recommendations be pulled out separately to be presented in a summary.

Board President of MCWD2, Lisa-Marie Koza reported that the District utilizes the legal counsel recommended by the SDRMA, which has been very helpful in the past year in terms of complying with state and federal requirements. She also confirmed that the savings account has increased because the District has been collecting for capital improvements that have not yet been implemented.

There were no public comments on the item.

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

7a) Draft Logo for Mendocino LAFCo (Video Time 58:20)

EO Hinman then provided a brief presentation on the Commission’s proposed new logo. EO Hinman noted that the new logo will be used on the Commission’s website, letterhead, and other outreach materials.

EO Hinman presented eight draft taglines for the Commission’s consideration. The tagline selected will be incorporated into the letterhead and outreach materials.

The Commission unanimously selected (1) Logo Option 4 (see image, right) from the presentation with all text in blue; and (2) Tagline Option 3 from the staff report *“Encouraging Well-Planned Community Growth”*; and directed staff to move forward with implementing the new branding.



There were no public comments on the item.

7b) CALAFCO Request for Support for Senate Bill 1209 (Video Time 1:07:28)

Legal Counsel Burch provided a brief presentation on Senate Bill (SB) 1209.

Commissioner Horsley asked if public agencies support the bill and/or LAFCo’s support of the bill. Counsel Burch responded that government agencies typically have the option for indemnification, and the ability of LAFCo to require indemnification is ultimately beneficial not just for LAFCo but for its member agencies.

There were no public comments on the item.

Motion: Authorize staff to convey support/opposition, consistent with CALAFCO’s position, for SB 1209 to both legislative houses and to the governor.		
Motion Maker: Gonzalez	Motion Second: McGourty	Outcome: Passed unanimously
Roll Call Vote: Ayes: (7) Ward, Gonzalez, McGourty, Ward, Rodin, Horsley, Cole, and Mulheren		

8. INFORMATION AND REPORT ITEMS

8a) Work Plan, Current and Future Proposals (Video Time 1:11:17)

EO Hinman provided an update that all applications on file are pending tax share agreements; staff is working on the Anderson Valley CSD and Elk CSD applications. The Work Plan is progressing and the GCSD will be coming to the Commission for workshop next.

The following discussion points were provided by the Commissioners:

Commissioner Horsley

- Asked about the financial status of the Mendocino Coast Health Care District and whether they will be able to pay into apportionments next year; EO Hinman responded that she believes they are still operating in the red but will check with the Auditor-Controller to confirm.
- Noted that the consolidation of water agencies will be a very a complex process, particularly due to the interconnectedness of numerous agencies, not just the ones currently in the Ukiah Valley Water Authority, and the financial impacts to the remaining districts will be great.

Commissioner Ward

- Asked how many other applications in the near future the Commission should expect; EO Hinman responded there are several in the planning stages, particularly from the City of Ukiah.
- Confirmed that LAFCo has no oversight over JPAs but does have oversight over the consolidation of local governments. EO Hinman reminded the Commission that JPAs are required to file formation documents with LAFCo.

Commissioner McGourty

- Asked for clarification on LAFCo's role in the Ukiah Valley Water Authority (UVWA) and at what point they can apply for funding or start projects that work towards consolidation of the water service providers in the Ukiah Valley, particularly as they are pursuing time-sensitive grant funding from the State Water Board.
- EO Hinman responded that further meetings with the UVWA representatives will bring more clarity to the plans and processes; however, a plan for services must be provided with an application to LAFCo. She also noted that the State WQCB's definition of 'consolidation' is different than LAFCo's definition, which creates some confusion when discussing the intent of the UVWA.

EO Hinman announced that representatives from the Ukiah Water Authority will be providing an informational report to the Commission at its April meeting.

8b) Correspondence (Video Time 1:21:08)

None

8c) CALAFCO Business and Legislation Report (Video Time 1:21:08)

None

8d) Executive Officer's Report (Video Time 1:21:30)

EO Hinman provided a brief report, summarized as follows:

- That no applications were received for the alternate public member position and thus the application process will be extended in 60-day increments until the position is filled.
- LAFCo staff is currently working with the CPA on the FY 2022-23 audit, a draft of which should be available in March for review.

- There is an Executive Committee meeting following today's Commission meeting, which will be focused primarily on the preliminary budget and work plan for the next FY.

8e) Committee Reports (Executive Committee, Policies & Procedures) (Video Time 1:23:08)

None

8f) Commissioners Reports, Comments or Questions (Video Time 1:23:08)

None

ADJOURNMENT (Video Time 1:23:08)

There being no further business, the meeting adjourned at 10:20 a.m.

The next regular meeting of the Commission is scheduled for Tuesday, **April 1, 2024** at 9:00 a.m. The meeting will be conducted in a hybrid format to accommodate both in-person and remote participation. The in-person meeting will be held in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah.

Live web streaming and recordings of Commission meetings are available via the County of Mendocino's YouTube Channel [March 4, 2024 YouTube meeting recording](#). Links to recordings and approved minutes are also available on the [LAFCo website](#).

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: April 1, 2024
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: **Claims and Financial Report for March 2024**

RECOMMENDED ACTION

Approve the March 2024 claims and financial report.

Name	Account Description	Amount	Total
Hinman & Associates Consulting, Inc.	5300 Basics Services	\$ 14,350.50	\$ 24,705.94
	5601 Office Supplies (QB)	\$ 90.00	
	5700 Internet (Comcast)	\$ 96.94	
	6200 Bookkeeping	\$ 440.00	
	7001 Work Plan (Coastal W/WW Districts)	\$ 8,885.00	
	8029 Ukiah Annex Western Hills	\$ 843.50	
Commissioner Stipends	6740 In-County Travel & Stipends		\$ 100.25
	Christen (March)	\$ 100.25	
Marsha Burch	6300 Legal Counsel	\$ 765.00	\$ 765.00
Streamline	5700 Website Hosting	\$ 63.00	\$ 63.00
Mendocino County IS	6670 GIS Services (February)	\$ 256.09	\$ 256.09
Ukiah Valley Conf. Center	5500 Office Space	\$ 581.25	\$ 655.19
	5600 Postage and copies	\$ 73.94	
Total Claims			\$ 26,545.47

Deposits: None

Transfers: None

Attachments:

