

MENDOCINO

Local Agency Formation Commission

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

A G E N D A

Regular Meeting of **Monday, April 6, 2020** at 9:00 AM

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

Live web streaming and recordings of Commission meetings are available via the County of Mendocino's YouTube Channel: www.youtube.com/MendocinoCountyVideo. Meeting documents, links to recordings and approved minutes are available on the LAFCo website: www.mendolaferco.org/meeting-documents/.

Important Notice for the April 6, 2020 Commission Meeting

Pursuant to State Executive Order N-29-20 pertaining to the convening of public meetings in response to the COVID-19 pandemic, effective March 20, 2020, the Mendocino Local Agency Formation Commission (LAFCo) meetings will be conducted remotely and will not be available for in person public participation until further notice.

The regularly scheduled meeting of the Commission will be live streamed and available for viewing on the Mendocino County YouTube page:

www.youtube.com/MendocinoCountyVideo.

In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to analyst@mendolaferco.org, in lieu of personal attendance. All public comment received during the meeting will be read aloud to the Commission and public, entered into the public record, and posted as attachments to the agenda on the website as soon as is feasible at www.mendolaferco.org/meeting-documents. We thank you for your understanding during this difficult time, and appreciate your continued interest.

1. CALL TO ORDER and ROLL CALL

2. PUBLIC EXPRESSION

Members of the public are welcome to address the Commission on items not on the agenda, but within the jurisdiction of the Commission. The Commission is prohibited by law from taking action on matters not on the agenda. Individuals wishing to address the Commission under Public Expression are welcome to do so via email at analyst@mendolaferco.org. All correspondence received will be made available as attachments to the agenda and posted on the website as soon as is feasible.

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) Approval of the March 2, 2020 Regular Meeting Summary

4b) Approval of the March 2020 Claims & Financial Report

COMMISSIONERS

Carre Brown, Chair

County Board of Supervisors

Tony Orth, Vice Chair

Brooktrails Township CSD

Gerald Ward, Treasurer

Public Member

Gerardo Gonzalez

Willits City Council

John Huff

Mendocino Coast Recreation and Park District

Scott Ignacio

Point Arena City Council

John McCowen

County Board of Supervisors

Jenifer Bazzani, Alternate

Ukiah Valley Fire District

Will Lee, Alternate

Fort Bragg City Council

Richard Weinkle, Alternate

Public Member

John Haschak, Alternate

County Board of Supervisors

STAFF

Executive Officer

Uma Hinman

Analyst

Larkyn Feiler

Commission Clerk

Kristen Meadows

Counsel

Scott Browne

REGULAR MEETINGS

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

5. PUBLIC HEARING ITEMS

Public Hearings are scheduled for Commission consideration and possible adoption of items. Questions and comments from the Commission, participating agencies, and members of the public are welcome.

None

6. WORKSHOP ITEMS

Workshops are scheduled for Commission review of draft reports prior to noticing for public hearing. The Commission is invited to discuss and provide feedback to staff in anticipation of considering formal action as part of a public hearing at a future meeting. No action will be taken by the Commission as part of the following item. Questions and comments from the Commission, participating agencies, and members of the public are welcome.

6a) Preliminary Budget and Work Plan for Fiscal Year 2020-21

Commission workshop to consider the Draft Preliminary FY 2020-21 Budget and Work Plan, directing staff to revise as necessary, distribute to affected agencies, and notice the Preliminary FY 2020-21 Budget and Work Plan for a public hearing on May 4, 2020.

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

7a) Sustainable Agricultural Lands Conservation Grant Project Agreement for Services

Approval of an Agreement for Services with the Mendocino County Resource Conservation District for the Sustainable Agricultural Lands Conservation project. The project is being administered by the District under contract with the County of Mendocino Department of Agricultural and funded by the Department of Conservation in conjunction with the Natural Resources Agency. RECOMMENDED ACTION: Approve the signing of the Agreement for Services with the Mendocino County Resource Conservation District for a maximum grant reimbursement of \$10,200 and authorize the Executive Officer and LAFCo staff to perform the assigned tasks within the project scope of work.

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.

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

8b) Correspondence (Copies provided upon request)

8c) Executive Officer's Report (Verbal)

8d) Committee Reports (Executive Committee/Policies & Procedures) (Verbal)

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

8f) CALAFCO Business and Legislative Report

ADJOURNMENT

The next Regular Commission Meeting is scheduled for Monday, **May 4, 2020** at 9:00 AM in the County Board of Supervisors Chambers 501 Low Gap Road, Ukiah, California

Notice: This agenda has been posted at least five (5) calendar days prior to the meeting and in accordance with the temporary Brown Act Guidelines instated by State Executive Order N-29-20.

Participation on LAFCo Matters: All persons are invited to testify and submit written comments to the Commission on public hearing items. Any challenge to a LAFCo action in Court may be limited to issues raised at a public hearing or submitted as written comments prior to the close of the public hearing.

Americans with Disabilities Act (ADA) Compliance: In accordance with State Executive Order N-29-20, Commission meetings are held remotely until further notice. Meetings are livestreamed on the County's YouTube channel with closed captioning available. Instructions for public participation are noted at the beginning of the agenda.

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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Agenda Item No. 4a

COMMISSIONERS

Carre Brown, Chair

County Board of Supervisors

Tony Orth, Vice Chair

Brooktrails Township CSD

Gerald Ward, Treasurer

Public Member

Gerardo Gonzalez

Willits City Council

John Huff

Mendocino Coast Recreation
and Park District

Scott Ignacio

Point Arena City Council

John McCowen

County Board of Supervisors

Jenifer Bazzani, Alternate

Ukiah Valley Fire District

Will Lee, Alternate

Fort Bragg City Council

Richard Weinkle, Alternate

Public Member

John Haschak, Alternate

County Board of Supervisors

STAFF

Executive Officer

Uma Hinman

Analyst

Larkyn Feiler

Commission Clerk

Kristen Meadows

Counsel

Scott Browne

Regular Meetings

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

DRAFT MINUTES

Mendocino Local Agency Formation Commission

Regular Meeting of Monday, March 2, 2020

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

1. CALL TO ORDER and ROLL CALL (Video Time 3:30)

Chair Brown called the meeting to order at 9:03 a.m.

Regular Commissioners Present: Carre Brown, Tony Orth, Gerald Ward, Gerardo Gonzalez, John Huff, Scott Ignacio, and John McCowen

Regular Commissioners Absent: None

Alternate Commissioner Present: Jenifer Bazzani, Richard Weinkle

Alternate Commissioners Absent: Will Lee, John Haschak

Staff Present: Uma Hinman, Executive Officer; Kristen Meadows, Clerk

In response to a request to add an emergency item to the agenda per GOV §54954.2(b)(2), Chair Brown addressed agenda item #3, Other Business, first and invited Commissioner Orth to comment.

3. OTHER BUSINESS/OFF AGENDA ITEM (Video Time 4:00)

Commissioner Orth made a motion to add an agenda item for discussion of the 2019 Novel Coronavirus (COVID-19) in Northern California and provide direction to staff related to future meetings. At the time of the meeting, the federal Centers for Disease Control and Prevention (CDC) and California Department of Public Health recommended the nation prepare for a possible pandemic. Chair Brown shared news released within the last 48 hours of a death from COVID-19 in Washington State. Commissioner Ignacio motioned to add the Off-Agenda Item to the agenda, seconded by Commissioner Gonzalez, finding that the emergency item came to the attention of the Commission after the agenda was published and stating a need to take action before the next Commission meeting, which was unanimously approved by roll call vote.

