

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

Richard Weinkle, 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, December 4, 2023 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/81940487658>
2. Telephone option (audio only):
Dial: **(669) 900-9128** (*Please note that this is not a toll-free number*)
Meeting ID: **819 4048 7658**

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) November 6, 2023 Regular Meeting Summary

4b) November 2023 Claims & Financial Report

4c) 2024 Meeting Calendar

4d) Certificate of Appreciation for Alternate Commissioner Weinkle

5. PUBLIC HEARING ITEMS

None

6. WORKSHOP ITEMS

None

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

7a) Informational Presentation on the Status and Proposal for the Potter Valley Project

The Commission will receive an informational presentation from Janet Pauli, Chair of the Mendocino County Inland Water and Power Commission, regarding the status of PG&E's Potter Valley Project and a local proposal to acquire the Project.

7b) Proposed Policy Establishing a Process for Requests for Proposals or Qualifications

The Commission will consider the Policies & Procedures Committee's recommendation of a policy establishing a process for requests for proposals (RFP) or requests for qualifications (RFQ).

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, **January 8, 2023** 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.

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Local Agency Formation Commission

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Agenda Item No. 4a

COMMISSIONERS

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Mendocino County
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501 Low Gap Road, Ukiah

DRAFT MEETING MINUTES

Mendocino Local Agency Formation Commission

Regular Meeting (Hybrid) of Monday, November 6, 2023

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

1. CALL TO ORDER and ROLL CALL (Video Time 6:04)

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

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

Regular Commissioners Absent: None

Alternate Commissioners Present: Richard Weinkle, Francois Christen, and Douglas Crane (remotely)

Alternate Commissioners Absent: John Haschak

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

2. PUBLIC EXPRESSION (Video Time 7:17)

None

3. OTHER BUSINESS (Video Time 8:08)

None

4. CONSENT CALENDAR (Video Time 8:09)

4a) September 11, 2023 Regular Meeting Summary

4b) September 2023 Claims & Financial Report

September 2023 Claims totaling:	\$ 24,262.97
Hinman & Associates Consulting	20,816.78
Marsha Burch Law Office	1,912.50
Streamline	63.00
Mendocino County	375.00
Ukiah Valley Conference Center	1,095.69

4c) October 2023 Claims & Financial Report

October 2023 Claims totaling:	\$ 20,984.30
Hinman & Associates Consulting	15,554.29
Commissioner Stipends	177.95
Streamline	63.00
CALAFCO/CSDA	1,281.00
SDRMA	2,857.81
Commissioner Gonzalez	366.96
Ukiah Valley Conference Center	683.29

Commissioner Ward provided an update on the Commission’s Reserves account with Westamerica, noting he met with bank representatives and was able to increase the interest rate from .07% to 2.2% on the account. EO Hinman confirmed that the increased rate was reflected on the most recent statement. EO Hinman also confirmed that Westamerica Bank charges a monthly service fee on the account of \$4.00, which is related to receiving paper statements.

Commissioner Ward inquired about Counsel Burch’s charges related to Fort Bragg. EO Hinman responded that staff has been responding to multiple inquiries regarding out of agency services around Fort Bragg, and staff (including Counsel Burch) have been working with City staff to better understand the scope of water and sewer service provision and the City’s Municipal Improvement District. Commissioner Ward asked if this work was related to the Work Plan or an application; EO Hinman responded that it is not currently but could potentially lead to an application in the future. Commissioner Ward asked if this time should be charged to the City of Fort Bragg; EO Hinman responded that it falls under general Counsel Services at this time.

Commissioner Ward inquired about the outstanding balance of \$109 for the Millview County Water District’s Pre-Application Review, to which EO Hinman responded she would follow up with the District.

Commissioner Horsley asked staff how fee deposits for applications are estimated (i.e., City of Ukiah Annexation of City Owned Properties). EO Hinman explained that LAFco has an adopted fee schedule that identifies the minimum deposit needed to accept applications for processing, and noted that all applications are processed at cost and billed at the established service fees, which were adopted by the Commission last year. Once the initial deposit is drawn down, additional deposit to cost is required from the applicant so staff is always working from a held balance. Commissioner Horsley then inquired about the deposit amount for the City of Ukiah’s Annexation; EO Hinman responded that the deposit total was \$8,283.75 and no further expenses are anticipated.

Commissioner Horsley inquired about the status of the work plan and if any administrative drafts have been completed. EO Hinman responded that rough administrative drafts have been completed for all the districts identified in the work plan, some information requests have been sent to districts, and meetings with two of the districts are scheduled in November.

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

5. PUBLIC HEARING ITEMS

None

6. WORKSHOP ITEMS

None

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

7a) Ukiah Valley Groundwater Sustainability Agency Fee Rate Study (Video Time 14:54)

EO Hinman briefly introduced the item. The Ukiah Valley Groundwater Sustainability Plan (GSP) was approved by the state earlier this year and is currently in its implementation phase. The Ukiah Valley Basin Groundwater Sustainability Agency (GSA) has hired consultants to develop a plan and rate study to establish long term funding for implementation of the GSP. She noted that LAFCo has been identified as a stakeholder in the process and then introduced Shaylene Rollins of Rollins PR Consulting and Catherine Hansford of Hansford Economic Consulting to present to the Commission.

Shaylene Rollins and Catherine Hansford then presented on the item to the Commission.

Commissioner Horsley inquired as to who the proposed fees would apply. Ms. Hansford responded that the GSA Board would determine the assessment area and that potentially all properties within the GSA boundaries may be subject to the proposed assessment. Hansford also clarified that the fee would not be applied to federal and Tribal properties held in trust; however, the assessment may be applied to domestic well-owners if the GSA Board determines it is appropriate to regulate. Ms. Hansford further explained that the assessment could be added onto property tax bills or through service providers.