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

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

MENDOCINO LAFCO FY 2023-24 BUDGET TRACKING

BUDGET SUMMARY		2023-24 Budget	July	August	September	October	November	December	January	February	March	Totals To Date	% Expended
Total Revenue		\$ 285,000.00	\$ 1,583.15	\$101,198.42	\$ 3,626.51	\$ 428.23	\$ 377.29	\$100,403.35	\$ 778.21	\$ 278.24	\$ 1,719.25	\$ 210,392.65	
Total Expenses													
Operations		\$ 320,000.00	\$ 21,176.15	\$ 25,480.07	\$ 21,770.97	\$ 20,735.30	\$ 16,596.70	\$ 16,219.81	\$ 25,697.55	\$ 18,668.37	\$ 25,706.97	\$ 192,051.89	
Applications		\$ 30,000.00	\$ 1,082.50	\$ 817.00	\$ 2,501.00	\$ 258.00	\$ 107.50	\$ 119.50	\$ 301.00	\$ 43.00	\$ 1,336.50	\$ 6,566.00	
Balance Beginning of Year													
FUND BALANCES													
Treasury (apportionments held in Treasury until moved to Checking for claims)		\$ 31,732.34	\$ 33,757.62	\$195,422.70	\$139,067.41	\$291,288.83	\$293,682.06	\$193,682.06	\$ 93,682.06	\$ 93,682.06	\$ 93,682.06		
Checking Account (Bank Statement)		\$ 49,459.33	\$ 44,814.99	\$110,712.10	\$ 84,402.21	\$ 62,896.43	\$ 40,583.53	\$ 12,236.11	\$ 106,922.00	\$ 81,019.76	\$ 61,727.39		
Reserves (Bank Statement)		\$ 116,027.49	\$ 116,033.25	\$130,009.41	\$130,012.74	\$130,059.03	\$130,274.17	\$130,496.99	\$ 130,700.00	\$ 130,935.92	\$ 130,935.92		
Account #	REVENUE												
4000	LAFCo Apportionments Fees (held in Treasury until moved to Checking for claims)	\$ 275,000.00		\$100,000.00				\$100,000.00				\$ 200,000.00	
4100	Fees and Reimbursements											\$ -	
4800	Miscellaneous											\$ -	
4910	Interest	\$ 500.00	\$ 9.40	\$ 10.92	\$ 11.51	\$ 53.23	\$ 221.04	\$ 229.60	\$ 231.46	\$ 215.74		\$ 982.90	
8000	Applications												
4150	Service Fees	\$ 9,500.00	\$ 491.25	\$ 370.50	\$ 1,114.00	\$ 117.00	\$ 48.75	\$ 54.25	\$ 136.50	\$ 19.50	\$ 382.75	\$ 2,734.50	
80XX	Applications Less Service Fees	\$ 20,500.00	\$ 591.25	\$ 446.50	\$ 1,387.00	\$ 169.25	\$ 158.75	\$ 165.25	\$ 264.50	\$ 24.50	\$ 953.75	\$ 3,831.50	
	TOTAL	\$ 285,000.00	\$ 1,583.15	\$101,198.42	\$ 3,626.51	\$ 428.23	\$ 377.29	\$100,403.35	\$ 778.21	\$ 278.24	\$ 1,719.25	\$ 210,392.65	
Account #	EXPENSES												
OPERATIONS													
5300	Basic Services	\$ 133,000.00	\$ 7,427.59	\$ 12,817.55	\$ 12,192.61	\$ 9,005.56	\$ 10,305.54	\$ 9,985.69	\$ 14,197.00	\$ 6,515.50	\$ 14,350.50	\$ 96,797.54	73%
5500	Rent	\$ 7,000.00	\$ 555.00	\$ 555.00	\$ 930.00	\$ 555.00	\$ 555.00	\$ 555.00	\$ 555.00	\$ 930.00	\$ 581.25	\$ 5,771.25	82%
5600	Office Expenses	\$ 4,500.00	\$ 249.22	\$ 309.85	\$ 630.69	\$ 218.29	\$ 216.51	\$ 260.59	\$ 399.87	\$ 304.64	\$ 163.94	\$ 2,753.60	61%
5700	Internet & Website	\$ 3,000.00	\$ 172.84	\$ 156.67	\$ 156.67	\$ 156.67	\$ 156.67	\$ 156.67	\$ 159.94	\$ 159.94	\$ 159.94	\$ 1,436.01	48%
5900	Publication and Legal Notices	\$ 3,000.00					\$ 605.01			\$ 619.54		\$ 1,224.55	41%
6000	Televising Meetings	\$ 2,400.00					\$ 423.61	\$ 267.54	\$ 178.36			\$ 869.51	36%
6100	Audit Services	\$ 4,000.00	\$ 2,000.00									\$ 2,000.00	50%
6200	Bookkeeping	\$ 5,500.00	\$ 440.00	\$ 440.00	\$ 440.00	\$ 440.00	\$ 440.00	\$ 440.00	\$ 605.00	\$ 440.00	\$ 440.00	\$ 4,125.00	75%
6300	Legal Counsel	\$ 30,000.00	\$ 900.00	\$ 900.00	\$ 1,867.50		\$ 495.00	\$ 540.00	\$ 360.00	\$ 1,102.50	\$ 765.00	\$ 6,930.00	23%
6400	A-87 Costs County Services	\$ 2,500.00								\$ 3,440.00		\$ 3,440.00	138%
6500	Insurance - General Liability	\$ 3,000.00				\$ 2,857.81						\$ 2,857.81	95%
6600	Memberships (CALAFCO/CSDA)	\$ 4,000.00	\$ 2,521.00			\$ 1,281.00						\$ 3,802.00	95%
6670	GIS Contract (County)	\$ 3,000.00					\$ 56.91				\$ 256.09	\$ 313.00	10%
6740	In-County Travel & Stipends	\$ 4,000.00			\$ 177.95	\$ 177.95	\$ 177.95	\$ 128.82		\$ 100.25	\$ 100.25	\$ 685.22	17%
6750	Travel & Lodging Expense	\$ 6,500.00				\$ 842.52						\$ 842.52	13%
6800	Conferences (Registrations)	\$ 4,500.00		\$ 1,950.00		\$ 650.00	\$ (650.00)					\$ 1,950.00	43%
7000	Work Plan (MSR/SOI)	\$ 100,000.00	\$ 6,901.50	\$ 8,342.00	\$ 5,544.50	\$ 4,541.50	\$ 3,805.50	\$ 3,876.50	\$ 9,237.38	\$ 5,051.00	\$ 8,885.00	\$ 56,184.88	56%
9000	Misc Expenses (bank fees)	\$ 100.00	\$ 9.00	\$ 9.00	\$ 9.00	\$ 9.00	\$ 9.00	\$ 9.00	\$ 5.00	\$ 5.00	\$ 5.00	\$ 69.00	69%
	TOTAL	\$ 320,000.00	\$ 21,176.15	\$ 25,480.07	\$ 21,770.97	\$ 20,735.30	\$ 16,596.70	\$ 16,219.81	\$ 25,697.55	\$ 18,668.37	\$ 25,706.97	\$ 192,051.89	60%
8000	APPLICATIONS												Deposit Remaining
8022	City of Ukiah North Annexation Pre-Application (P-2020-01)	\$ 1,500.00										\$ -	\$ 378.00
8024	Millview CWD Annexation Pre-Application (P-2020-04)	\$ 3,609.25										\$ -	\$ -
8025	City of Ukiah Annexation of City-Owned Properties (A-2021-01)	\$ 8,283.75	\$ 111.25	\$ 875.00	\$ 2,955.00	\$ 125.00						\$ 8,283.75	\$ -
8028	Elk CSD Activation of Latent Powers (L-2022-01)	\$ 5,000.00							\$ 187.50			\$ 4,516.75	\$ 483.25
8029	City of Ukiah Annexation of Western Hills Properties (A-2022-02)	\$ 5,000.00						\$ 173.75			\$ 1,719.25	\$ 2,143.00	\$ 2,857.00
8031	AVCSD Annexation of SOI (A-2023-01)	\$ 6,000.00	\$ 285.00		\$ 660.00	\$ 250.00	\$ 156.25		\$ 250.00	\$ 62.50		\$ 3,930.50	\$ 2,069.50
8032	Fort Bragg Pre-Application Request (P-2023-02)	\$ 1,500.00	\$ 1,177.50	\$ 312.50								\$ 1,490.00	\$ 10.00
	Applications Less Service Fees Subtotal		\$ 1,082.50	\$ 817.00	\$ 2,501.00	\$ 258.00	\$ 107.50	\$ 119.50	\$ 301.00	\$ 43.00	\$ 1,336.50	\$ 6,566.00	
	Service Fees Subtotal		\$ 491.25	\$ 370.50	\$ 1,114.00	\$ 117.00	\$ 48.75	\$ 54.25	\$ 136.50	\$ 19.50	\$ 382.75	\$ 2,734.50	
	TOTAL		\$ 1,573.75	\$ 1,187.50	\$ 3,615.00	\$ 375.00	\$ 156.25	\$ 173.75	\$ 437.50	\$ 62.50	\$ 1,719.25	\$ 9,300.50	
EXPENSES TOTAL			\$ 22,749.90	\$ 26,667.57	\$ 25,385.97	\$ 21,110.30	\$ 16,752.95	\$ 16,393.56	\$ 26,135.05	\$ 18,730.87	\$ 27,426.22	\$ 201,352.39	
MONTHLY CLAIMS TOTAL (not including service fees and bank fees)		\$ 320,000.00	\$ 22,249.65	\$ 26,288.07	\$ 24,262.97	\$ 20,984.30	\$ 16,695.20	\$ 16,330.31	\$ 25,993.55	\$ 18,706.37	\$ 26,545.47		