Ayes: (7) Orth, McCowen, Ward, Gonzalez, Huff, Ignacio, Brown

Chair Brown opened the item and invited comment from the Commissioners. Commissioner Ward requested clarification regarding the process and associated costs for future meetings if the pandemic impacts operations. Commissioner Orth offered that the County Health Officer is tracking the pandemic and will provide direction. Chair Brown affirmed. Commissioner Orth motioned to authorize and direct staff to take any measures needed to function during the coronavirus pandemic. Commissioner Gonzalez seconded the motion, noting that staff will likely also confer with legal counsel as needed. Commissioners McCowen, Orth, and Ignacio clarified this would apply to remote meetings and operational changes as needed. The motion passed unanimously by roll call vote.

Ayes: (7) Orth, McCowen, Ward, Gonzalez, Huff, Ignacio, Brown

2. PUBLIC EXPRESSION (Video Time 14:08)

No one from the public indicated interest in public expression.

3. OTHER BUSINESS (continued) (Video Time 14:25)

None not previously noted

4. CONSENT CALENDAR (Video Time 14:36)

4a) Approval of the February 3, 2020 Regular Meeting Summary

Commissioners McCowen and Ward suggested the following changes to the Minutes:

- Page 3, Item 3b – Note that Chair Brown is part of the Executive Committee
- Page 4, Item 4d – change “Commissioner McCowen recommended...” to “Commissioners recommended...”.
- Page 5, Item 8, last line on page and Page 6, first line on page – change “directed” to “suggested or recommended.”
- Page 6, Item 8c, 3rd bullet – change “imposed” to “adopted.”
Item 8e, 2nd bullet – add “reduced”: “...directed staff to pursue the 1984 *reduced* version of the SOI for the General Plan Update.

Following a motion by Commissioner Gonzales and a second by Commissioner Ignacio, the February 3, 2020 Minutes were approved with corrections by roll call vote.

Ayes: (7) Orth, McCowen, Ward, Gonzalez, Huff, Ignacio, Brown.

4b) Approval of the February 2020 Claims & Financial Report

Commissioner Ward asked the following questions regarding the Claims and Financial Report:

- Staff confirmed that there was a delay in receiving the February invoice for Legal Services until March.
- Staff clarified that the unanticipated increase in A-87 costs was due to indirect costs associated with GIS and televised services.

February 2020 Claims totaling	\$ 23,596.81
Hinman & Associates Consulting	\$ 20,971.09
Ukiah Valley Conference Center	\$ 464.00
County of Mendocino	\$ 181.11
Penny’s Trophies	\$ 48.11
Mendocino County Auditor-Controller	\$ 1,633.00
Commissioner Reimbursements	\$ 299.50

Following a motion by Commissioner Ignacio and a second by Commissioner Gonzalez the February 2020 Claims and Financial Report were approved by roll call vote.

Ayes: (7) Orth, McCowen, Ward, Gonzalez, Huff, Ignacio, Brown.

5. MATTERS FOR DISCUSSION AND POSSIBLE ACTION (Video Time 23:03)

5a) Annual Legislative Platform and Priorities

The Commission considered the Draft 2020 Legislative Platform and Priorities as recommended by the Policies and Procedures Committee, noting the changes from the previous year’s Platform. Commissioner Orth asked if adoption of the changes will this require GIS Mapping of the State responsibility area. EO Hinman clarified that no additional work would be required from LAFCo Staff; that the purpose of the Platform is to guide the Commission and staff in responding to requests for support in legislative matters.

Commissioner Ward noted that the Policies & Procedures Committee met and approved the Legislative Platform and motioned that the Commission Adopt the proposed 2020 Legislative Platform and Priorities. Commissioner McCowen seconded the motion and a roll call vote was conducted.

Ayes: (7) Orth, McCowen, Ward, Gonzalez, Huff, Ignacio, Brown.

The following items were taken out of order to accommodate the continued public hearing item (Agenda Item 6a) scheduled for 9:30 a.m.

8b) CORRESPONDENCE (Video Time 26:46) None

8e) COMMISSIONERS REPORTS, COMMENTS, OR QUESTIONS None

8f) CALAFCO Business & Legislative Report

EO Hinman reported that CALAFCO Executive Director, Pamela Miller, is retiring and they are looking to fill her position.

SHORT BREAK (Video Time 28:21)

At 9:27 Chair Brown called a short break to allow Staff time to call legal counsel for the public hearing.

Following the break, Chair Brown began the proceedings for the Public Hearing at 9:31 a.m.

6. PUBLIC HEARING ITEMS – SCHEDULED FOR 9:30 A.M. (Video Time 31:15)

6a) CONTINUANCE of the PUBLIC HEARING for the Weger Detachment from Mendocino Coast Health Care District (LAFCo File No. D-2019-01)

Consideration of an application initiated by landowner petition to detach approximately 35,000 acres from the Mendocino Coast Health Care District (MCHCD)/District.

Chair Brown opened the Public Hearing at 9:31 a.m. and received confirmation from Clerk Meadows that proper notice was previously established for the hearing and received confirmation from EO Hinman that all public comment has been noted in the current or previous reports. Commissioner Huff publicly announced a personal conflict of interest because he is employed by the Mendocino Coast District Hospital (MCDH) and recused himself from participating in the hearing and removed himself from the Chambers. Alternate Commissioner Bazzani was immediately seated as the Regular Commissioner for the hearing.

Chair Brown explained the procedure for the Public Hearing process. EO Hinman noted for the record that LAFCo Counsel Scott Browne was in attendance via telecommunication and thanked Mendocino County for processing the Tax Share Agreement Resolution in time for the hearing. EO Hinman presented the staff report which focused on activities since the December hearing and noted that the packets and video recording links for the October 7, 2019 and December 2, 2019 Public Hearings were included in the staff report.

Chair Brown invited the Chief Petitioner and District Representatives to make presentations related to the application. Landowner and Chief Petitioner for the application, Lisa Weger, presented a brief summary of information supporting the detachment proposal and confirmed the purpose of the petition to correct a mapping error by removing a geographical area from the District that should not have been originally included in the District boundary, not to invalidate the Measure C parcel tax.

Wendy Wiles, Attorney with the Law Offices of Atkinson, Andelson, Loya, Ruud, & Romo representing the District, presented information in opposition to the proposed detachment, as summarized below:

- The basis for the request for detachment was that the people within the detachment area do not use the services of MCDH. However, based on the hospital use data provide by the District, people within the detachment area do use hospital services. Therefore, the detachment proceedings should be terminated because the basis upon which the petition was brought is not accurate.
- The District hospital is a critical access hospital, which is a hospital that provides vital health care services to people in rural communities. The District serving a rural community is exactly what is occurring in the detachment area, which is the reason the District is opposing the petition.

- The 2018 Measure C parcel tax was enacted to provide funding for specific health care services. The funds are critical to being able to provide the services to the community that the District serves, which includes the outer boundaries of the District and the detachment area. The idea that because this amount is not a significant component of the budget that it should be disregarded is not appropriate. If we take away these funds from the detachment area, we are impacting the ability of the District to provide the services that the voters voted on.
- Measure C was voted on and passed with a 2/3rds required vote. There is no evidence that the people who voted on Measure C did not know what they were voting on. The ballot materials that were mailed to the voters were clear and there has been no challenge to the voter materials. The map referenced by the petitioners that was posted on a website does not have anything to do with the parcel tax election. The people who pay property taxes know they are paying property taxes in part to the District. When voters received their ballots and when they voted in favor of the parcel tax, they voted to make sure that additional funds could be provided for the parcel tax services that had been identified.
- Taxes are not based on how much someone uses a service. When you pass a tax, the tax applies to all of those persons who are subject to the tax.
- Page 20 of the staff report references that the revenue is small and that the use in the detachment area is minimal. The fact that revenue is small is not a determinative factor. Revenue is small because the population is small and the area is small. Use is minimal because there is a minimal population in this area. There are 8 visits a year from an area with less than 100 people; that is not a small use of the hospital services.
- This is piecemeal taking out from the ability of a hospital district to be able to serve the people that are within their boundaries. There is no evidence that this is a mapping error. What we are talking about is voters that voted in favor of a parcel tax to be levied to provide hospital services.
- There has been no evidence provided showing use of the Ukiah hospital for the detachment area.
- The District and the rural people in the community need the Commission's support to know that they will be able to remain within the District. This is the time to preserve the detachment area, the services that are being provided within the detachment area, and make sure that this parcel tax, although a small amount from the area, will be able to be preserved so that the District can continue to provide its services.

