

MENDOCINO

Local Agency Formation Commission

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COMMISSIONERS

Jerry Ward, Chair & Treasurer
Public Member

Carre Brown, Vice Chair
County Board of Supervisors

Kevin Doble
Ukiah City Council

Gerardo Gonzalez
Willits City Council

Dan Hamburg
County Board of Supervisors

Theresa McNerlin
Ukiah Valley Sanitation District

Tony Orth
Brooktrails Township CSD

Scott Ignacio, Alternate
Point Arena City Council

John McCowen, Alternate
County Board of Supervisors

Carol Rosenberg, Alternate
Public Member

Vacant
Special District Seat, Alternate

STAFF
Executive Officer
Uma Hinman

Analyst
Larkyn Feiler

Commission Clerk
Elizabeth Salomone

Counsel
Scott Browne

Regular Meetings

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

Approved by Commission November 6, 2017

MINUTES

Local Agency Formation Commission of Mendocino County

Regular Meeting of Monday, October 2, 2017

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

1. **CALL TO ORDER and ROLL CALL** (Video Time 6:38)

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

Members Present: Commissioners Carre Brown, Kevin Doble, Gerardo Gonzalez, Dan Hamburg, Theresa McNerlin, Tony Orth, and Jerry Ward

Members Absent: None

Alternate Members Present: Commissioners Scott Ignacio, John McCowen, and Carol Rosenberg

Alternate Members Absent: None

Staff Present: Uma Hinman, Executive Officer
Elizabeth Salomone, Clerk

[Note: Angela Silver resigned from the Calpella County Water District Board, therefore also from her Special District Seat on LAFCo.]

2. **PUBLIC EXPRESSION** (Video Time: 7:24)

No one from the public addressed the Commission.

3. **OTHER BUSINESS** (Video Time: 7:26)

None was discussed.

4. **CONSENT CALENDAR** (Video Time 7:30)

4a) Approval of the August 7, 2017 Regular Meeting Summary Minutes

4b) Approval of the August 2017 Claims and Financial Report

4c) Approval of the September 2017 Claims and Financial Report

4d) Approval of Resolution No 2017-18-01 Correcting the Final Map for the North of Ten Mile Annexation to Fort Bragg Rural Fire Protection District

<u>Approval of the September 2017 Claims totaling:</u>	<u>\$ 9,120.24</u>
Uma Hinman Consulting:	\$ 7,502.00
Ukiah Valley Conference Center:	\$ 460.84
P. Scott Browne:	\$ 600.00
County of Mendocino, audio/video & GIS:	\$ 1,550.00

Upon motion by Commissioner Orth and second by Commissioner Gonzalez, Consent Calendar Items 4a-4d, Approval of the August 7, 2017 Regular Meeting Summary Minutes, August and September 2017 Claims and Financial Report, and Resolution No 2017-18-01 Correcting the Final Map for the North of Ten Mile Annexation to Fort Bragg Rural Fire Protection District, were approved by roll call vote:

Ayes: (7) Brown, Doble, Gonzalez, Hamburg, McNerlin, Orth, and Ward

5. PUBLIC HEARING ITEMS – None (Video Time 8:55)

6. WORKSHOP ITEMS (Video Time 8:57)

6a) Workshop for Elk Community Service District (CSD) Sphere of Influence (SOI) Update

EO Hinman presented, noting the Municipal Service Review (MSR) was adopted in 2016, and the District has established a District website since that time, as recommended by LAFCo. The District’s current SOI is coterminous with the District boundary and the District has requested a modification to include in the SOI two areas identified as being served by the District. EO Hinman thanked Mr. MacMillian, Board President, and Chief Mitchell for their assistance. The District is working with the Mendocino County Auditor-Controller’s office to determine ways to address financial reporting requirement issues. Comments and questions were offered by Commissioners Ward, McCowen, Rosenberg, Orth, Hamburg, and Brown.

Items for staff to address:

- Page 1-5, Provide clarification of “Fixed Assets” under Expenses on Table 1-1.
- Summary of MSR Determinations and update of MSR information formatted to reduce duplication.
- Page 1-8, 1.2.6 SOI Recommendation stated with clarification to the change of SOI.
- Consider inclusion of a balance sheet and reserve balance in the document.

Discussion was held regarding the District providing essential services to the community while facing declining capacity to do so. The Commissioners recognized the need for capital funding, personnel, training, and housing options for personnel, as well as the challenges of responding to incidents on the State Highways.

The Commission directed staff to notice the Elk CSD SOI Update for public hearing once the SOI Updates are completed for multiple fire protection service providers.

7. MATTERS FOR DISCUSSION & POSSIBLE ACTION

The Policies & Procedures Committee recommended the following draft policies for discussion and possible adoption. Chair Ward thanked the Committee for their recent increased workload in developing and presenting new policies.

7a) Annual Legislative Platform Development for 2017 (Video Time 28:28)

EO Hinman presented. Comments and questions were offered by Commissioners Brown, Ward, McCowen, McNerlin, Gonzalez, Orth, and Doble.

Items for staff to address:

- Item 3.5, Include the proposed strikeout language: "...and restoration of program funding through State subvention payments."
- Several spelling and punctuation corrections were given to staff.
- Item 5.5 - Support collaborative efforts, including consolidation, among agencies and LAFCOs that encourage opportunities for sharing of services, staff, and facilities to provide more efficient and cost effective services. Support legislation which provides LAFCo with additional opportunities to encourage shared services.