Mendocino LAFCo
FY 2023-24 Estimated Work Plan Implementation Schedule and Cost Tracking
 April 1, 2024

Subject to Change: The estimated schedule and costs for the Fiscal Year 2023-24 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	Coordination/ Request for Information	Admin Draft	Public Workshop	Public Hearing	Final Study	Previous FY Expenses	FY 2023-24 Budget	FY 2023-24 Expenses	Total Cost to Date ²
Coastal Water/Wastewater Districts (7)						\$ 18,754	\$ 100,000	\$ 56,185	\$ 74,939
Caspar South Water District	In process	In process							
Elk County Water District	In process	In process							
Gualala Community Services District	1/31/2024	3/15/2024	5/6/2024	6/3/2024					
Irish Beach Water District	In process	In process							
Mendocino County Waterworks District No. 2	10/12/2023	1/31/2024	3/4/2024	6/3/2024					
Pacific Reefs Water District	10/27/2023	In process	5/6/2024						
Westport County Water District	In process	In process							



Hinman & Associates Consulting

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

Date	March 26, 2024	Invoice No.	796
To	Mendocino LAFCo	Invoice Total	\$ 24,705.94
Project	Executive Officer Services		
Work Period	February 26 - March 24, 2024		

Account	Description	Staff/Hours		Other (At Cost)	Totals
		Executive Officer \$110	Analyst \$86		
5300	Basic Services Public Records Act Requests	100.75	38.00		\$ 14,350.50
5601	Office Supplies Quickbooks Online fee			\$ 90.00	\$ 90.00
5700	Internet & Website Costs (Comcast)			\$ 96.94	\$ 96.94
6200	Bookkeeping	4.00			\$ 440.00
7001	Coastal Region Water/Wastewater MSR/SOI	6.50	95.00		\$ 8,885.00
8029	City of Ukiah Annex Western Hills	2.00	7.25		\$ 843.50
Totals		\$ 12,457.50	\$ 12,061.50	\$ 186.94	\$ 24,705.94

5300 Basic Services

Administrative tasks, file research and maintenance of official records and files. Respond to public inquiries and research requests. Prepare and process February and March claims. Preparation for March 4, 2024 regular Commission and Executive Committee meetings; March 11, 2024 Policies & Procedures meeting; and April 1, 2024 Commission meeting. Reminders and extension of deadline for Alternate Public member vacancy. Website updates. Refine out of agency service procedures to support draft policy changes; updates to annexation agreement template; coordination with Legal Counsel, City of Ukiah and UVSD staff on changes. Coordinate with Legal Counsel to discuss written comments in response to AVCSO water/sewer project EIR. Budget and Work Program development for FY 2024-25. Respond to inquiries regarding annexations (SCFPD), activation of latent powers (CCSD), and miscellaneous public inquiries.

6200 Bookkeeping

Entered claims into Quickbooks and prepared checks. Reconciled Quickbooks. Prepared reports for budget development process.

7001 Work Plan (Sphere of Influence Updates, Municipal Service Reviews, and Special Studies)

Conduct research for coastal water and wastewater districts and private water companies (Pacific Reefs Water District, Caspar South Water District, Westport County Water District, Gualala CSD, Elk CWD, Irish Beach CWD, Mendocino County Water Works District 2 etc.); develop administrative drafts and information requests. Coordinate with agencies regarding information needs and requests. Admin draft GCSO document sent to district for review. Edits to MCWD2 per Workshop comments and direction. Prepare Admin Draft PRWD for district review.

8029 City of Ukiah Annexation of Western Hills Properties

City submitted an updated application on 3/21/24. Prepare and distribute updated agency referral package and Notice of Filing for tax share process. Review new submittal materials.

From: Intuit QuickBooks Team <No_Reply@notifications.intuit.com>
Sent: Tuesday, March 19, 2024 6:18 AM
To: eo@mendolafco.org
Subject: We received your QuickBooks subscription payment!



Payment success

Executive Officer, thank you for your payment.