Commissioner Ignacio inquired about whether the District has suspended obstetric care, which was one of the services identified under Measure C. Ms. Wiles deferred to a Representative from the District for a response.

Commissioner Ward inquired about how many people voted in favor of Measure C from the detachment area. Ms. Wiles confirmed that there were 41 total votes and 23 affirmative votes.

Commissioner Ward requested clarification about the options available to property owners to limit the amount they must pay within the existing rules of Measure C. Shin Green, Principal with Eastshore Consulting, responded that within Measure C there is an exemption of contiguous residential parcels where a landowner owns multiple parcels adjacent to their residence that allow consolidation to a single charge of \$144. There are also parcels that have a Subdivision Map Act adjustment consolidation where there are multiple Assessor Parcel Numbers representing one legal parcel as determined with the County.

Chair Brown inquired about how many actions have been taken by the District Board of Directors for consolidation since the passage of Measure C. Mr. Green confirmed there have been approximately 15-20 consolidations of varying size, most have been approved with a couple outstanding requiring additional research, and they are working with the Auditor-Controller to process some of the larger ones.

Commissioner Ward inquired about a new Measure C to be voted on or another measure related to taxation for the District. Mr. Green confirmed there is not. Commissioner McCowen noted that there is a measure on the upcoming ballot related to a potential contractual arrangement with another agency and Commissioner Ignacio added that it is titled Measure C.

Commissioner McCowen referred to the District's February 20th letter and requested confirmation that the District's main point is that the District is providing services in this area therefore the area should remain in the District. Ms. Wiles so confirmed. Commissioner McCowen inquired about whether people using the District services that live in Point Arena or Gualala should also be in the District, by the same logic. Discussion ensued regarding the present

proposal does not include the scope of annexation, the use of District facilities as a determinative factor for boundary changes equally applying to other outlying areas, the issue of whether an area will be subject to the parcel tax and areas outside the District did not vote on the parcel tax, the stated purpose of the petition to address whether the detachment area should be in the District, and the affect of detachment to avoid payment of the parcel tax.

Commissioner McCowen inquired about the basis for the likelihood that many of the parcels in the detachment area are owned by second homeowners. Mr. Green responded that they reviewed voter files, hospital records, and property ownership records for common addresses to estimate who is in the area and who uses the District facilities. Discussion ensued regarding the Orr Springs voter precinct used as a proxy for the detachment area and consolidation of precinct names in the statement of vote.

Commissioner McCowen requested clarification about what possible affects on the environment the District foresees associated with detachment. Ms. Wiles responded that CEQA analysis is the responsibility of the agency seeking to approve a project that would result in a change in boundaries, the implications of Class 20 of categorical exemptions on boundary changes requiring additional CEQA analysis, and there are no findings for the applicability of the Common Sense exemption. Ms. Wiles reiterated that the analysis of the detachment should focus on the use of District facilities in this area. Commissioner McCowen noted, in relation to a prior comment from Ms. Wiles about there being nothing in the record that shows the relative use of coastal and inland hospitals, that the October hearing staff report included an analysis of EMS response to the area showing that primarily inland ground ambulances respond. Commissioner McCowen also noted the central issue for LAFCo is whether this area is properly within the boundaries of the District. Ms. Wiles reiterated the hospital use data provided by the District showing that the area is using District services, questioned how many visits a year necessitates the need for service, and the detachment is clearly related to Measure C not a mapping error. Commissioner McCowen noted that 100 people living in the detachment area is an estimate and there are multiple factors related to the number of people in the area potentially needing health care such as some people do not register to vote, there are second homeowners, and travelers in the area. Mr. Green confirmed that the population estimate captured people who reported an address within the territory, not travelers.

Commissioner Ward requested an opinion from LAFCo Counsel related to CEQA compliance. Counsel Browne supported the information provided by LAFCo staff in the staff report including supporting of the CEQA compliance justification and appropriateness of categorical exemptions.

Commissioner Orth inquired, in relation to a prior comment from Ms. Wiles about any use of the District facilities should require that the tax base remain in the District, whether there should be one health care district since residents from all over the County use the Ukiah hospital including District residents needing obstetric services in the future. Ms. Wiles responded that use is not the determinative factor and the District does not have to establish use. Ms. Wiles reiterated that taxes apply universally even if not receiving services and the parcel tax is appropriate because it was approved by the voters and because the people in the area are using District services.

Commissioner Orth inquired about the ambulance zones established by Coastal Valleys EMS Agency for ambulance response service areas. Davey Beak, Comptche Fire Chief and Director of Ambulance Services for the District, responded that EMS is a dynamic system and all ambulance providers are compelled to respond to 911 calls regardless of whether the area is in the District boundary.

Commissioner McCowen noted that EMS dispatch is based on the nearest available unit to respond. Mr. Beak agreed and reiterated Ms. Wiles comment about whether people should be able to choose to pay taxes. Commissioner McCowen reiterated that the question before LAFCo is related to the proper boundaries of the District. Mr. Beak noted that the time to address equity issues related to Measure C was at the time of the election. Commissioner McCowen explained that it is common for property owners to be unfamiliar with which agencies receive an allocation of their property taxes and it is likely that the increase in property taxes associated with Measure C raised awareness for property owners that they were located in the District boundary, but regardless the question before LAFCo is the logical and appropriate boundaries of the District not Measure C. Mr. Green explained that there has been a general obligation bond on the tax bill for this area for more than a decade, per Proposition 218 only property

owners within a District boundary can vote on a ballot measure related to the District, many citizens are absent in their attention to the details of what governance is and how it functions but that does not change an individual's responsibility to be informed, and the precedent setting nature of a boundary change triggered by the imposition of a tax. Commissioner McCowen noted that petitioners must make a logical case based on other factors to successfully detach from a District. Mr. Beak noted that redundancy in emergency services is key in a service provision model.

Commissioner Ward inquired about the estimated financial loss of \$40,000 from detachment on the District's future revenue related to the new Measure C on the March ballot for approving a 30 year lease agreement of the District hospital with Ukiah Adventist Hospital. Wayne Allen, Interim CEO of Mendocino Coast District Hospital, responded that they are two separate issues and explained that the Health Care District will continue as an on-going entity collecting taxes and paying its debt obligations and the new arrangement between the hospital and Adventist Health, if approved, deals with the day-to-day operations of the hospital and salaries and supplies. Commissioner Ward inquired about whether the vision of the new arrangement is to reduce costs and Mr. Allen confirmed that they hoped for cost savings but that does not change the tax structure and debt obligations of the District. Commissioner Ward noted that increased revenue and reduced costs have the same affect. Mr. Allen agreed and explained that the District is facing a \$24,000,000 seismic retrofit project that needs to be completed by 2030 or a complete replacement of the hospital is required and rent payments would go toward this capital improvement project not operations.