Commissioner McGourty commented that while recent numbers indicate that the groundwater resources in the Ukiah Valley appear promising, the GSP is an unfunded mandated required by state law. He stated that when considering how the proposed rates are applied, the general notion of 'those who pump should pay' (i.e., the largest users such as agriculture) should be considered. Commissioner McGourty recommended that rates be charged on an 'irrigated acre basis', based on the crop, that meters should not be used, and that large users should not be subsidized. He further commented that legacy issues in the region should also be considered.

Commissioner Ward asked what role LAFCo has in the rate study. EO Hinman explained that GSAs are not subject to LAFCo except when they have formed a special district; however, the information would be requested and analyzed in the service reviews of water districts located in the Ukiah Valley region.

Commissioner Ward questioned why other areas in the County were not subject to the mandate to which Commissioner McGourty responded that the state determined that the Ukiah Valley Basin is a 'medium priority basin', which makes it subject to the requirements of the Sustainable Groundwater Management Act (SGMA). Commissioner McGourty clarified that the GSA board is a Joint Powers Authority (JPA) made up of a number of entities/agencies. Upon Commissioner Ward's question of why the Mendocino County Water Agency (MCWA) is not involved in the GSA Board, Commissioner McGourty stated that the MCWA is minimally funded and has little power.

Commissioner Ward asked about the cost of the rate study, the annual maintenance fee, and how the rate study was being funded. Ms. Hansford responded that the study cost \$120,000 and the annual administration is expected to be no more than \$15,000, which would cover billing and management of the collected funds. She also clarified that it was funded by the rate payers themselves, but was not sure by what funding mechanism. Commissioner McGourty clarified that each member agency contributes a fee that is supporting the development of the rate study.

EO Hinman noted that the member agencies of the Board include the City of Ukiah, the County of Mendocino, the Russian River Flood Control District, and the Upper Russian River Agency.

Commissioner Rodin inquired about how fees could be passed onto users and requested clarification of the purpose of the presentation. Ms. Hansford responded that the purpose of the presentation was informational, to which Commissioner Rodin responded by supporting the efforts of the study.

Commissioner McGourty commented on the importance of supporting studies like this one to better understand the water resources of the region.

Commissioner Ward commented that he hopes that the public has the opportunity to be involved in the process as they will ultimately be the ones affected by the rates.

Chair Mulheren assured the Commissioners that they would be notified about local workshops on the subject.

Alternative Commissioner Crane commented that he is the Vice-Chair of the GSA and noted that the four member agencies that make up the GSA Board each contributed \$50,000/ year, in addition to obtaining grant money.

No public comments were provided on the item.

7b) AB 399 (Video Time 57:44)

EO Hinman provided an informational presentation on AB 399 Water Ratepayers Provisions Act of 2023.

Commissioner Ward asked if San Diego LAFCo opposes the legislation. EO Hinman confirmed, noting that they worked closely with CALAFCO's Legislative Committee to oppose the legislation. Upon Commissioner Ward's question as to how the legislation affects LAFCo, Counsel Burch explained that although this legislation is limited to the San Diego County Water Authority territories, it sets a precedence for circumventing LAFCo processes with special legislation, which is a legitimate concern.

Commissioner Rodin suggested that the information learned could be used to apply to Mendocino LAFCo. As an example, the importance of avoiding bankrupting agencies/districts affected by annexation processes, and what mechanisms (besides exit fees) may be employed to minimize impacts to affected agencies. Counsel Burch responded that with respect to the San Diego case, the exit fee was determined based on multiple factors; EO Hinman added that San Diego LAFCo required an extensive financial analysis prepared to support the application and conditions of approval.

Commissioner Horsley asked if the main concern of the San Diego case was the Water Authority's loss of revenue; EO Hinman confirmed and added that the intent of the legislation was to expand the voting requirements. Commissioner Horsley responded that without fully understand the situation, voters would most likely vote 'no' to annexation. She added that the situation was similar to the Ukiah Valley Sanitation District negotiations with the City of Ukiah, noting there are many ways to negotiate the situation.

Commissioner Gonzalez commented that the situation is similar to when cities/agencies want to detach from PERS, they must pay an exit fee; he agreed that most people would likely vote 'no' to annexations to avoid increased expenses.

No public comments were provided on the item.

7c) AB 557 (Video Time 1:08:08)

Counsel Burch provided an informational presentation on AB 557, which amends GOV 54953 regarding open meeting law for local agencies.

Chair Mulheren commented that the legislation is in direct opposition to what Mendocino County needs; virtual/remote attendance has increased public participation in the region.

Commissioner Gonzalez asked if attending committee meetings virtually would still be allowed and Counsel Burch responded she thinks that is a fair interpretation.

Commissioner Ward asked Chair Mulheren why she thinks this legislation does not go far enough; she responded virtual or hybrid meetings accommodate greater attendance in the rural communities. Chair Mulheren expressed that she will continue to push representatives and board members to advocate for expanded remote teleconference opportunities, and encouraged others to contact their local representatives as well. EO Hinman noted that the issue can be relayed to the CALAFCO Legislative Committee for consideration.

No public comments were provided on the item.

7d) SB 938 (Video Time 1:15:35)

Counsel Burch provided an informational presentation on SB 938, which amends the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) to streamline LAFCo-initiated consolidations and protest proceedings.