Invoice number:
10001294910264
Invoice date: 03/19/2024
Total: \$90.00
Payment method: VISA ending in [REDACTED]

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. Additional service fees may apply based on whether you add or remove services and your usage. See your [Billing & Subscription](#) page for additional pricing details. 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.

COMCAST BUSINESS

Mendocino Lafco

Account number
8155 30 052 0354952

For service at:
200 S SCHOOL ST STE K
UKIAH CA 95482-4828

Thanks for choosing Comcast Business

Need help?
Visit business.comcast.com/help or
call 1-800-391-3000

Ready to pay?
Visit business.comcast.com/myaccount

Your monthly account summary

Previous balance	96.94
Credit Card Payment Mar 04, 2024	-96.94 cr
New charges	
Comcast Business services	94.90
Taxes and fees	2.04

Amount due **\$96.94**
Payment due Apr 04, 2024



➔ **Manage your services online**
Your Comcast Business account online is the one-stop destination to pay your bill and manage your services. Visit business.comcast.com/myaccount.

Service updates
See the "additional information" section for upcoming service updates.

COMCAST BUSINESS

9602 S 300 W. STE B SANDY UT 84070-3302
8633 0500 NO RP 09 03102024 YNNNNNNN 01 999608

MENDOCINO LAFCO
ATTN UMA HINMAN
200 S SCHOOL ST STE K
UKIAH, CA 95482-4828

Account number **8155 30 052 0354952**
Automatic payment due **Apr 04, 2024**
Please pay **\$96.94**
Credit Card Payment To Be Applied 04/04/24

COMCAST
PO BOX 60533
CITY OF INDUSTRY CA 91716-0533

Did you know?

Your Comcast Business Internet service gives you access to millions of WiFi hotspots with the fastest WiFi and even more coverage. Find out more at business.comcast.com/wifi.



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Visit business.comcast.com/help
Call **1-800-391-3000**

Billing support

Open 6 am-9 pm MTN, Mon through Fri
and 7 am-8 pm Sat

Technical support

Open 24 hours, 7 days a week

Please notify us immediately with any questions regarding charges billed to your account. Comcast will issue a credit or refund for any verified billing error which is brought to our attention within sixty (60) days of the bill.



Additional payment options



Automatic payment

Sign up at business.comcast.com/myaccount



Online

Visit business.comcast.com/myaccount



By phone

Call **1-800-391-3000**

Moving? Let us help.

If you're moving, give us as much advanced notice as possible so we can help make a smooth transition.

Call **1-800-391-3000**



Services from Mar 14, 2024 to Apr 13, 2024

Your new charges in detail

Comcast Business services	\$94.90
Comcast Business Internet	
Data Only Business Internet Starter	71.95
Starter Business Internet	
Equipment Fee	22.95
Internet.	
Taxes and fees	\$2.04
Sales Tax	2.04
New charges	\$96.94

Additional information

Hearing/speech impaired call 711

Your automatic payment on your bill due date, will include your amount due, plus or minus any payment related activities or adjustments, and less any credits issued before your bill due date.

Franchise Authority: The State of CA. For franchise issues contact the CA Public Utilities Commission; www.cpuc.ca.gov; 1-800-848-5580. The above is not a payment or service center. FCC Community ID: CA0481.



Marsha Burch

131 S. Auburn Street
Grass Valley, CA 95945
United States

INVOICE

Invoice # 189
Date: 03/25/2024
Due On: 04/24/2024

Mendocino LAFCo

00201-Mendocino LAFCo

General Counsel

Type	Date	Notes	Quantity	Rate	Total
Service	03/04/2024	LAFCo meeting	1.50	\$225.00	\$337.50
Service	03/11/2024	Attend policies and procedures meeting	0.50	\$225.00	\$112.50
Service	03/20/2024	Tel. conf. with Justin Witt; msg. to EO	0.40	\$225.00	\$90.00
Service	03/22/2024	Mtg.with EO and Analyst re OAS policy amendments and agreement	1.00	\$225.00	\$225.00
				Total	\$765.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
189	04/24/2024	\$765.00	\$0.00	\$765.00
			Outstanding Balance	\$765.00
			Total Amount Outstanding	\$765.00

Please make all amounts payable to: Marsha Burch

Please pay within 30 days.

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: April 1, 2024
TO: Mendocino Local Agency Formation Commission
FROM: Uma Hinman, Executive Officer
SUBJECT: **Ukiah Valley Conference Center Office Space Lease**

RECOMMENDATION

The Commission approve and authorize the Chair to sign a multi-year lease between the City of Ukiah and Mendocino LAFCo for Suite K of the Ukiah Valley Conference Center.

BACKGROUND

The Commission has leased an office space in the Ukiah Valley Conference Center (UVCC) since 2012 on an annual basis.

The lease includes Suite K and access to the work room, which provides access to the commercial printer/copier, postage meter, additional storage space, and general office equipment. With a five-year lease, the annual rate increases will be set at 3% for the office space, a savings of 2% per year over an annual lease. There is also a static work room fee of \$30/month.

Year	Office Space/month (\$)	Work Room/month (\$)	Total/month (\$)
2024	551.25	30	581.25
2025	567.78	30	597.78
2026	584.82	30	614.82
2027	602.36	30	632.36
2028	620.43	30	650.43

The Executive Committee has reviewed the proposed lease options and recommends a five-year lease, which will result in an annual cost savings and provide office location assurance and continuity.

Attachment: UVCC Lease for Office Suite

Attachment

LEASE AGREEMENT
BETWEEN THE CITY OF UKIAH

And
MENDOCINO COUNTY LOCAL AGENCY FORMATION COMMISSION

The Lease, made this first day of March 2024, by and between the City of Ukiah, hereinafter referred to as "Lessor" and the Mendocino County Local Agency Formation Commission, hereinafter referred to as "Lessee."

WITNESSETH:

WHEREAS, Lessor does determine that the use of certain property owned by the Lessor is not requires for its use at this time and is available for lease;

NOW, THEREFORE, the parties hereto agree that on the terms and conditions hereinafter expressed, Lessor does hereby let to Lessee and Lessee does hereby hire from Lessor, approximately 200 square feet of the property and building located at 200 South School Street, Suite K in the City of Ukiah, County of Mendocino.

1. TERM

The term of this Lease shall be a maximum of 5 years (60 months), commencing on the date set forth above, through February 28, 2029. Both parties understand that the subject property is part of the Ukiah Valley Conference Center.

2. RENT

2.1 Rent for the leased premises Suite K shall be \$551.25 per month, payable on or before the fifth day of each month. If rent due under this paragraph is not received by Lessor on or before the tenth day of the month, lessee shall pay Lessor a late fee of 10% of monthly rent. The imposition of this fee is in addition to any other remedies Lessor may have for Lessee's failure to pay rent when due under the terms of this Lease.