Commissioner Ignacio inquired about whether the District has suspended obstetric care and the associated fiscal impact. Mr. Allen responded that on February 27th the District Board of Directors unanimously approved closure of labor and delivery services at the hospital effective March 31st. Mr. Allen explained that this department was down to less than 5 deliveries a month which is not sustainable and new expecting mothers will primarily be diverted to Ukiah hospital. This service was being subsidized by the District in the amount of \$2,000,000 per year.

Chair Brown called for a 10-minute break at 10:35 a.m.

TEN MINUTE BREAK (Video Time 1:35:05)

Chair Brown called the meeting back in session at 10:47 a.m. (Video Time 1:47:35)

Commissioner McCowen addressed a question during break from another Commissioner related to the property tax exchange negotiation process for this proposal. Commissioner McCowen explained that no negotiation occurred since the detachment area is not being annexed to a different health care district, but the Auditor-Controller followed the required 60-day notification process to the District and affected agencies with no response received, and the County ratified the Tax Share Agreement Resolution on February 25th based on the Auditor-Controller's calculation of \$5,456 in property tax redistribution for the detachment area. Chair Brown directed the Clerk to obtain a signed copy of the County Resolution from the Executive Office for the public record.

Chair Brown opened the Public Comment Period for the Public Hearing at 10:50 a.m.

Eight members of the public spoke in support of the application, all residents or landowners of the area proposed for detachment: Jim Hodge, Terry d'Selkie, Tom Madden, Rob Leonard, Randy Wood, Stuart Marcus, Mary Catherine Phillips, and Linda Gray representing Greenfield Ranch.

Mr. Beak requested to speak again and reiterated Ms. Wiles comment about whether people should be able to choose to pay taxes and the non-voluntary nature of taxes. Commissioner Ignacio inquired about how many ambulances dispatched to the detachment area result in transport to the District hospital and Mr. Beak confirmed that he has not conducted that research. Commissioner Ignacio commented that the District will continue to provide ambulance response to the detachment area when dispatched and that may not result in a transport back to the District hospital if deemed inappropriate and Mr. Beak agreed and noted that their ambulance response may also result in air transport out of the area if deemed appropriate.

Commissioner Ward commented that Ms. Wiles made the comparison of paying a fair share for school districts even if you do not have children and inquired about the analogy of paying taxes for a school district without having

children and paying taxes for a health care district without using the hospital. Mr. Hodge commented that paying for schools maintains property values for future sale to potential buyers with children, whereas being in the Health Care District could be a hindrance to selling property because it involves paying a tax for service that will likely never be used. Ms. Weger agreed with Commissioner McCowen that the issue is about the District boundary and the parcel tax raised the issue that the boundary is unfair. Ms. Weger also explained that Ms. Wiles analogy of school taxes is like paying a health care district tax if you never get sick or injured, whereas in this situation, the people in the detachment area do get sick and injured and receive services from the Ukiah hospital. Discussion ensued regarding countywide discrepancies in school district services and postal and zip codes for rural service delivery.

Commissioner McCowen requested an opinion from LAFCo Counsel regarding CEQA compliance and the Class 20 exemption. Counsel Browne noted that CEQA compliance for the proposed detachment application is based on the General Rule exemption not the Class 20 exemption. Counsel Browne also explained that with the District's \$55,000,000 annual budget, the estimated revenue loss from the detachment area is insignificant (\$41,000 or 0.07% of the District's total annual revenue) and so it is anticipated that existing hospital operations will not change as a result of detachment and therefore there will be no foreseeable environmental impact from the proposed boundary change. Counsel Browne further explained that there is nothing in the record that states by anyone that there would be a potential for any direct or indirect change in the environment and therefore the General Rule exemption applies to this project.

Chair Brown requested the signed copy of the Tax Share Agreement Resolution approved by the County Board of Supervisors from the Clerk and showed the signed copy to the Commission and the audience for the record.

Commissioner Bazzani inquired about whether the detachment area would be contributing to any health care services upon detachment and specifically related to districts in the Ukiah area. Commissioner McCowen and Ward confirmed that there is no health care parcel tax for the Ukiah area. Commissioner Bazzani inquired about whether the detachment area would be added to an inland health care district. Chair Brown clarified that Mendocino Coast Health Care District is a special district and Ukiah Adventist Hospital is a non-profit organization. Commissioner Gonzalez clarified that the detachment area would be removed from the District but would not be added to another special district. Commissioner Ignacio commented that there is no other health care district in Mendocino County in which to add the detachment area and Chair Brown so confirmed. Commissioner Orth explained that future service zones can be created under County Service Area 3 to provide municipal services, by activating latent powers similar to a special district, if approved by the voters of a specific area of the County. Commissioner Ignacio commented that service zones under CSA 3 is not part of these proceedings and Chair Brown and Commissioner Orth so confirmed.

Chair Brown closed the Public Comment Period and the Public Hearing at 11:26 a.m.

Commissioner McCowen confirmed that the question before LAFCo for consideration is whether the detachment area is properly located within the District boundary. Commissioner McCowen explained that the District map on page 75 clearly shows a peninsula area that extends substantially east of the bulk of the District which represents the proposed detachment area, and based on all the documentation in the record and where people from the detachment area predominantly receive health care services, there is an obvious logical basis for considering this area for detachment because the proposal is to remove the peninsula area from the District which is relatively remote from the District facilities. Commissioner McCowen recommended one revision to the resolution on page 106, item 2, to add a phrase regarding the geographical isolation from the District, such as "The Commission finds the geographical isolation from and limited use of the District facilities...", which is why EMS calls predominantly go inland instead of coastal. Commissioner McCowen noted that this area was included in the District for convenience and mirrored the school district boundaries, and questioned whether it makes sense for the health care district boundary.

Chair Brown requested clarification from LAFCo Counsel regarding whether staff recommendations can be made in a single motion. Counsel Browne advised that a single motion can be made to adopt the resolution which encompasses staff recommendation items 1 through 3 and the motion should include the proposed revision to the resolution language.

Commissioner Ignacio made a motion to adopt Resolution No. 19-20-02 approving the proposed Weger Detachment from Mendocino Coast Health Care District as depicted in Exhibit "A" with the modification of including geographically isolated to the resolution. The motion was seconded by Commissioner McCowen.

Commissioner Ward noted concern about potentially setting a precedent for future detachments and commented that he wants to see the hospital become profitable and hopes the lease agreement improves services for the District, but that the evidence supports detachment in this case. Commissioner McCowen reiterated that the proposal addresses a very specific geographical area and is based on proper boundaries not the desire to pay taxes. Commissioner McCowen also noted disappointment that prior to circulating the petition, the property owners attempted to work with the District for an administrative remedy and the issue of equity related to this peninsula area being in the District boundary was not necessarily taken seriously by the District Board, thus forcing this application to proceed by petition of the landowners when it could have been resolved more expeditiously by the District and property owners working together. Commissioner McCowen reiterated that \$41,000 is a small amount of revenue from the detachment area and is not vital to the continuation of the District and within the last week the District closed a vital but economically unsustainable service that was being subsidized in the amount of \$2,000,000.

Commissioner Ward reiterated concern about setting precedent and potentially receiving landowner petitions for detachment from school districts based on new taxes levied and Chair Brown noted that it is like comparing apples and oranges because school districts fall under different state laws than special districts. Commissioner Orth noted that if the petition proposed annexation to the District many of the same issues would apply and it would be very difficult to justify adding this area to the District. Commissioner Gonzalez noted that in similar situations where fire district boundaries were established based on school district boundaries, these kind of isolated incidents are sometimes rectified between agencies when the boundary is inequitable or unpractical for the provision of service.

The motion passed unanimously by roll call vote.

Ayes: (7) Orth, McCowen, Ward, Gonzalez, Bazzani, Ignacio, Brown

Upon conclusion of the Public Hearing item, Commissioner Huff was seated as the Regular Commissioner and Alternate Commissioner Bazzani was seated as the Alternate Commissioner for the remainder of the meeting.