Commission directed Staff to include the edits and present for adoption at the November 6, 2017 Regular Meeting.

7b) Annexation Tax Negotiations Procedures Update (Video Time 40:25)

EO Hinman presented, updating the Commission on her meeting with County Executive Office staff on August 16, 2017. Comments and questions were offered by Commissioners McCowen, Brown, McNerlin, Doble, Rosenberg, and Hamburg.

Commissioner McCowen pointed out the North of Ten Mile Annexation to Fort Bragg Rural Fire Protection District application (Item 4d of this agenda), as per the included LAFCo Resolution No. 12-13-04 adopted on May 6, 2013, stated in Item 6a "Upon completion of the annexation, no property taxes will be transferred to the Fort Bragg Rural Fire Protection District," which meets the requirements of the State Code Section. However, he questioned if tax negotiations occurred between the agencies and if the Board of Supervisors was ever made aware of the process. EO Hinman confirmed that her research did not produce adopted resolutions from either party.

Items for staff to address:

- Within the proposed new policy, the following edits were requested:
"process" to "tax exchange agreement," "occurring" to "proposed."
- Extend distribution to each agency affected and the Board of Supervisors in its entirety.
- Within the proposed notification letters, the following edits were requested:
"commence" to "complete" "we" to "LAFCo" and some slight sentence structure edits.
- Consider response templates for the affected agencies to notify LAFCo of a commencement of discussions and the results of the negotiations.

7c) Budget Adjustment Policy (Video Time 1:00:25)

EO Hinman presented the recommended draft policy, developed by the Policies & Procedures Committee and reviewed by legal counsel. No comments or questions were offered by Commissioners.

Upon motion by Commissioner Brown and second by Commissioner Gonzalez, the adoption of Resolution No. 2017-18-03, Budget Adjustment Policy, was approved by roll call vote:

Ayes: (7) Brown, Doble, Gonzalez, Hamburg, McNerlin, Orth, and Ward

8. INFORMATION/ REPORT ITEMS (Video Time: 1:03:13)

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

Current Projects:

- *City of Ukiah Detachment of Ukiah Valley Sanitation District (UVSD) Served Areas* has no changes to report.
- *Millview County Water District Annexation* pre-application request and deposit was submitted. Further deposit funds will be required.

Future Projects:

- *The Nicholls Annexation to Millview County Water District* is included in the Millview County Water District Annexation application submitted in August.
- *Annexation of Industrial Property into Willits* inquiry was initiated by a developer and the City, requiring staff correspondence.

MSR/SOI Updates

- *City of Fort Bragg* public noticing requirements have led to scheduling of public hearing to the November 6, 2017 Regular Meeting.
- *Mutual Water Companies* Profiles have been initiated.
- *Brooktrails CSD* MSR/SOI update has been drafted and provided to the District for collaboration.
- *Fire District SOIs* are continuing around the priorities of fire season. Albion Little-River workshop is proposed for the November 6, 2017 Regular Meeting. Piercy, Leggett Valley, and Long Valley Fire Districts require coordination of further map developments regarding the three Spheres of Influence.

8b) Correspondence (Video Time: 1:09:38)

No comments offered by Commissioners.

8c) Executive Officer's Report (Video Time: 1:10:00)

EO Hinman updated the Commission of CALAFCO conference details, the Little Hoover Commission Report, openings on the CALAFCO Legislative Committee, and provided an update on her recent meeting with Russian River Water Agency Joint Powers of Authority (URRWA JPA) General Manager, Tamara Alaniz. Comments were offered by Commissioners Brown and Ward.

8d) Committee Reports (Video Time: 1:20:58)

The Policies & Procedures Committee met September 14, 2017 and presented their proposed policies in Item 8 of this agenda. The Executive Committee met August 7, 2017 and discussed the procedures for use of outside consultants and providing mandatory trainings.

8e) Commissioners Reports, Comments or Questions (Video Time: 1:28:06)

Commissioner Rosenberg asked for an update on the election of a replacement Alternate Special District Member. EO Hinman described the process required and Chair Ward asked for the Policies & Procedures Committee to develop a written policy regarding Special District Elections. (Video Time: 1:17:05)

Commissioner Rosenberg asked for the monthly Russian River Water Agency Joint Powers of Authority (URRWA JPA) updates to continue. (Video Time: 1:18:05)

Commission Doble noted a new Joint Powers of Authority (JPA) between the City of Ukiah and Ukiah Valley Fire District has been formed.

Chair Ward noted the new GIS Contract has been signed and finalized. He also noted the Ukiah Valley Conference Center contract renewal for office space rental has been received and will be itemized for approval in November.

8f) CALAFCO Business and Legislation Report (Video Time: 1:32:29)

No reports.

ADJOURNMENT

There being no further business, at 10:32am the meeting was adjourned. The next regular meeting is scheduled for Monday, November 2, 2017 at 9:00am in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah, California.

Live web streaming and recordings of Commission meetings are now available via the County of Mendocino's YouTube Channel. Links to recordings and approved minutes are also available on the LAFCo website. October 2, 2017

<https://www.youtube.com/watch?v=qVgLYD7-HQg>