2.2 If the Lease is extended for one or more additional one-year terms under Section 1, at the commencement of each subsequent year, the rent shall be increased by 5% of the rent charged in the previous year.

2.3 Lessee shall also pay any real property, possessory interest or personal property taxes, and assessments imposed on the leased premises, property located on or affixed to the lease premises or as a result of the lease, use or ownership of the leased premises.

5 Year C.P.I @ 3% A Year

April 1st 2024 Rent shall be	\$551.25
April 1st 2025 Rent shall be	\$567.78
April 1st 2026 Rent shall be	\$584.82
April 1st 2027 Rent shall be	\$602.36
April 1st 2028 Rent shall be	\$620.43

3. USE, UTILITIES, REPAIRS, MAINTENANCE AND SHARED WORKSPACE

- 3.1 The Premises shall be used for general office business to be conducted by Lessee. Lessee shall not use or store in the Premises any hazardous or toxic substances, with the sole exception of reasonably necessary substances that are kept in reasonable necessary quantities for normal office operation, provided that their use and storage are in accordance with applicable laws. Lessee shall not do or permit anything to be done on the Premises that will obstruct or interfere with the rights of other tenants of the Building or injure or annoy them, or use or allow the Premises to be used for any unlawful purposes, nor shall Lessee cause, maintain, or permit any nuisance or waste on or about the Premises.
- 3.1(a) At Lessee's sole cost, Lessee shall promptly comply with all laws and governmental rules now or later in force; with the requirements of any board of fire underwriters or other similar body now or in the future constituted; with any direction or occupancy certificate issued by public officers ("Legal Requirements"), insofar as they relate to the condition, use, or occupancy of the Premises. Excluded are (a) structural changes or changes to the electrical, mechanical, or plumbing systems of the Building, all to the extent not necessitated by Lessee's acts or by improvements made for Lessee, other than the tenant improvements to be made pursuant to this Lease by Lessor, if any; (b) alterations or improvements to the Building as a whole or the Premises of tenants generally that are not by law the tenant's responsibility with which to comply; and (c) work necessitated by defects in the construction of the Building. Lessor shall comply in a timely manner with all Legal Requirements that are not Lessee's responsibility under this Section to the extent noncompliance would adversely affect Lessee's use or occupancy of the Premises
- 3.1(b) Lessee shall comply with all rules adopted by Lessor regarding the use of the Building or the Premises which are furnished to Lessee in writing (copy of the current rules are attached hereto as Exhibit "A"). Lessor shall not be responsible to Lessee for the nonperformance of any of these rules by any other tenant or occupant of the Building, but Lessor shall take reasonable steps to enforce any rules, the nonperformance of which by other tenants materially and adversely affects Lessee in the use of the Premises. However, if any rule conflicts with any term, covenant, or condition of this Lease, this Lease shall prevail. In addition, no rules, or any subsequent amendments adopted by Lessor shall alter, reduce, or adversely affect any of Lessee's rights or enlarge Lessee's obligations under this Lease.

- 3.1(c) Lessor may enter the Premises at reasonable hours and, except in the event of an emergency, on reasonable prior notice, to: (a) inspect the Premises; (b) exhibit the Premises to prospective purchasers, lenders, or tenants; (c) determine whether Lessee is complying with all obligations under this Lease; (d) supply janitorial service and any other services to be provided by Lessor under this Lease; (e) post notices of no responsibility; and (f) make repairs or perform maintenance required of Lessor by this Lease, make repairs to any space or utility services, or make repairs alterations, or improvements to any other portion of the Building. However, all this work shall be done as promptly as reasonably possible and cause as little interference to Lessee as reasonably possible. Subject to Lessor's undertakings in the previous sentence, Lessee waives any damage claims for inconvenience to or interference with Lessee's business or loss of occupancy or quiet enjoyment of the Premises caused by Lessor's entry. At all times Lessor shall have a key with which to unlock the doors on the Premises, excluding Lessee's vaults, safes, and similar areas designated as secure areas. In an emergency, Lessor shall have the right to use any means that Lessor deems proper to open Lessee's doors and enter the Premises. Entry to the Premises by Lessor in an emergency shall not be construed as a forcible or unlawful entry, or an actual or constructive eviction of Lessee.
- 3.2 Both parties agree that rent for the premises includes all costs for utilities and custodial maintenance.
- 3.3 Lessor shall maintain the public and Common Areas of the Building, including lobbies, stairs, corridors, restrooms, all exterior landscaping windows, the mechanical, plumbing, and electrical equipment serving the building, and the structure itself, in reasonably good order and condition so as to meet the reasonable needs of Lessee, except for damage, excluding normal wear and tear, caused by the Lessee. Damage by Lessee shall be repaired by Lessor at Lessee's expense. The standard of maintenance shall equal that of commercial office buildings of a similar class in the City of Ukiah.
- 3.3(a) Lessor shall furnish electricity for lighting and the operation of office, and heat and air conditioning to the extent reasonably required for comfortable occupancy by lessee.
- 3.3(b) Lessor shall not be in default under this lease, nor be liable for any damages resulting from, nor shall the required rental be abated because of: (I) the installation, use or interruption of use of any equipment in connection with furnishing the previously listed services, (II) failure to furnish or delay in furnishing these services, when failure or delay is caused by accident or conditions beyond the reasonable control of Lessor

or by necessary repairs or improvements to the Premises or to the building, or (III) the limitation, curtailment, rationing, or restrictions on use of water, electricity, gas or any other form of energy serving the Premises or the Building. Lessor shall use reasonable efforts to diligently remedy interruptions in the furnishing of these services.