Chair Brown called for a 10-minute break at 11:45 a.m.

TEN MINUTE BREAK (Video Time 2:45:15)

Chair Brown called the next agenda item at 11:55 a.m.

7. WORKSHOP ITEMS (Video Time 2:45:27)

7a) Preliminary Budget and Work Plan for Fiscal Year 2020-21

Executive Officer Hinman presented the item to consider the Draft Preliminary FY 2020-21 Budget and Work Plan. The executive committee met on February 24, 2020 to review the preliminary budget and directed staff to bring it forward to the Commission for discussion. The proposed operating expenses for Fiscal Year (FY) 2020-21 are \$174,350 and reflect the anticipated staffing services for day-to-day operations and for conducting Municipal Services Reviews and Sphere of Influence (MSR/SOIs) Updates scheduled for FY 2020-21.

EO Hinman noted that the proposed FY 2020-21 expenses are an increase of \$14,102 above the previous FY budget, and noted that the budgets for the previous six years relied on use of accumulated reserves to meet expenditures, which allowed the Commission to keep apportionment fees low. However, budgeted and projected expenses through the end of this fiscal year would reduce reserves to at or below the level set by policy.

EO Hinman also reviewed the 5-Year Rolling Work Plan, noting no change to the Work Plan tasks for the next fiscal year except for rolling the UVSD MSR/SOI Update into FY 2020-21 in order to coordinate data analysis with the City of Ukiah and Ukiah Valley FPD MSR/SOIs.

Chair Brown noted that in past years the Commission had discussed that there would come a time when they would have to increase apportionment fees and that time is now. Commissioner Ward agreed and noted that fees should perhaps have been raised last year and that an increase from \$135,000 to \$175,000 is a big jump and may have a

significant impact on many of the districts. Chair Brown noted the reality of LAFCo's responsibility to address unfunded state mandates that continually accrue each year.

Upon Commissioner Ward's suggestion to increase apportionment fees to \$165,000, Commissioner Ignacio responded that the Executive Committee explored that option; however, the Commission would continue on the downward trend of utilizing reserves.

Commissioner Ignacio inquired regarding the formula for setting apportionment fees. EO Hinman clarified that the formula is set by state law and is split three ways between Special Districts, Cities, and the County, and for districts it is based on the annual revenues of each agency.

Commissioner Ignacio pointed out that the Commission has demonstrated its ability to successfully manage the budget and it is time for the budget to grow to meet operational expenditures. Commissioner Ignacio encouraged the Commission to seek fees higher than \$175,000, based on the anticipated work plan over the next two years, strictly as a means for cost recovery, not a revenue generator.

Commissioner Orth recommended raising fees to \$175,000 this year and \$180,000 next year. He noted that LAFCo has come a long way in the last 20 years and that the increase is not to pad operations, but to simply operate.

Chair Brown added that some of the funds are used for educational and training programs for special district board members (i.e. Brown Act etc.) and the community has a much more educated Board of Directors as a result.

Commissioner Gonzalez recommended sending a letter explaining the reasoning behind the increase in fees and to raise the fees incrementally.

Commissioner Orth noted that travel expenses might be reduced significantly due to COVID-19.

Commissioner McCowen stated that the Commission has done a good job holding the line on increasing the apportionment fees and managing its budget and recommends increasing fees conservatively. Commissioner McCowen noted that LAFCo has historically had a remaining fund balance at the end of the fiscal year and a component of the current fee increase is based on an ambitious Work Plan schedule for next year which is not anticipated in future years. Commissioner McCowen recommended increasing the apportionment fees to \$160,000 and noted that in the unlikely event that the budget is exceeded, there are reserves available.

Commissioner Ward requested clarification regarding the increase in Legal fees. EO Hinman explained that the increase is to allow more time for consultation with and assistance from LAFCo Counsel for monthly agenda reviews and in anticipation of the upcoming complex studies in the Ukiah Valley area. Chair Brown pointed out that the increase in projected legal fees is an insurance policy in the event of possible litigation. Commissioners Ward and McCowen noted that additional legal expenses should be passed along to the entity that necessitates the additional time, not every member agency. Chair Brown strongly advised that the agendas be reviewed by legal counsel.

EO Hinman explained that the current contract for legal services is \$600 per month and provides for an annual average of two hours of LAFCo Counsel time per month; some months exceed the average and other months there are no hours accrued. The contract is structured such that when the threshold of 24 hours per year is reached then LAFCo is billed at a substantially higher hourly rate for each additional hour used.

Commissioner Orth changed his recommendation from \$175,000 to \$170,000 related to an anticipated decrease in travel expenses in the coming year, and suggested consideration be narrowed to the two proposed apportionment increases of \$160,000 and \$170,000 for consideration.

Commissioner Ward requested staff prepare a letter to the special districts and cities regarding the increase in apportionment fees and reasons for the increase, noting he would like to review it prior to distribution.

Commissioner McCowen noted a preference to spend reserves to balance the budget rather than increase fees that may not be fully expended within the fiscal year.

Commissioner Gonzalez recommended incrementally increasing fees and explaining the situation to the districts in a letter.

Commissioner Ignacio recommended a straw vote, with the following results:

- Ignacio \$170,000
- Huff \$170,000
- Gonzalez \$160,000
- Ward \$160,000
- Brown \$170,000
- McCowen \$160,000
- Orth \$170,000

Commissioner McCowen encouraged the designation of Special Projects so that the burden of additional legal expenses is allocated to the specific entity.

The Commission directed staff to work with the two proposed apportionment fee increases of \$160,000 and \$170,000 and to further refine the proposed legal services budget. Another workshop on the Preliminary Budget will be held in April, a Draft Budget Public Hearing in May, and a Final Budget Public Hearing in June.

8. INFORMATION/ REPORT ITEMS

8a) Work Plan, Current, and Future Proposals (Video Time: 3:47:13)

EO Hinman presented the updates to the Work Plan and applications.

8b) Correspondence None

8c) Executive Officer's Report (Video Time 3:48:34)

Staff reminded Commissioners to submit wet signed 700 Forms to LAFCo Clerk by April 1, 2020.

8d) Committee Reports (Executive Committee/Policies & Procedures) (Video Time 3:49:20)

Commissioner Gonzalez reported that the Policies and Procedures Committee met and approved a draft policy on aging applications. Follow up with Legal Counsel is required before bringing it to the full Commission for consideration.

8e) Commissioners Reports, Comments or Questions None

8f) CALAFCO Business and Legislation Report None

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:51 p.m. The next regular meeting is scheduled for Monday, April 6, 2020 at 9:00 a.m. 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.
<https://www.youtube.com/watch?v=ktlM16rFML8&list=PLraKTU7AyZLQXUgRLLzYuAU9eq1qMFheb&index=3&t=0s>

MENDOCINO Local Agency Formation Commission Staff Report

DATE: April 6, 2020
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: **Financial Report and Claims for March 2020**

RECOMMENDED ACTION

Approve the March 2020 claims and financial report.