Commissioner Ward inquired as to why LAFCo would dissolve a district. Counsel Burch responded that they most often they should not, but that it may be applicable in situations where a district is facing significant maintenance and financial issues (e.g., cemetery districts). She added that struggling water or wastewater districts can result in a cascading effect of issues, which often ultimately becomes the County's responsibility. Commissioner Ward noted two detachments with protest hearings that Mendocino LAFCo has processed and asked if they would be affected by the legislation. Counsel Burch responded that the legislation affects LAFCo-initiated dissolutions and added that she will share a helpful infographic that explains the dissolution process.

Commissioner Horsley asked about the Sonoma Water Agency case and asked Counsel if she thought that was LAFCo-initiated. Counsel Burch responded that it may have been and that there are cases in which there are successor agencies and court appointed receivers.

Commissioner McGourty commented that there are many districts (e.g., cemetery districts) that are in need of funding within the County.

Commissioner Cole commented that perhaps some of the cemetery districts would welcome intervention from LAFCo if there are options for successors. Counsel Burch responded that many rural districts are facing the same funding issues and perhaps state-level action is necessary; she further noted that dissolution could be considered.

Commissioner Rodin encouraged the Hopland Cemetery District to consider its options.

Upon Commissioner Christen's request for clarification of changes resulting from the legislation, EO Hinman responded that prior to SB 938 the protest threshold for LAFCo-initiated dissolutions was 10% of the registered voters within the affected district. Now the protest threshold is consistent for all proceedings at 25% of registered regardless of whether it is LAFCo or applicant initiated.

EO Hinman added that justifications for Commission actions such as dissolutions require supporting determinations in municipal service reviews. With respect to the work plan and the studies being prepared for various water and wastewater districts, it will be very important to work closely with the districts and develop strong, substantiated determinations to support future actions.

No public comments were provided on the item.

8. INFORMATION AND REPORT ITEMS

8a) Work Plan, Current and Future Proposals (Video Time 1:37:00)

EO Hinman presented the staff report. She explained the approach to the work plan studies is to use development of administrative drafts to front load the work to better inform the coordination and information needs with the districts. The studies are progressing and it is anticipated that public workshops for the studies will begin in early 2024, depending on the responsiveness of the districts. Commissioner Ward asked if there are specific districts that have been difficult to contact. EO Hinman responded that some of the districts are tiny and that Caspar South Water District in particular has been difficult to get a response from, but there are multiple. Some of the agencies do not have full boards and have not been meeting regularly. Commissioner Ward suggested that Commissioners could participate in the districts' meetings.

Commissioner Rodin commented that analyzing the district's finances and operations is a beneficial thing.

Commissioner Gonzalez commented on the role LAFCo played in a case of a wayward special district in Ventura County, which was a session example at the annual conference.

Commissioner Ward asked if the Board of Supervisors could do anything about the lack of board members representing special districts; Commissioner McGourty responded that the Board actively solicits quality participants but it is difficult given multiple factors.

Commissioner Horsley then commented on the issue of who would run the cemeteries if the districts were dissolved.

8b) Correspondence (Video Time 1:47:18)

EO Hinman noted the letter from the Hopland Municipal Advisory Committee (HMAC) included in the agenda packet, noting that staff would be reaching out to the County to coordinate communications and response from the County's financial team.

8c) CALAFCO Business and Legislation Report (Video Time 1:48:08)

EO Hinman reported that three members of Mendocino LAFCo (Commissioner Gonzalez, EO Hinman, and Analyst Feiler) attended the CALAFCO conference in Monterey. Commissioner Gonzalez reported on the CALAFCO Business Meeting, which recapped the recent elections and highlighted recent legislation. EO Hinman was part of a session panel on disaster preparedness and presented on the Mendocino County drought emergency; she expressed interest in providing an informational presentation to the Commission focused on the disaster-related studies and services that could be considered for inclusion in MSRs. Commissioner Rodin suggested that session take place before the Commission reviews the work plan reports. Commissioner Gonzalez noted that Counsel Burch was also a presenter at the conference.

8d) Executive Officer's Report (Video Time 1:51:21)

EO Hinman informed the Commission that a Policies & Procedures Committee meeting would be taking place right after the Commission meeting. She also provided an update that staff has been researching and coordinating with the City of Fort Bragg regarding the water and sewer service connections outside City boundaries.

8e) Committee Reports (Executive Committee, Policies & Procedures) (Video Time 1:52:30)

None.

8f) Commissioners Reports, Comments or Questions (Video Time 1:52:37)

Commissioner McGourty gave an update on the Potter Valley Project and PG&E's plan to decommission Scotts Dam and Van Arsdale Dam and the local proposal to transfer the assets to a JPA, which is still being negotiated. He noted that the JPA must be formed by the end of the year and they need a plan for operations by March of 2024 so that the plan is developed by 2025 for review. He noted that LAFCo will presumably get involved in the process given the infrastructure and jurisdictional changes.

EO Hinman commented that she had invited Janet Paulie to provide an informational presentation to the Commission at the December meeting.

Commissioner Gonzalez provided a recap on the CALAFCO conference and stated that a lot of work is being done by LAFCos across the state and acknowledged LAFCo's role in assisting agencies and districts.

ADJOURNMENT (Video Time 1:58:20)

There being no further business, the meeting adjourned at 10:53 a.m.

The next regular meeting of the Commission is scheduled on Monday, **December 4, 2023** 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.

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MENDOCINO Local Agency Formation Commission Staff Report

DATE: December 4, 2023
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: **Claims and Financial Report for November 2023**

RECOMMENDED ACTION

Approve the November 2023 claims and financial report.