- 3.3(c) Upon receipt of a bill, Lessee shall reimburse Lessor for the cost of: (I) all heat or air conditioning provided to the Premises during hours requested by Lessee when those services are not otherwise furnished by Lessor, and (II) all power and cooling energy provided for supplementary air conditioning facilities in the Premises. Lessee shall also pay the cost of any transformers, additional risers, panel boards, and other facilities, if reasonably required to furnish power for supplementary air conditioning facilities in the Premises. The cost of item (I) shall be a per hour charge reflecting the electrical energy, labor and fixed plant costs (excluding depreciation) of operating the heating and air conditioning system.
- 3.3(d) In the event that Lessor, at Lessee's request, provides services to Lessee that are not otherwise provided for in this Lease, Lessee shall pay Lessor's reasonable charges for these services on billing of Lessor.
- 3.4 In addition to the monthly rental and other charges to be paid by Lessee under this Lease, Lessee shall pay Lessor for all of the following items (collectively, "Impositions"): possessory interest or other taxes imposed on the leased premises, its contents or the activities conducted in them, to the extent not paid to the taxing entity by Lessee.
- 3.5 Lessee accepts the Premises as being in the condition in which Lessor is obligated to deliver the Premises, subject to the tenant improvements, if any, that Lessor has agreed to make. At all times during the term of this Lease and at Lessee's sole cost, Lessee shall keep the Premises in good condition and repair; exceptions are ordinary wear and tear and damage to the Premises by fire, earthquake, or act of God or the elements. Lessee waives all rights to make repairs at the expense of Lessor or instead to vacate the Premises, and Lessee further waives the provisions of Civil Code §§1941 and 1942 with respect to Lessor' obligations under this Lease. At the end of the term of this Lease, Lessee shall surrender to Lessor the Premises and all Alterations that are to remain in the Premises in the same condition as when received; exceptions are ordinary wear and tear and damage by fire, earthquake, or act of God or the elements. Lessor has no obligation and has made no promise to alter, remodel, improve, repair, decorate, or paint the Premises, except as specifically set forth in this Lease. Lessor has made no representations respecting the condition of the Premises or the Building, except as specifically set forth in this Lease.

4. ALTERATIONS

- 4.1 Lessee shall not make any alterations to the interior or exterior of the leased premises without the prior written consent of the Lessor. Lessor may, but need not, require the Lessee to furnish drawings, plans or specifications for any proposed alterations, which the Lessor may review prior to authorizing any such alterations.
- 4.2 Lessee shall keep the Premises and the Building free from any liens arising out of any work performed, materials furnished, or obligations incurred by Lessee. Lessor may have posted on the Premises any notices that may be provided by Law or that Lessor may deem proper for the protection of Lessor, the Premises, and the Building from those liens. Lessee may contest any lien for which Lessee is responsible under this Section, provided that Lessee shall have caused the lien to be bonded against.

5. HOLD HARMLESS AND LIABILITY INSURANCE

- 5.1 Indemnification. Lessor shall not be liable for and is free from the cost of any damages for personal injury or property damage resulting from the use made by Lessee of the leased premises, any defective condition or faulty construction of the leased premises existing at the time of letting or arising thereafter and Lessee covenants and agrees to indemnify and save harmless said Lessor and its officers, agents and employees from and against any and all claims, liability, loss, cost, or other obligation, including reasonable attorneys' fees, on account of or arising out of Lessee's use of the leased premises.
- 5.2 Liability insurance. Lessee covenants and agrees during the life of this Lease at Lessee's sole expense to comply with the requirements of Exhibit "B", Insurance Requirements for Lessees (No Auto Risks) attached hereto and incorporated herein by reference.

6. ASSIGNMENT

Lessee will not assign this Lease, or any interest therein, and will not let or underlet the said premises, or any part thereof, without the prior written consent of the Lessor.

7. OWNERSHIP OF IMPROVEMENTS

If Lessee installs any permanent improvements, in accordance with paragraph four of this Lease or otherwise, such improvements shall become a part of the leased premises and title to said improvements shall be vested in the Lessor upon termination of this Lease. Lessor shall have the right to demand that Lessee restore the premises to the condition it was in prior to the date this Lease is made and if such demand is made, Lessee shall so restore the premises within ten (10) days of the date such notice is given.

8. TERMINATION

Notwithstanding any other provision of this Lease to the contrary, the parties shall have the right to terminate this Lease under the following circumstances.

- 8.1 Upon ninety (90) days prior written notice to the other party Lessor and Lessee shall have the mutual right to terminate the Lease for any reason.
- 8.2 Either party shall have an immediate right to terminate this Lease without prior notice to the other party other than that required by law for any breach of a term of the Lease by the other party, including, but not limited to, the Lessee's obligation to provide liability insurance.
- 8.3 Even though Lessee has breached this Lease and abandoned the Premises, this Lease shall continue in effect for so long as Lessor does not terminate Lessee's right to possession, and Lessor may enforce all rights and remedies under this Lease, including the right to recover the rental as it becomes due under this Lease. Acts of maintenance or preservation, efforts to relet the Premises, or the appointment of a receiver upon initiative of Lessor to protect Lessor's interest under this Lease shall not constitute a termination of Lessee's right to possession.
- 8.4 The remedies provided in this Lease are in addition to any other remedies available to Lessor at law, in equity, by statute, or otherwise.
- 8.5 Agreements and provisions to be performed by Lessee under this Lease shall be at Lessee's sole cost and without abatement of rental, except as specifically provided in this Lease. If Lessee (I) fails to pay any sum of money, other than rental, required under this Lease, or (II) fails to perform any other act required of lessee under this Lease, and this failure continues for thirty (30) days after notice of the failure by Lessor, or a longer period as may be allowed under this Lease, Lessor may, without waiving or releasing Lessee from any obligations of Lessee, make payment or perform other acts required by this Lease on Lessee's behalf.

All sums paid by Lessor and all necessary incidental costs shall be payable to Lessor on demand and shall constitute additional rental under this Lease.

- 8.5(a) If, without objection by Lessor, Lessee holds possession of the Premises after expiration of the term of this Lease, Lessee shall become a tenant from month-to-month on the terms specified in this lease, except those pertaining to term, option to extend, and option to acquire the Building, but at a monthly rental equivalent to one hundred ten percent (110%) of the then prevailing monthly rental paid by Lessee at the expiration of the term of this Lease, payable in advance on or before the first day of each month. Each party shall give the other notice of intention to terminate the tenancy at least one (1) month prior to the date of termination of a monthly tenancy.
- 8.5(b) If, over Lessor's objection, Lessee holds possession of the Premises after expiration of the term of this Lease or expiration of the holdover tenancy, Lessee shall be deemed to be a tenant-at-sufferance and, without limiting the liability of Lessee for unauthorized occupancy of the Premises, Lessee shall indemnify Lessor and any replacement tenant for the Premises for any damages or loss suffered by either Lessor or the replacement tenant resulting from Lessee's failure to vacate the Premises in a timely manner.

9. ATTORNEY'S FEES

If either party to this Lease prevails in any legal proceeding arising under or in connection with the terms of the Lease, that party shall recover its reasonable attorney's fees from the other party.

10. NOTICE

Whenever notice is required to be given under this Lease, it shall be deemed given when deposited in the U.S. Mail with first class postage properly affixed thereto or when personally delivered and addressed as follows:

City of Ukiah
300 Seminary Avenue
Ukiah, CA 95482

Mendocino County Local Agency
Formation Commission
200 S. School Street, Suite K
Ukiah, CA 95482

11. WAIVER

Waiver of any breach of this Lease, including the failure to pay rent or obtain prior approval for an assignment of the Lease, shall not be deemed a waiver of any subsequent breach of the same or a different provision of the Lease.