Name	Account Description	Amount	Total
Hinman & Associates Consulting, Inc.	5300 Basics Services	\$ 7,465.00	\$ 12,285.50
	5600 Office Expenses	\$ 70.00	
	6200 Bookkeeping	\$ 280.00	
	7000 Work Plan	\$ 1,496.00	
	8020 Weger Application	\$ 1,922.50	
	8001 Moores Annexation to IBWD	\$ 1,052.00	
P. Scott Browne	6300 Legal Counsel-Monthly (Feb, Mar)	\$ 1,200.00	\$ 1,453.30
	6800 Conference Registrations	\$ 73.30	
	8001 Moores Annexation to IBWD	\$ 180.00	
Ukiah Valley Conf. Center	5502 Office space	\$ 434.00	\$ 464.00
	5503 Work room	\$ 30.00	
	5603 Photocopy		
	5605 Postage		
County of Mendocino	6000 Televising Meetings	\$ 196.20	\$ 576.30
	6670 GIS Services	\$ 380.10	
Commissioner Reimbursement In-County Travel & Stipends	6740 Bazzani	\$ 50.00	\$ 355.85
	6740 Huff	\$ 69.00	
	6740 Ignacio	\$ 81.65	
	6740 Weinkle	\$ 76.45	
	6740 Orth	\$ 78.75	
Total:			\$ 15,134.95

Deposits: None

Attachments:

- Budget Track Spreadsheet
- Invoices: Hinman & Associates Consulting, P. Scott Browne

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

Mendocino Local Agency Formation Commission
 FY 2019-20 Budget and Application Tracking

Acct #	Task	FY 19-20 Budget	1st Qtr Subtotals	2nd Qtr Subtotal	January	February	March	3rd Qtr Subtotal	Year to Date	Remaining Budget	% of Budget Expended
EXPENSES											
5300	Basic Services - EO/Analyst/Clerk	\$72,060	\$13,977.00	\$18,484.00	\$5,475.00	\$10,533.00	\$7,465.00	\$23,473.00	\$56,874.00	\$15,186.00	79%
	Unfunded Mandates (RDA Oversight)	\$0		\$525.00	\$415.00			\$415.00			
5500	Rent	\$5,460	\$1,365.00	\$1,374.00	\$464.00	\$464.00	\$464.00	\$1,392.00	\$4,131.00	\$1,329.00	76%
5600	Office Expenses	\$2,700	\$450.20	\$414.01	\$152.99	\$269.20	\$70.00	\$492.19	\$1,356.40	\$1,343.60	50%
5700	Internet & Website Costs	\$1,300	\$1,152.52	\$0.00				\$0.00	\$1,152.52	\$147.48	89%
5900	Publication & Legal Notices	\$2,000	\$54.87	\$1,078.08				\$0.00	\$1,132.95	\$867.05	57%
6000	Televising Meetings	\$3,000	\$0.00	\$457.71		\$181.11	\$196.20	\$377.31	\$835.02	\$2,164.98	28%
6100	Audit Services	\$3,500	\$1,625.00	\$0.00	\$1,625.00			\$1,625.00	\$3,250.00	\$250.00	93%
6200	Bookkeeping	\$4,500	\$1,090.00	\$1,120.00	\$670.00	\$500.00	\$280.00	\$1,450.00	\$3,660.00	\$840.00	81%
6300	Legal Counsel (S Browne)	\$7,200	\$1,800.00	\$1,800.00	\$600.00		\$1,200.00	\$1,800.00	\$5,400.00	\$1,800.00	75%
6400	A-87 Costs County Services	\$428	\$0.00	\$0.00		\$1,633.00		\$1,633.00	\$1,633.00	\$-1,205.00	382%
6500	Insurance - General Liability	\$1,100	\$0.00	\$0.00				\$0.00	\$0.00	\$1,100.00	0%
6600	Memberships (CALAFCO/CSDA)	\$2,750	\$1,075.00	\$1,446.00				\$0.00	\$2,521.00	\$229.00	92%
6670	GIS Contract with County	\$2,500	\$0.00	\$77.13			\$380.10	\$380.10	\$457.23	\$2,042.77	18%
6740	In-County Travel & Stipends	\$4,000	\$673.06	\$609.37	79+L18	\$299.50	\$355.85	\$655.35	\$1,937.78	\$2,062.22	48%
6750	Travel & Lodging Expenses	\$3,500	\$0.00	\$1,052.03				\$0.00	\$1,052.03	\$2,447.97	30%
6800	Conferences (Registrations)	\$3,000	\$2,080.00	\$0.00			\$73.30	\$73.30	\$2,153.30	\$846.70	72%
7000	Work Plan (MSRs and SOIs)	\$41,250	\$1,309.00	\$2,108.00	\$1,700.00	\$8,799.00	\$1,496.00	\$11,995.00	\$15,412.00	\$25,838.00	37%
Monthly/ Year to Date Totals		\$160,248.00	\$26,651.65	\$30,545.33	\$11,101.99	\$22,678.81	\$11,980.45	\$45,761.25	\$102,958.23	\$57,289.77	64%
APPLICATIONS											
		BALANCE (total by application)	1st Qtr Subtotals	2nd Qtr Subtotal	January	February	March	3rd Qtr Subtotal	Year to Date	Remaining Budget	Notes
A-2009-8001	Irish Beach WD Moores Annexation	\$2,889.44	\$0.00	\$0.00	\$0.00	\$255.00	\$1,232.00	\$1,487.00	\$1,487.00	\$1,402.44	
P-2014-8010	City of Ukiah Detachment of UVSD lands	\$1,532.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,532.75	
D-2019-1 (8020)	Weger Detachment from MCHD	\$10,470.15	\$5,647.00	\$2,173.15	\$93.00	\$663.00	\$1,922.50	\$0.00	\$10,498.65	\$-545.50	includes activity from FY 2018-19
P-2019-2 (8021)	RRFC Annexation Pre-Application	\$1,200.00	\$244.00	\$275.00	\$681.00			\$681.00	\$1,200.00	\$0.00	\$681 refunded 01/20
Applications to Date Totals		\$14,892.34	\$5,891.00	\$2,448.15	\$774.00	\$918.00	\$3,154.50	\$4,846.50	\$13,185.65		
EXPENSES AND APPLICATION TOTALS			\$32,542.65	\$32,993.48	\$11,875.99	\$23,596.81	\$15,134.95	\$50,607.75	\$116,143.88		

DEPOSITS

None

ACCOUNT BALANCES

County of Mendocino Account Balance	\$ 1,754	County statement as of	2/18/2020
Operations (Checking) Account Balance	\$ 47,495	Quickbooks as of	3/29/2020
Legal Reserve Balance	\$ 35,000	Bank statement as of	2/28/2020
Operations Reserve Balance	\$ 55,420	Bank statement as of	2/28/2020
Total	\$ 139,669		

Mendocino LAFCo
FY 2019-20 Estimated Work Plan Implementation Schedule and Cost Tracking
 March 2020

Disclaimer: The estimated schedule and costs for the Fiscal Year 2019-20 Work Plan are subject to change based on agency responsiveness and timely provision of requested information, complexity of issues, and public controversy. Each study is assumed to be exempt from CEQA; therefore, a separate cost estimate would be necessary for studies subject to a Negative Declaration or EIR. It is difficult to completely contain staff activities in a single fiscal year; therefore, completion of the studies listed below may roll over to the next fiscal year. This estimated work plan implementation schedule and cost tracking table will be prepared on a monthly basis to enhance communication and transparency.

Agency	Request for Information	Outreach	Admin Draft	Public Workshop	Public Hearing	Final Study	Cost Estimate	Cost to Date ⁽¹⁾
<i>Brooktrails CSD</i>	<i>Complete</i>				<i>8/5/2019</i>	<i>8/31/2019</i>		<i>\$544</i>
Ukiah Valley Sanitation District	In progress	Initiated	In progress	TBD	TBD	TBD	\$20,000	\$1,462
County Service Area 3	In progress	Initiated	In progress	TBD	TBD	TBD	\$10,000	\$3,604
Mendocino City CSD	In progress	In progress	In progress	5/4/2020	TBD	TBD	\$11,250	\$9,496
Covelo CSD	In progress	In progress		TBD	TBD	TBD	\$8,000	\$102
Estimated Total							\$49,250	\$15,208

(1) The Cost to Date category accounts for all staff activities related to each study and is not limited to a specific fiscal year.