Name	Account Description	Amount	Total
Hinman & Associates Consulting, Inc.	5300 Basics Services	\$ 10,305.54	\$ 14,842.21
	5601 Office Supplies (QB)	\$ 90.00	
	5700 Internet (Comcast)	\$ 93.67	
	6200 Bookkeeping	\$ 440.00	
	7001 Work Plan (Coastal W/WW Districts)	\$ 3,805.50	
	8031 AVCSO Annexation of SOI	\$ 107.50	
Commissioner Stipends	6740 In-County Travel & Stipends		\$ 177.95
	Weinkle (November)	\$ 78.82	
	Christen (November)	\$ 99.13	
Streamline	5700 Website Hosting	\$ 63.00	\$ 63.00
Newspapers	5900 Publications and Legal Notices	\$ 605.01	\$ 605.01
Mendocino County	6000 Televising Meetings	\$ 423.61	\$ 480.52
	6670 GIS Services	\$ 56.91	
Marsha Burch	6300 Legal Counsel	\$ 495.00	\$ 495.00
Ukiah Valley Conf. Center	5500 Office Space	\$ 555.00	\$ 681.51
	5600 Postage and copies	\$ 126.51	
Total Claims			\$ 17,345.20

Deposits: \$650 (refund to Account 6800 for cancelled conference registration)

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	Totals To Date	% Expended
Total Revenue		\$ 285,000.00	\$ 1,583.15	\$ 101,198.42	\$ 3,626.51	\$ 428.23	\$ 156.25	\$ 106,992.56	
Total Expenses									
Operations		\$ 320,000.00	\$ 21,176.15	\$ 25,480.07	\$ 21,770.97	\$ 20,735.30	\$16,596.70	\$ 105,759.19	33%
Applications		\$ 30,000.00	\$ 1,082.50	\$ 817.00	\$ 2,501.00	\$ 258.00	\$ 107.50	\$ 4,766.00	
		Balance Beginning of Year						Balance	
Treasury (apportionments held in Treasury until moved to Checking for claims)		\$ 52,598.14					\$ -		
Checking Account (Bank Statement)		\$ 49,459.33	\$ 44,814.99	\$ 110,712.10	\$ 84,402.21	\$ 62,896.43	\$ -		
Reserves (Bank Statement)		\$ 116,027.49	\$ 116,033.25	\$ 130,009.41	\$130,012.74	\$130,059.03	\$ -		

Account #	REVENUE								
4000	LAFCo Apportionments Fees (held in Treasury until moved to Checking for claims)	\$ 275,000.00		\$ 100,000.00				\$ 100,000.00	
4100	Fees and Reimbursements							\$ -	
4800	Miscellaneous							\$ -	
4910	Interest	\$ 500.00	\$ 9.40	\$ 10.92	\$ 11.51	\$ 53.23		\$ 85.06	
8000	Applications								
4150	Service Fees	\$ 9,500.00	\$ 491.25	\$ 370.50	\$ 1,114.00	\$ 117.00	\$ 48.75	\$ 2,141.50	
80XX	Applications Less Service Fees	\$ 20,500.00	\$ 591.25	\$ 446.50	\$ 1,387.00	\$ 141.00	\$ 58.75	\$ 2,624.50	
	TOTAL	\$ 285,000.00	\$ 1,583.15	\$ 101,198.42	\$ 3,626.51	\$ 428.23	\$ 156.25	\$ 106,992.56	

Account #	EXPENSES								
	OPERATIONS								
5300	Basic Services	\$ 133,000.00	\$ 7,427.59	\$ 12,817.55	\$ 12,192.61	\$ 9,005.56	\$10,305.54	\$ 51,748.85	39%
5500	Rent	\$ 7,000.00	\$ 555.00	\$ 555.00	\$ 555.00	\$ 555.00	\$ 555.00	\$ 2,775.00	40%
5600	Office Expenses	\$ 4,500.00	\$ 249.22	\$ 309.85	\$ 1,005.69	\$ 218.29	\$ 216.51	\$ 1,999.56	44%
5700	Internet & Website	\$ 3,000.00	\$ 172.84	\$ 156.67	\$ 156.67	\$ 156.67	\$ 156.67	\$ 799.52	27%
5900	Publication and Legal Notices	\$ 3,000.00					\$ 605.01	\$ 605.01	20%
6000	Televising Meetings	\$ 2,400.00					\$ 423.61	\$ 423.61	18%
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	\$ 2,200.00	40%
6300	Legal Counsel	\$ 30,000.00	\$ 900.00	\$ 900.00	\$ 1,867.50		\$ 495.00	\$ 4,162.50	14%
6400	A-87 Costs County Services	\$ 2,500.00						\$ -	0%
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	\$ 56.91	2%
6740	In-County Travel & Stipends	\$ 4,000.00				\$ 177.95	\$ 177.95	\$ 355.90	9%
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	\$ 29,135.00	29%
9000	Misc Expenses (bank fees)	\$ 100.00	\$ 9.00	\$ 9.00	\$ 9.00	\$ 9.00	\$ 9.00	\$ 45.00	45%
	TOTAL	\$ 320,000.00	\$ 21,176.15	\$ 25,480.07	\$ 21,770.97	\$ 20,735.30	\$16,596.70	\$ 105,759.19	