12. PARAGRAPH HEADINGS

Paragraph headings are included for the convenience of the parties and are not intended to define or limit the scope of this Lease.

13. PREVIOUS AGREEMENT

Any and all existing statement or agreements, whether oral or written, or renewals thereof between the parties hereto, covering the same subject matter, are hereby canceled and superseded by the terms of this Lease, and such prior agreements, statements or understandings shall have no further force or effect.

14. DUPLICATE ORIGINALS

This Lease may be executed in one or more duplicate originals bearing the original signature of both parties and when so executed any such duplicate original shall be admissible as proof of the existence and terms of this Lease.

Entered on this date _____

Sage Sangiacomo, City Manager, City of Ukiah

Mendocino County Local Agency Formation Commission

MENDOCINO

Local Agency Formation Commission

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

COMMISSIONERS

Maureen Mulheren, Chair
County Member

Gerald Ward,
Vice Chair/Treasurer
Public Member

Katharine Cole
Special District Member

Gerardo Gonzalez
City Member

Candace Horsley
Special District Member

Glenn McGourty
County Member

Mari Rodin
City Member

Francois Christen, Alternate
Special District Member

Douglas Crane, Alternate
City Member

John Haschak, Alternate
County Member

Vacant, Alternate
Public Member

STAFF

Executive Officer
Uma Hinman

Clerk/Analyst
Larkyn Feiler

Counsel
Marsha Burch

REGULAR MEETINGS

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

March 4, 2024

Honorable David Cortese
California State Senate
1021 O Street, Suite 6630
Sacramento, CA 95814

*SB 1209 (Cortese): Local agency formation commission: indemnification – **SUPPORT**
Awaiting hearing – Senate Local Government Committee*

Dear Senator Cortese:

The Mendocino Local Agency Formation Commission (LAFCo) is pleased to support Senate Bill (SB) 1209, sponsored by the California Association of Local Agency Formation Commissions (CALAFCo). SB 1209 would add a new section into Government Code authorizing LAFCos to enter into an indemnification agreement with an applicant. Counties and cities are already empowered to require indemnification, and routinely do so with respect to discretionary land-use approvals. SB 1209 would merely provide LAFCos with the same authority.

This bill addresses a 2022 decision of the Second District Court of Appeals, which found that existing State law does not provide explicit authority to require indemnification. Absent indemnification authority - and because LAFCo funding is statutorily required in a specified ratio from the county, cities, and special districts within a county - the costs to defend litigation must be absorbed by all of LAFCo's funding agencies.

Consequently, **SB 1209** will:

- Provide LAFCos with the ability to use a tool already in use by counties and cities;
- Prevent costs to defend litigation from being shifted to a county, its cities, and its special districts; and
- Remove the possibility that an applicant threatens litigation to coerce a desirable LAFCo determination.

Thus, for the above reasons, Mendocino LAFCo is in strong **support of SB 1209**.

SB 1209 Support
March 4, 2024

Sincerely,



Maureen Mulheren
COMMISSION CHAIR

cc: The Honorable Maria Elena Durazo, Chair, and Members, Senate Local Government Committee
Anton Favorini-Csorba, Chief Consultant, Senate Local Government Committee
Ryan Eisberg, Consultant, Senate Republican Caucus
Rene' LaRoche, Executive Director, California Association of Local Agency Formation Commissions

MENDOCINO

Local Agency Formation Commission

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

Executive Officer
Uma Hinman

Clerk/Analyst
Larkyn Feiler

Counsel
Marsha Burch

REGULAR MEETINGS

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

March 4, 2024

Honorable Juan Carrillo, Chair
Assembly Local Government Committee
1020 N St.
Rm. 157
Sacramento, CA 95814

RE: **SUPPORT** of AB 3277, Local agency formation commission: districts: property tax

Dear Senator Carillo,

The Mendocino Local Agency Formation Commission (LAFCo) is pleased to **Support Assembly Bill 3277**, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), which makes a clarifying change to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

Under existing statute, a commission must perform a financial analysis of ad valorem property taxes when a proposal is received that includes the incorporation of a city and the formation of a district. The only purpose of the analysis is to determine how best to apportion the property taxes between the agencies. However, occasionally, an application is received in which the district waives any portion of the ad valorem taxes. In those situations, no analysis is needed for the process, yet it remains required by statute.

This bill will add language that clarifies that the performance of the financial analysis in that situation only needs to be performed in those instances where a portion of the ad valorem property taxes is being sought.

By making this minor change, **AB 3277** will apply this time-consuming process only to those applications that require it.

For the reasons noted above, Mendocino LAFCO **Supports AB 3277**.

Please do not hesitate to reach out with questions or concerns about our position.

Sincerely,



Maureen Mulheren
COMMISSION CHAIR

cc: Members and Consultants, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
René LaRoche, Executive Director, CALAFCO

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: April 1, 2024
TO: Mendocino Local Agency Formation Commission
FROM: Uma Hinman, Executive Officer
SUBJECT: **Ukiah Valley Water Authority**

RECOMMENDATION

The Commission will receive an informational report on the newly formed Ukiah Valley Water Authority.

BACKGROUND

The Ukiah Valley Water Authority (UVWA) is a Joint Powers Authority (JPA) that will combine the City of Ukiah’s water agency with Millview County Water District and Redwood Valley County Water District, for the purpose of improving water supply reliability throughout the Ukiah Valley.

The formation of the JPA unifies the member entities, creating coordination that aims to optimize the region’s water resources. The JPA is governed by a Board of Directors, with two representatives from each of the entities.

The UVWA’s stated mission is:

- Building a future of water security for the Ukiah Valley
- Restoring Water Reliability & Sustainability for the Ukiah Valley
- Modernizing our Region’s Water Supply

Areas in the Ukiah Valley lack access to reliable water supplies and the financial resources to modernize old infrastructure and improve reliability. Consolidation will improve operational efficiency and will expand the area in which the members’ water rights and other assets may be used. These water assets will provide greater stability for communities that have suffered from diminished supplies and curtailment during drought years. Without this kind of significant action, the State Water Board could implement provisions under Senate Bill 88 that allows it to intervene when districts fail to ensure adequate water supplies.

The UVWA will apply for \$40-50 million in grants made available through the State Water Board’s “Safe and Affordable Funding for Equity and Resilience” (SAFER) Program. The program, as part of its mission to provide every Californian with safe drinking water, encourages the consolidation of rural and small water systems, which are typically unable to afford infrastructure upgrades or the costs associated with consolidation.