Hinman & Associates Consulting

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

Date March 30, 2020 **Invoice No.** 466
To Mendocino LAFCo **Invoice Total** \$ 12,285.50
Project Executive Officer Services
Work Period February 24 - March 29, 2020

Account Description	Staff/Hours			Other (At Cost)	Totals
	Executive Officer \$100	Analyst \$68	Clerk \$40		
5300 Basic Services	60.50	1.25	33.25		\$ 7,465.00
5601 Office Supplies Quickbooks Online Fee Office Supplies				\$ 70.00	\$ 70.00
6200 Bookkeeping	2.00		2.00		\$ 280.00
7000 Work Plan (MSR/SOI/Special Studies)					
MCCSD		5.50			\$ 374.00
UVSD					\$ -
CSA 3		15.00			\$ 1,020.00
Covelo CSD		1.50			\$ 102.00
8020 Weger MCHD Detachment Application		27.50		\$ 52.50	\$ 1,922.50
8001 Moores Annexation to IBWD	1.00	14.00			\$ 1,052.00
Totals	\$ 6,350.00	\$ 4,403.00	\$ 1,410.00	\$ 122.50	\$ 12,285.50

5300 Basic Services

Office hours, administrative tasks and Clerk duties. Website updates and postings. File research and maintenance. Communications with Commissioners, public inquiries, etc. March 2nd and April 6th agenda packets for regular Commission meeting. Coordination with Legal Counsel regarding draft policies and COVID-19 Brown Act and remote meeting requirements and agenda language. Coordinated with County Information Services regarding remote meeting programs and procedures. Sent informational updates to special districts regarding COVID-19 public meeting resources. Provided updates to Commissioners and staff regarding COVID-19 office closure and temporary office procedures. Drafted budget letter to member agencies and coordinated with Treasurer.

6200 Bookkeeping

Prepared March claims. Entered claims into Quickbooks and prepared checks. Coordinated with Treasurer regarding claims. Reconciled Quickbooks. Budget development reports and confirmation of financials.

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

Prepared Workshop Draft MCCSD MSR/SOI Update. Worked on development of Administrative Draft CSA 3 MSR/SOI. Coordinated with UVSD board members and attorney regarding information request. Drafted and sent out Covelo CSD RFI.

8020 Weger MCHD Detachment Application

Prepared staff report and presentation for March 2nd Public Hearing; coordinated with applicant and Legal Counsel; filed NOE with County Recorder.

8001 Moores Annexation to IBWD

Reviewed application materials, prepared letter identifying application and processing needs and requesting clarifications; responded to correspondence from Mr. Moores; prepared letters to Mr. Moores and Irish Beach Water District.

Uma Hinman

From: Intuit QuickBooks Team <intuit@notifications.intuit.com>
Sent: Thursday, March 19, 2020 10:10 AM
To: eo@mendolafco.org
Subject: We received your QuickBooks subscription payment!



Payment success

Executive Officer, thank you for your payment.

Invoice number:
1000143451672
Invoice date: 03/19/2020
Total: \$70.00
Payment method: VISA ending
in

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

[View billing history](#)

Account details

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

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

Weger Application NOE Filing

03/02/2020

03:20 PM PST

Katrina Bartolomie, Clerk-Recorder
Mendocino County, CA
501 Low Gap Rd., Room 1020
Ukiah, Ca 95482

MENDOCINO COUNTY RECORDER
ADMINISTRATION CENTER RM 1020
501 LOW GAP ROAD
UKIAH, CA 95482

TERMINAL NAME: E5986101

ORDER #: 106062211

Receipt: 20-3285

Product	Name	Extended
NTDETER2008	Notice Of Determination	\$50.00
	# Pages	1
	Document #	2020-E0010
	# Negative Decl	0
	# Mitigated Negative Decl	0
	# EIR	0
	# Cert. Reg. Program	0
	# Conformed Labels	0
Total		\$50.00
Tender (Check)		\$50.00
Check#	COUNTER	
Paid by	LAFCO	

PURCHASE

COUNTER PAYMENT \$50.00
123

AGENCY SUBTOTAL: \$50.00
LEXISNEXIS SERVICE FEE: \$2.50

TOTAL USD: \$52.50

Thank You!

Mon Mar 02 15:21:55 PST 2020 deena4

CARD #: VISA
PAYMENT: CREDIT CHIP READ-CONTACT
MODE: ISSUER
MTD: *****3406
TID: *****406
AUTH CODE: 002219
VAL CODE: DS.IN
TRAN REF #: 300062840432908
REC #: 0007
APP LABEL: VISA CREDIT
CVM: NO SIG REQUIRED
ATD: A0000000031010
TC: 643B5F87C2B53AD0
AMOUNT: \$52.50

*** CARD APPROVED ***

AMOUNT PAID:
\$52.50

I AGREE TO PAY ABOVE TOTAL AMOUNT
ACCORDING TO CARD ISSUER AGREEMENT
(MERCHANT AGREEMENT IF CREDIT VOUCHER)

RETAIN THIS COPY FOR
STATEMENT VERIFICATION

CUSTOMER COPY

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

03-15-2020

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

Invoice Number: 443
 Invoice Period: 02-16-2020 - 03-15-2020

Payment due by the 15th of next month.

RE: Multiple Projects

CALAFCo
 Mendocino LAFCo

CALAFCo

Time Details

Date	Staff Member	Description	Hours
03-06-2020	PSB	Conference call re: LAFCo 101 at Staff Workshop (Time split evenly between all LAFCo clients)	0.15
03-09-2020	PSB	Work on Staff Workshop; Prepare for LAFCo 101 (Time split evenly between all LAFCo clients)	0.35
03-10-2020	PSB	Telephone call from Pamela re: Contra Costa Amicus Brief; Review request; Telephone call to Luanne (Time split evenly between all LAFCo clients);	0.35
Total Fees			0.00

Expenses

Date	Staff Member	Expense	Amount
03-15-2020	WJC	Misc. CALAFCo Conference Registration Fee (Time split evenly between all LAFCo clients);	73.30
Total Expenses			73.30

Mendocino LAFCo

Time Details

Date	Staff Member	Description	Hours
02-16-2020	PSB	Monthly flat rate, per legal representation agreement;	
02-18-2020	WJC	Review and respond to emails from Uma	0.20

We appreciate your business.

Page 1 of 3

Date	Staff Member	Description	Hours
02-19-2020	WJC	Work on Tax Sharing Agreement Form	0.50
02-25-2020	PSB	Telephone call to Uma and Larkyn; Review Hospital District letter; Begin work on revisions to staff report;	2.50
03-09-2020	PSB	Review and revise agreement to pay; Respond to Uma's questions; Review proposed Ukiah common interest agreement; Research; Respond to Uma re: agreement	2.40
Total Fees			600.00
Total for this Invoice			673.30
Previous Invoice Balance			600.00
Total Amount to Pay			1,273.30

Project Statement of Account

As of 03-15-2020

Project	Balance Due
CALAFCo	73.30
Mendocino LAFCo	1,200.00
Total Amount to Pay	1,273.30

CALAFCo

Transactions

Date	Transaction	Applied	Invoice	Amount
03-15-2020	Invoice 443			73.30
			Balance	73.30

Open Invoices and Credits

Date	Transaction	Amount	Applied	Balance
03-15-2020	Invoice 443	73.30		73.30
			Balance	73.30

Mendocino LAFCo

Transactions

Date	Transaction	Applied	Invoice	Amount
02-15-2020	Previous Balance			600.00
03-15-2020	Invoice 443			600.00
			Balance	1,200.00

