

**Resolution No. 2017-18-13  
of the Mendocino Local Agency Formation Commission**

**Approving the  
Inter-LAFCo Coordination Policy**

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, shall adopt policies and procedures to carry out their functions, (§56300); and

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as Commission, held a public meeting on the proposed policy regarding coordination with adjacent counties regarding multi-county agencies, and at that meeting the Commission received the report of the Executive Officer and all oral and written comments with respect to the proposed policy.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The Commission hereby approves the Inter-LAFCo Coordination Policy as set forth in Exhibit A, attached hereto.

The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 4th day of June 2018, by the following vote:

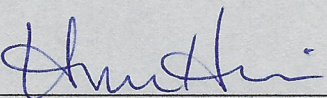
AYES: *Commissioners Brown, Doble, Gonzalez, McLowen, Mc Nerlin, Orth, & Ward*

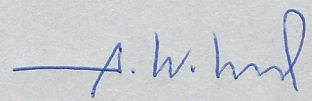
NOES: *Ø*

ABSTAIN: *Ø*

ABSENT: *Ø*

ATTEST:

  
\_\_\_\_\_  
UMA HINMAN, Executive Officer

  
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GERALD WARD, Chair

## EXHIBIT A

### 1.1 Inter-LAFCo Coordination

#### 1.1.1 Purpose

Mendocino LAFCo recognizes that special districts may have territory in more than one county and that development patterns similarly do not always follow county boundaries. The Commission also recognizes that decisions made in one county can have significant environmental, economic, or fiscal impacts on another county. Recognizing that sharing information, policies and perspectives with neighboring LAFCos can benefit the public by enhancing and expediting the decision-making process, Mendocino LAFCo seeks to foster such sharing by formalizing its policy on cooperation with other LAFCos.

#### 1.1.2 General

In recognition that the Cortese-Knox-Hertzberg Act vests authority for jurisdictional changes and all other matters with the LAFCo of a district's Principal County, Mendocino LAFCo affirms as policy that activities and decisions affecting independent special districts having territory in more than one county ("multi-county districts") are the sole responsibility of the Principal County LAFCo. This policy applies to:

- 1) Conduct and adoption of Municipal Service Reviews ("MSRs");
- 2) Adoption, update and amendment of Sphere of Influence Plans ("SOIs"), including adjustments of sphere horizons and changes in the assignment of territory to particular horizons;
- 3) Changes of organization such as formation, dissolution, annexation, and detachment;
- 4) Actions affecting the provision of services, such as changes in service boundaries and provision of new services.
- 5) Notwithstanding the policy stated above, Mendocino LAFCo will share information and engage in joint activities with neighboring LAFCos whenever doing so can reasonably be expected to reduce costs, improve efficiency in performance of LAFCo actions, or enhance the quality of LAFCo decisions and not conflict with provisions of applicable law.

#### 1.1.3 Transfers of Jurisdiction

When requested by LAFCo of an affected county, Mendocino LAFCo will consider and determine, on a case-by-case basis, whether it is appropriate to transfer jurisdiction to the LAFCo of the affected county.

The Commission has authority pursuant to the provisions of Section 56388 of the Government Code to transfer jurisdiction for certain district proposals to the LAFCo of the county in which the subject territory is wholly or partially located. Mendocino LAFCo recognizes that such transfer of jurisdiction may benefit the public by expediting service or enhancing development of information regarding the subject territory. The Commission hereby delegates to its Executive Officer its authority to transfer jurisdiction for proposals involving a multi-county district and property located wholly outside Mendocino County if those proposals are of minor significance and the transfer would be of benefit to the public.

- 1) Proposals for formation or dissolution of agencies, modification of sphere plans, or activation of latent powers may not be transferred without Commission approval.
- 2) Considerations involved in the determination whether a proposal is of minor significance include, but are not necessarily limited to, the size of the area involved, the number of property owners, the assessed valuation, and the potential impact of the action on all affected service providers.
- 3) The Mendocino LAFCo Executive Officer shall make any such transfer of jurisdiction in writing (or subsequently prepare a written record for a transfer first approved orally or electronically) and promptly inform the Chair. The Chair and Executive Officer shall report such transfers to the Commission in a timely manner.

#### **1.1.4 Multi-County Application Processing Procedures**

Mendocino LAFCo recognizes the need to collaborate with the LAFCos of affected counties and when considering a change of organization of a district that is located in more than one county. To further this collaboration and assure thorough and consistent consideration of applications affecting more than one county, the Commission adopts the following procedure for processing applications from multi-county districts.

##### **1.1.4.1 Mendocino LAFCo the Principal LAFCo**

The Executive Officer of Mendocino LAFCo will inform neighboring LAFCo Executive Officers whenever Mendocino LAFCo receives a proposal for or initiates action on an MSR, SOI, organizational change, or service change involving a multi-county district for which Mendocino is the Principal County but has territory in the neighboring LAFCo's county.

- 1) Applications affecting the boundaries of a district for which Mendocino LAFCo is the principal LAFCo shall be submitted to Mendocino LAFCo, including instances in which the subject territory is located in another county. Prior to application, applicants should meet with Mendocino LAFCo staff and the staff of the LAFCo in the affected county regarding process and application requirements.
- 2) Upon receipt of an application involving territory in another county, Mendocino LAFCo staff shall immediately forward a copy of the application to the LAFCo of the affected county. Mendocino LAFCo staff shall also notify all affected local agencies of any proceedings, action, or reports on the proposed change of organization.
- 3) Mendocino LAFCo staff shall consult with the staff of the LAFCo of the affected county and the staffs of affected agencies, to gather data for the Executive Officer's report and recommendation.
- 4) Mendocino LAFCo shall schedule Commission consideration of the application so that the LAFCo of the affected county has had time to review the application and submit a written recommendation to be included in the Executive Officer's report for Mendocino LAFCo consideration.
- 5) During its consideration of the application, the Commission shall consider the Executive Officer's report, the recommendation of the LAFCo of the affected county, and the comments of interested persons and affected local agencies in making its determination.
- 6) Following the Commission's consideration of the application, the Executive Officer shall forward any resolutions and written report of Commission action to all affected local agencies and the LAFCo of the affected county.

##### **1.1.4.2 Mendocino LAFCo not Principal LAFCo**

Upon receipt by Mendocino LAFCo of a referral from the LAFCo of another county of an application for a change of organization affecting territory in Mendocino County, Mendocino County staff shall place the application and report and recommendation on Mendocino LAFCo's next possible agenda so that the Commission may consider the application and forward a recommendation to the principal LAFCo. The application will be processed and a staff report will be prepared consistent with Mendocino LAFCo's Policies and Procedures.