8000	APPLICATIONS	Deposits TD							Deposit Remaining
8022	City of Ukiah North Annexation Pre-Application (P-2020-01)	\$ 1,500.00						\$ -	\$ 1,122.00
8024	Millview CWD Annexation Pre-Application (P-2020-04)	\$ 3,500.00						\$ -	\$ (109.50)
8025	City of Ukiah Annexation of City-Owned Properties (A-2021-01)	\$ 8,283.75	\$ 111.25	\$ 875.00	\$ 2,955.00	\$ 125.00		\$ 4,066.25	\$ -
8028	Elk CSD Activation of Latent Powers (L-2022-01)	\$ 5,000.00						\$ -	\$ 763.75
8029	City of Ukiah Annexation of Western Hills Properties (A-2022-02)	\$ 5,000.00						\$ -	\$ 4,750.00
8031	AVCSD Annexation of SOI (A-2023-01)	\$ 6,000.00	\$ 285.00		\$ 660.00	\$ 250.00	\$ 156.25	\$ 1,351.25	\$ 2,382.00
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	\$ 4,766.00	
	Service Fees Subtotal		\$ 491.25	\$ 370.50	\$ 1,114.00	\$ 117.00	\$ 48.75	\$ 2,141.50	
	TOTAL	\$ 1,573.75	\$ 1,187.50	\$ 3,615.00	\$ 375.00	\$ 156.25		\$ 6,907.50	

EXPENSES TOTAL		\$ 22,749.90	\$ 26,667.57	\$ 25,385.97	\$ 21,110.30	\$16,752.95	\$ 112,666.69	
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	\$ 225,333.38

Mendocino LAFCo
FY 2023-24 Estimated Work Plan Implementation Schedule and Cost Tracking
November 27, 2023

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	\$ 29,135	\$ 47,889
Caspar South Water District	In process	In process							
Elk County Water District	In process	In process							
Gualala Community Services District	In process	In process							
Irish Beach Water District	In process	In process							
Mendocino County Water Works Water Works District No. 2	10/12/2023	In process							
Pacific Reefs Water District	10/27/2023	In process							
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 November 28, 2023
To Mendocino LAFCo
Project Executive Officer Services
Work Period November 1 - 26, 2023

Invoice No. 776
Invoice Total **\$ 14,842.21**

Account	Description	Staff/Hours		Other (At Cost)	Totals
		Executive Officer \$110	Analyst \$86		
5300	Basic Services Public Records Act Requests	62.25	25.75	\$ 1,243.54	\$ 10,305.54
5601	Office Supplies Quickbooks Online fee			\$ 90.00	\$ 90.00
5700	Internet & Website Costs (Comcast)			\$ 93.67	\$ 93.67
6200	Bookkeeping	4.00			\$ 440.00
7001	Coastal Region Water/Wastewater MSR/SOI		44.25		\$ 3,805.50
8031	AVCSD Annex SOI A-2023-01		1.25		\$ 107.50
Totals		\$ 7,287.50	\$ 6,127.50	\$ 1,427.21	\$ 14,842.21

5300 Basic Services

Administrative tasks, file research and maintenance of official records and files. Respond to public inquiries and research requests. Prepare and process October and November claims. Preparation for November 6, 2023 regular Commission meeting and Policies & Procedures Committee meeting. Refining draft policies with Counsel. Reminders and extension of deadline for Alternate Public member vacancy. Scanning historic resolutions to support office efficiencies. Website updates. Research of out of agency service procedures.

6200 Bookkeeping

Entered claims into Quickbooks and prepared checks. Reconciled Quickbooks.

7000 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 Distric 2 etc.); develop administrative drafts and information requests. Field meetings with MCWWD2 and GCSD staff and board member. Coordinate with agencies regarding information needs and requests.

8031 AVCSD Annexation of SOI (A-2023-01)

Meeting with AVCSD staff and County staff to coordinate next steps in tax share negotiations.

From: Intuit QuickBooks Team <No_Reply@notifications.intuit.com>
Sent: Sunday, November 19, 2023 5:37 AM
To: eo@mendolafco.org
Subject: We received your QuickBooks subscription payment!



Payment success

Executive Officer, thank you for your payment.

Invoice number:
10001267885755
Invoice date: 11/19/2023
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	93.67
Credit Card Payment Nov 04, 2023	-93.67 cr
New charges	
Comcast Business services	91.90
Taxes and fees	1.77

Amount due **\$93.67**

Payment due Dec 04, 2023



➔ **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 11102023 NNNNNNNN 01 999506

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

Account number **8155 30 052 0354952**

Automatic payment due **Dec 04, 2023**

Please pay **\$93.67**

Credit Card Payment To Be Applied 12/04/23

COMCAST
PO BOX 60533
CITY OF INDUSTRY CA 91716-0533

Marsha Burch

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

INVOICE

Invoice # 167
Date: 11/17/2023
Due On: 12/17/2023

Mendocino LAFCo

00201-Mendocino LAFCo

General Counsel

Type	Date	Notes	Quantity	Rate	Total
Service	11/06/2023	Prepare for and attend LAFCo meeting	2.20	\$225.00	\$495.00
				Total	\$495.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
167	12/17/2023	\$495.00	\$0.00	\$495.00
			Outstanding Balance	\$495.00
			Total Amount Outstanding	\$495.00

Please make all amounts payable to: Marsha Burch

Please pay within 30 days.

MENDOCINO Local Agency Formation Commission

Staff Report

DATE: December 4, 2023
TO: Mendocino Local Agency Formation Commission
FROM: Uma Hinman, Executive Officer
SUBJECT: 2024 Regular Commission Meeting Schedule

RECOMMENDATION

Approve the proposed Mendocino LAFCo Regular Commission meeting schedule for the 2024 calendar year.

BACKGROUND

All regular meetings of the Commission fall on the first Mondays of the month starting at 9 a.m., unless otherwise scheduled to accommodate observance of federal holidays. Meetings are typically held in the Mendocino County Board of Supervisors Chambers on Low Gap Road, Ukiah.

The following meeting dates are proposed for 2024:

Month	Date	Notes
January*	8	New Years Day falls immediately on the first Monday
February	5	
March	4	
April	1	
May	6	
June	3	
July	1	
August	5	
September *	9	Labor Day observed September 2
October	7	
November	4	
December	2	

At this time the January agenda appears to be light and could be cancelled.