Attachments: Ukiah Valley Water Authority JPA Key Provisions



Key Terms of Ukiah Valley Water Authority Joint Powers Agreement

- The Agreement creates the Ukiah Valley Water Authority, a Joint Exercise of Powers Authority.
- Initial members are Millview County Water District, Redwood Valley County Water District, and the City of Ukiah
- Other public water agencies may join.
- UVWA will be run by the Water Executive Committee
 - Two representatives from each member serve on the Water Executive Committee
 - The Water Executive Committee sets an annual budget for the Combined Water System
 - The Water Executive Committee has the power to set rates and collect levies
- Under contract with the JPA, the City will provide management and O&M services
 - The City will hire any District employees who wish to be hired
 - City may be asked to provide services to additional non-parties
- The Parties commit to mutual cooperation regarding Changes in Organization
 - Districts will support City Annexations
- A Party may withdraw with an effective date of July 1st on 90 days' notice
 - Upon withdrawal, withdrawing Party regains control of its assets; provided, however, that to the extent any asset has been improved for the benefit of other Parties, the withdrawing Party must continue to serve benefitted customers.
 - Absent agreement, assets serving more than one Party remains part of Combined Water System.
- Grant funding in excess of \$1m leads to change in organization
- Modification of Water Rights
 - Parties will work together to modify their existing water rights to allow for the provision of water service across footprint of UVWA.
- Robust mediation and dispute resolution provisions

The Ukiah Valley Water Authority will hold its first public meeting on Tuesday, April 2nd, 2024, at 5:00 pm at the Ukiah Valley Conference Center.

**MENDOCINO
Local Agency Formation Commission**

Staff Report

MEETING April 1, 2024
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Applications and Work Load**

RECOMMENDATION

Staff recommends the Commission receive and file this 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.

LAFCo proceedings for jurisdictional changes are generally initiated by outside applicants through petitions (landowners or voters) and resolutions (local agencies). LAFCos may also initiate jurisdictional changes to form, consolidate, or dissolve special districts if consistent with the recommendations of approved municipal service reviews.

The item is for information and satisfies Mendocino LAFCo’s reporting requirement for current and future applications.

ACTIVE PROPOSALS

Attachment 1 is a regular update to the Commission on active proposals on file as well as identification of future proposals staff anticipates being filed with LAFCo in the near term based on discussions with local agencies and proponents.

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. Attachment 2 is an update on the status of activities scheduled in the Work Plan. This report also serves to inform the Commission of any changes in circumstances or priorities.

Attachments

1. Summary Table – Application Activity and Potential Future Proposals
2. Summary Table – Work Plan Tracking and Status

Attachment 1. Summary Table – Application Activity and Potential Future Proposals

LAFCo File No. ¹	Applicant	Project Name	Date Application Received	Certificate of Filing	LAFCo Hearing Date	Certificate of Completion	BOE Submittal Date
P-2023-02	Fort Bragg	Pre-Application Review for Annexation of City-owned Properties	4/10/2023	N/A	N/A	N/A	N/A
<p>The City of Fort Bragg submitted a Pre-Application Review Request for annexation of Mendocino Coast Recreation and Park District properties consisting of 6 parcels totaling 582 acres. The intended use of the parcels is for water supply reservoirs, power generation, preservation and recreation. A pre-application meeting was held with Fort Bragg staff on July 25. Additional research is being conducted to provide guidance on identified issues.</p>							
A-2023-01	AVCSD	Annexation of Sphere	3/6/2023				
<p>The Anderson Valley Community Services District (AVCSD) proposes to annex the District’s Sphere of Influence (SOI) for fire and ambulance services. The Agency Referral and Notice of Filing were distributed to initiate the tax share negotiation process (3/2023). The application is incomplete pending additional information and a tax share agreement. Coordination meetings are being held with AVCSD staff and County Departments regarding the tax share process.</p>							
A-2022-02	Ukiah	City of Ukiah Annexation of Western Hills (Hull Properties)	6/8/2022 3/21/2024				
<p>The City of Ukiah proposes to annex approximately 791 acres in the Western Hills for open space preservation, while allowing the potential for future low density residential up to 20 dwelling units on the 40 easternmost acres. New application materials were submitted March 21, 2024; the agency referrals were distributed on 3/21/24 and the Notice of Filing sent to the Auditor and Assessor for the tax share agreement process. Note: it is anticipated that the Master Tax Share Agreement between the City and County will be considered by the BOS in April 2024. The application is being reviewed for completeness. Coordination meetings are being held with LAFCo and City staff.</p>							
L-2022-01	ECSD	Elk Community Services District Activation of Latent Powers for Wastewater Services	4/8/2022				
<p>The Elk Community Services District (ECSD) proposes 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. The application has been referred to affected agencies and a Notice of Filing sent to the County Assessor and Auditor-Controller to initiate the tax share negotiation process in accordance with Revenue & Tax Code Section 99. The application is incomplete pending a tax share agreement.</p>							
A-2021-01	Ukiah	City of Ukiah Annexation of City-Owned Properties	3/1/2021 2/25/2022	7/18/2023	9/11/2023	10/23/2023	11/1/2023
<p>The City of Ukiah’s proposal to annex City-owned properties was approved by the Commission on September 11, 2023. The Certificate of Completion has been recorded and the Board of Equalization Acknowledgement Letter was received on November 28, 2023.</p>							
Potential Future Proposals							
	AVCSD	AVCSD Activation of Latent Powers for Water and Wastewater Services					
<p>For several years the AVCSD has been developing a plan and design for providing water and wastewater services to the community of Boonville, which will require activation of latent powers through LAFCo. Staff have recently provided direction to District staff regarding application needs. Staff is coordinating with District CEQA consultants to provide input for inclusion in CEQA analysis.</p>							

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 2023-24 ESTIMATED WORK PLAN IMPLEMENTATION SCHEDULE AND STATUS						
<i>Work Plan status as of March 25, 2024</i>						
Subject to Change: The estimated schedule and costs for the Fiscal Year 2023-24 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
Caspar South Water District	In process	In process				Research and development of an Administrative Draft and Request for Information (RFI) is in process.
Elk County Water District	In process	In process				Research and development of an Administrative Draft and RFI is in process.
Gualala Community Services District	1/31/2024	3/15/2024	5/6/2024	6/3/2024		Administrative draft provided to GCSD; awaiting responses
Irish Beach Water District	In process	In process				Research and development of an Administrative Draft and RFI is in process.
Mendocino County Water Works Water Works District No. 2	10/12/2023	1/31/2024	3/4/2024	6/3/2024		This will be the first MSR for the District. Public workshop held; additional information being collected by district. Staff anticipate holding public hearing same day as public hearing for GCSD.
Pacific Reefs Water District	10/27/2023	In process	5/6/2024			Research and development of an Administrative Draft; RFI response received 11/28/23.
Westport County Water District	In process	In process				Research and development of an Administrative Draft and RFI is in process.