Attachment: 2024 Calendar

2024 Calendar

January							February							March						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
31	1	2	3	4	5	6	28	29	30	31	1	2	3	25	26	27	28	29	1	2
7	8	9	10	11	12	13	4	5	6	7	8	9	10	3	4	5	6	7	8	9
14	15	16	17	18	19	20	11	12	13	14	15	16	17	10	11	12	13	14	15	16
21	22	23	24	25	26	27	18	19	20	21	22	23	24	17	18	19	20	21	22	23
28	29	30	31	1	2	3	25	26	27	28	29	1	2	24	25	26	27	28	29	30
													31	1	2	3	4	5	6	

April							May							June						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
31	1	2	3	4	5	6	28	29	30	1	2	3	4	26	27	28	29	30	31	1
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22
28	29	30	1	2	3	4	26	27	28	29	30	31	1	23	24	25	26	27	28	29
													30	1	2	3	4	5	6	

July							August							September						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
30	1	2	3	4	5	6	28	29	30	31	1	2	3	1	2	3	4	5	6	7
7	8	9	10	11	12	13	4	5	6	7	8	9	10	8	9	10	11	12	13	14
14	15	16	17	18	19	20	11	12	13	14	15	16	17	15	16	17	18	19	20	21
21	22	23	24	25	26	27	18	19	20	21	22	23	24	22	23	24	25	26	27	28
28	29	30	31	1	2	3	25	26	27	28	29	30	31	29	30	1	2	3	4	5

October							November							December						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
29	30	1	2	3	4	5	27	28	29	30	31	1	2	1	2	3	4	5	6	7
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
27	28	29	30	31	1	2	24	25	26	27	28	29	30	29	30	31	1	2	3	4

Holidays and common observances (United States)

1 Jan.	New Year's Day	27 May	Memorial Day	14 Oct.	Columbus Day
15 Jan.	Birthday of Martin Luther King, Jr.	19 June	Juneteenth	11 Nov.	Veterans Day
19 Feb.	Washington's Birthday (Presidents' Day)	4 July	Independence Day	28 Nov.	Thanksgiving Day
31 Mar.	Easter	2 Sept.	Labor Day	25 Dec.	Christmas

 = Proposed Regular Commission meeting

Certificate of Commendation

WHEREAS, Richard Weinkle was appointed Alternate Public Member on the Mendocino Local Agency Formation Commission in 2020; and

WHEREAS, he contributed significantly to the accomplishments of the Commission; and

WHEREAS, during his tenure on the Commission, his experience and dedication have been invaluable.

NOW, THEREFORE BE IT RESOLVED that the Local Agency Formation Commission of Mendocino County does hereby commend

Richard Weinkle

For his valuable service and leadership as a member of the Mendocino Local Agency Formation Commission Presented on this 4th Day of December 2023.

Maureen Mulheren, Commission Chair

Uma Hinman, Executive Officer

MENDOCINO Local Agency Formation Commission

Staff Report

MEETING December 4, 2023
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Informational Presentation on the Status and Proposal for the Potter Valley Project**

RECOMMENDATION

The Commission will receive an informational presentation on the status of the Potter Valley Project and a local proposal for acquisition of the Project.

BACKGROUND

The [Inland Water and Power Commission of Mendocino County](#) (IWPC) is a joint powers authority serving as a unified voice to consult on water issues such as raising Coyote Dam (Lake Mendocino), protecting local water rights, and the viability of the Potter Valley Project.

In 1996, the Mendocino County Inland Water and Power Commission (IWPC) was formed as a joint powers authority to serve as stewards of the Russian and Eel River watersheds, safeguarding the water that plays such a vital role to the region's economic development, environmental quality, and general well-being of those who use this water.

IWPC is deeply involved in protecting the future of the Potter Valley Project because the Project provides water to hundreds of thousands of people from Mendocino County through Marin County—supporting agriculture, wildlife, and many local communities.

IWPC members include the County of Mendocino, City of Ukiah, Redwood Valley County Water District, Potter Valley Irrigation District, and the Mendocino County Russian River Flood Control and Water Conservation Improvement District.

Potter Valley Project

The [Potter Valley Project](#), built in 1908, is a trans-basin diversion of water from the Eel River to the Russian River. The Potter Valley Project includes Lake Pillsbury, a 77,000-acre foot storage reservoir impounded by Scott Dam in Lake County. The Project also includes the Van Arsdale Reservoir, which is a storage reservoir impounded by the Cape Horn Dam, and a tunnel and penstocks that divert Eel River water to the Project's 9.4-megawatt hydroelectric power facility, located on the East Branch Russian River in Mendocino County.

The Potter Valley Project is licensed by the Federal Energy Regulatory Commission (FERC) to Pacific Gas and Electric Company (PG&E). PG&E has informed FERC that it will not pursue a new license for the project and intends to decommission the facility.

The Project currently diverts an average of approximately 60,000 acre-feet of water a year from the Eel River into the East Branch of the Russian River in Potter Valley. From there, the water flows into Lake

Mendocino, providing for the needs of water rights holders along the Russian River in Mendocino and Sonoma counties.

Proposal

Sonoma Water Agency, IWPC and the Round Valley Indian Tribes submitted a [proposal](#) for Cape Horn Dam and Van Arsdale Diversion to PG&E. See [website](#) for more information.

Attachment: PowerPoint Presentation

Potter Valley Project Impacts and Efforts

December 4, 2023

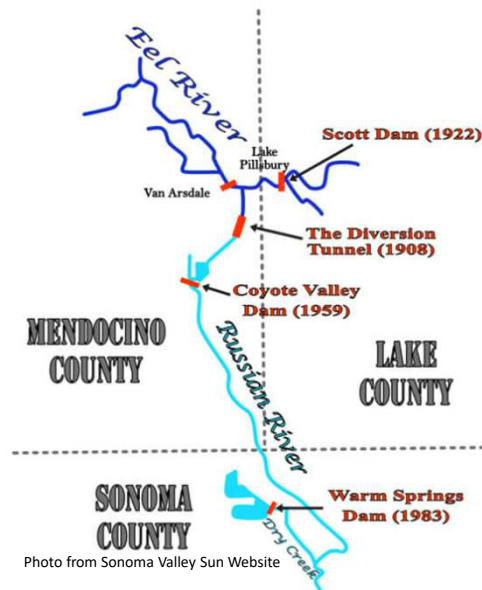
Presented by:

Janet K.F. Pauli, Chair, MCIWPC



Potter Valley Project (PVP)

- Owned and operated by Pacific Gas & Electric Co. for over 100 years
- Prior to 2007, 150,000 acre-feet (AF) of water per year on average was transferred from the Eel River to the Russian River
- Between 2007 and 2021 the transfer averaged about 60,000 AF per year on average.
- This water source is critical to Russian River water users
- This water also benefits migrating threatened Chinook salmon



PG&E Decision to Surrender

Date	Action
November 2023	Prepare initial draft surrender application including decommissioning plan
May 2024	Prepare final draft surrender application and decommissioning plan
January 2025	Submit final surrender application and decommission plan



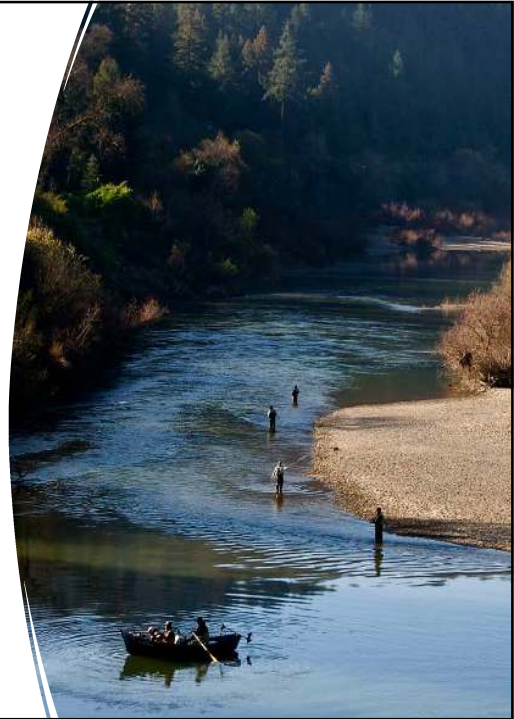
Russian River Impacts

- Impacts from decommissioning:
 - Lake Mendocino water shortages in 8 out of 10 years
 - **Lake Mendocino is predicted to go dry about 5 out of 10 years**
 - Economic losses in the tens of millions
 - Threats to human health and safety and listed fish species.
 - Conservation and local projects cannot replace this source of water in the short term



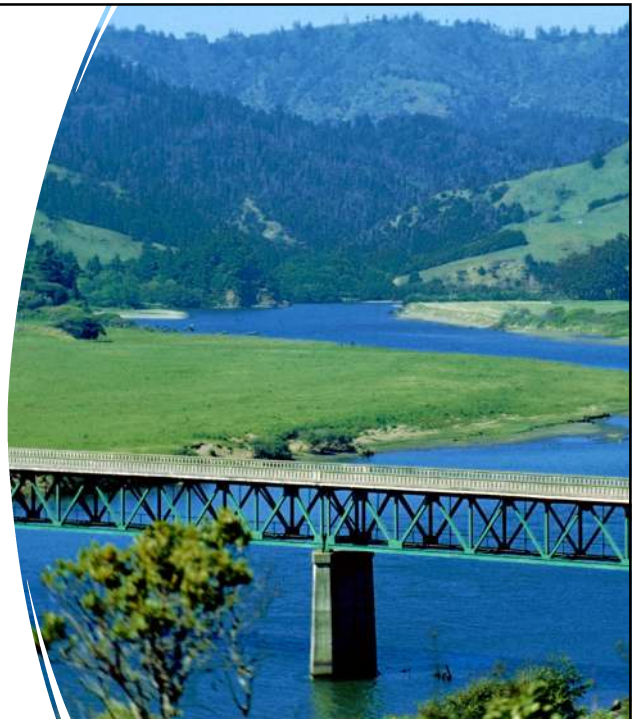
Proposal Submitted to PG&E

- Sonoma Water, Mendocino County Inland Water and Power Commission, Round Valley Indian Tribe
- If proposal accepted, proponents would:
 - Acquire and modify the PVP's water diversion facilities and construct a New Eel-Russian Facility
 - Form a JPA as a Regional Entity
 - Convene a table to negotiate a settlement agreement
 - Develop the financial capacity for ownership, construction, and operation of the Facility
 - Agree with PG&E on terms for a Purchase and Sale Agreement
- PG&E is considering the proposal, comment period now open. Local support for the proposal is crucial!



Short Term Keys to Success (before January 2025)

- Form Interim Regional Entity
- Agreement on terms for a purchase and sale agreement and settlement agreement
- Financial Capacity
 - Russian River Water Rights Holders
 - Capital Funding
 - Operations and Maintenance Funding
 - **Cost for Water Supply Reliability**
- Address water right constraints
 - Existing water rights may be modified.



Long Term Keys to Success (after January 2025)

- Incremental/evolutionary changes to the regional entity and business plan
- Advocacy and education
 - Russian River Water Forum
 - Other educational outreach efforts
- Securing state and federal funding for construction
- Successful facility modification



How you can help...

Support the proposal through:

- Letters to state and federal legislative delegation
- Letter of support to PG&E for proposal (comment period ends December 22, 2023)
- Informing constituents
- Sharing opportunities to educate the community

Sonomawater.org/RegionalPartnership

Mendoiwpc.com

Pottervalleywater.org



Questions and Discussion



**MENDOCINO
Local Agency Formation Commission**

Staff Report

MEETING December 4, 2023
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Draft Policy for Process for Requests for Proposals or Qualifications**

RECOMMENDATION

The Commission adopt Resolution No. 2023-24-03 approving the policy for establishing a process for requests for proposals or qualifications.

BACKGROUND

At the Commission's direction the Policies & Procedures (P&P) Committee and staff have developed a draft policy for establishing a process for requests for proposals (RFPs) or requests for qualifications (RFQ). The policy is intended to develop a consistent process for implementing an RFP/RFQ process for the solicitation of vendors or consultants to provide a service or produce a specialized report for Mendocino LAFCo.

The P&P Committee met on November 6, 2023 and recommended the attached draft policy for Commission consideration (see Resolution Exhibit A).

Attachment: Resolution No. 2023-24-03 with draft policy

Resolution No. 2023-24-03
of the Local Agency Formation Commission of Mendocino County

Approving the
Policy for the Evaluation Process for Requests for Proposals and Qualifications

WHEREAS, Local Agency Formation Commissions have been created under the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Sections 56000 et. seq. of the Government Code, as independent agencies, with the power to adopt policies and procedures to carry out their functions, (§56300); and

WHEREAS, the Commission directed the Policies & Procedures Committee to develop a policy to guide the evaluation process for requests for proposals (RFP) and requests for qualifications (RFQ).

WHEREAS, the Policies & Procedures Committee held a public meeting on the proposed policy on November 6, 2023 and at that meeting, the Committee considered the report of the Executive Officer and all oral and written comments with respect to the proposed policy, and recommended the policy to the Commission.

WHEREAS, this Commission held a public meeting on the proposed policy and at that meeting this Commission received the recommendation of the Policies & Procedures Committee, the report of the Executive Officer, and all oral and written comments with respect to the proposed policy.

NOW, THEREFORE, the Local Agency Formation Commission of the County of Mendocino DOES HEREBY RESOLVE, DETERMINE and ORDER the adoption of the policy for “Process for a Requests for Proposals or Qualifications” as set forth in Exhibit A.

BE IT FURTHER RESOLVED that the Mendocino LAFCo Policies & Procedures Manual be updated accordingly.

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 4th day of December 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

MAUREEN MULHEREN, Commission Chair

ATTEST:

UMA HINMAN, Executive Officer

Exhibit A

Policy X.X Process for Requests for Proposals or Qualifications

When the LAFCo elects to issue a Request for Proposals (RFP) or Request for Qualifications (RFQ) to solicit vendors/consultants to provide a service or produce a specialized report for Mendocino LAFCo, the Executive Officer shall develop a rating sheet to assist in the review of all submittals. The rating sheet shall include categories specific to the service or report being requested which comprehensively evaluates the individuals and/or firms competing for the Mendocino LAFCo contractual agreement. The Commission shall, at a public meeting, assign an ad hoc committee or two reviewers to participate with staff in reviewing the prospective vendor/consultant; for complex reports, reviewers may include outside experts, at the discretion of the Commission.

RFPs/RFQs should provide for all of the following:

1. A clear and accurate description of the technical requirements for the material, product or service to be procured. In competitive procurements, such a description shall not contain features which unduly restrict competition.
2. Requirements which the bidder/offer must fulfill and all other factors to be used in evaluating bids or proposals.
3. A description, whenever practicable, of technical requirements in terms of functions to be performed or performance required, including the range of acceptable characteristics or minimum acceptable standards.
4. A description of the proper format, if any, in which proposals must be submitted, including the name of the Mendocino LAFCo staff member to whom proposals should be sent.
5. The date and time by which proposals are due.
6. Required delivery or performance dates/schedules.
7. Clear indications of the quantity(ies) requested and unit(s) of measure.

Mendocino LAFCo may confer with other LAFCos in maintaining a list of qualified vendors/consultants to provide a service or produce a specialized report for Mendocino LAFCo.

Mendocino LAFCo may, but is not required to, consider vendors/consultants to provide a service or produce a specialized report through an RFP/RFQ process.

**MENDOCINO
Local Agency Formation Commission**

Staff Report

MEETING December 4, 2023
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 have been 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.</p>							
A-2022-02	Ukiah	City of Ukiah Annexation of Western Hills (Hull Properties)	6/8/2022				
<p>The City of Ukiah proposes to annex approximately 707 acres in the Western Hills for open space preservation, while allowing the potential for future low density residential up to 14 dwelling units on the 55 easternmost acres. The application is incomplete pending additional information and a tax share agreement.</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 proposal annexed City-owned parcels that are used for government purposes and consist 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 Certificate of Completion has been recorded and the Board of Equalization submittal was mailed on November 1, 2023. The BOE 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.</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 December 1, 2023</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	In process	In process				Research and development of an Administrative Draft and RFI is in process. EO met with District General Manager on 11/15/23.
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	In process				Research and development of an Administrative Draft; RFI sent to district. This will be the first MSR for the district. EO met with District Board President on 11/15/23. Response received 11/22/23.
Pacific Reefs Water District	10/27/2023	In process				Research and development of an Administrative Draft; RFI sent to district 10/27/23; 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.