Open Invoices and Credits

Date	Transaction	Amount	Applied	Balance
02-15-2020	Invoice 417	600.00		600.00
03-15-2020	Invoice 443	600.00		600.00
			Balance	1,200.00

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

03-15-2020

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

Invoice Number: 444
 Invoice Period: 02-16-2020 - 03-15-2020

RE: Moore

Time Details

Date	Staff Member	Description	Hours	Rate	Amount
02-19-2020	PSB	Review Moore timeline;	0.50	200.00	100.00
02-24-2020	PSB	Participate in closed session by phone	0.40	200.00	80.00
Total Fees					180.00

Time Summary

Staff Member	Hours	Rate	Amount
PSB	0.90	200.00	180.00
Total Fees			180.00

Total for this Invoice 180.00
Total Amount to Pay 180.00

Project Statement of Account

As of 03-15-2020

Project	Balance Due
Moore	180.00
Total Amount to Pay	180.00

Moore

Transactions

Date	Transaction	Applied	Invoice	Amount
03-15-2020	Invoice 444			180.00
			Balance	180.00

Open Invoices and Credits

Date	Transaction	Amount	Applied	Balance
03-15-2020	Invoice 444	180.00		180.00
			Balance	180.00

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: April 6, 2020
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: **Workshop** for the Preliminary Budget and Work Plan for FY 2020-21

RECOMMENDATION

1. Hold a workshop on the Preliminary Budget and Work Plan for fiscal year 2020-21, hear public comments and provide direction to staff; and
2. Direct staff to notice and distribute the Proposed Budget and Work Plan for fiscal year 2020-21 to the County, cities and special districts in preparation for a public hearing on May 4, 2020.

BACKGROUND

A Workshop for the Preliminary Budget and Work Plan was held on March 2, 2020 during which time the Commission provided direction to staff, including the following:

- Coordinate with Scott Browne to refine the preliminary budget item for legal counsel services;
- Present the preliminary budget with apportionment options for \$160,000 and \$170,000; and
- Schedule the Preliminary Budget and Work Plan for a second Workshop on April 6th.

Proposed Operating Expenses

The proposed operating expenses for Fiscal Year (FY) 2020-21 are \$176,400 and reflect the anticipated staffing services for office operations and for conducting Municipal Services Reviews and Sphere of Influence (MSR/SOIs) updates scheduled for FY 2020-21.

Table 1. Summary of FY 2019-20 and Proposed Preliminary FY 2020-21 budgets

Estimated Budget Summary	FY 2019-20		FY 2020-21 Proposed
	Adopted (\$)	Projected (\$)	Preliminary Budget (\$)
Apportionment	135,000	135,000	175,000
Interest	350	450	450
Special Project (SALC Grant)			5,100
Estimated Revenues Total	135,350	135,450	180,550
Staffing Total	72,060	72,060	72,060
Services and Supplies Total	46,938	43,198	56,340
Work Plan Total	41,250	36,250 ¹	48,000 ¹
Estimated Operations Total	160,248	151,508	176,400
Special Project (SALC Grant)			5,100
Total Expenditures			181,500
Estimated Use of Reserves	24,898	16,058	950

¹ Staff intends to roll the current UVSD MSR/SOI Update into FY 2020-21 in order to coordinate data analysis with the City of Ukiah and Ukiah Valley FPD MSR/SOIs, reducing the projected Work Plan budget by \$5,000 in the current FY and including that amount in the next FY budget.

In addition to operating expenses, the Sustainable Agricultural Lands Conservation (SALC) grant funded project is a two-year project that will incur staff time beginning in FY 2020-21 and will be reimbursed through the grant. For purposes of the budget development, half of the overall grant reimbursement for the project (\$10,200) is accounted for in each of the next two fiscal years (Attachment 2).

The proposed FY 2020-21 expenses are an increase of \$16,152 above the FY 2019-20 budget. Notices received from SDRMA and CALAFCO show substantial increases in insurance and membership fees. Additionally, due to increasingly complex issues that are anticipated to continue into the foreseeable future, an increase in budget for legal counsel (Account 6300) is proposed. The proposed increase will allow for an average of four hours of consultation per month, which is consistent with fiscal year 2019-20 usage to date.

Changes from last year's budget are summarized in Table 2, not including anticipated applications and the Special Project SALC grant project, which are zero sum items.

Table 2. Explanation of budget changes from FY 2019-20 to 2020-21

Account No.	Account Description	Adopted FY 2019-20 (\$)	Preliminary FY 2020-21 (\$)	Net Change (\$)	Notes
5500	Rent	5,460	5,568	108	Increase in rent per contract (4%/yr)
5600	Office Expenses	2,700	3,450	750	New office computer
6000	Televising Meetings	3,000	2,000	(1,000)	Based on last few years' fees
6300	Legal Counsel	7,200	10,200	3,000	Increase to allow for an average of 4 hours/month legal consultation in anticipation of complex issues
6400	A-87 Costs	428	2,131	1,703	Estimate received from County
6500	Insurance-General Liability	1,100	3,000	1,900	SDRMA estimated increase (174%)
6600	Memberships (CALAFCO/CSDA)	2,750	3,691	941	CALAFCO increase
6740	In-County Travel & Stipends	4,000	5,000	1,000	Accommodate estimated mileage from current Commissioner locations
6750	Travel & Lodging Expenses	3,500	4,000	500	The 2020 CALAFCO Conference is in Monterey; assumes expenses for four Commissioners
6800	Conferences	3,000	3,500	500	The 2020 CALAFCO Conference is in Monterey; assumes expenses for four Commissioners and EO
7000	Work Plan (MSR/SOI)	41,250	48,000	6,750	City of Ukiah, Ukiah Valley FPD, Covelo CSD, UVSD (roll over)
Difference				16,152	

Proposed Operating Revenues

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 mandates operating costs for Local Agency Formation Commissions (LAFCo) shall be annually funded by the affected counties, cities, and independent special districts on a one-third apportionment process. Apportionments for cities and independent special districts are further divided and proportional to each agency’s total revenues as a percentage of the overall revenue amount collected in the county. LAFCos are also authorized to establish and collect fees to offset agency contributions.

The following table summarizes the FY 2019-20 and Proposed FY 2020-21 budget options for apportionment fees and the impact to reserves.

Table 3. Summary of projected and proposed budgets and apportionment fee options

	Projected FY 2019-20 Expenditures (\$)	Proposed FY 2020-21 Budget (\$)		
Budget	151,508	176,400		
Revenue/Funds				
Apportionment Fees	135,000	160,000	170,000	175,000
Interest	450	450	450	450
Projected use of reserves ¹	14,299	15,950	5,950	950
Anticipated Reserve Balances				
Balance at beginning of FY	90,383	76,084	76,084	76,084
Estimated balance at end of FY	76,084	60,134	70,134	75,134
<i>Target Reserves balance per policy</i>	<i>72,877</i>	<i>79,100</i>	<i>79,100</i>	<i>79,100</i>
<i>Difference</i>	<i>1,448</i>	<i>(18,966)</i>	<i>(8,966)</i>	<i>(3,966)</i>
¹ Based on projected end of FY 2019-20 expenditures.				

As of March 31, 2020, and not including March claims, the total funds available for operations was \$49,249. The projected expenses for the remainder of FY 2019-20 are approximately \$63,644 (not including the March claims), which will require utilizing approximately \$14,299 from reserves (Attachment 1). As anticipated in the adoption of the FY 2019-20 budget, this will be the second year that reserve funds will be used to meet expenditures.

The previous six adopted budgets anticipated utilization of cash balances and reserves to meet operational expenditures. FY 2018-19 was the first year that necessitated actually withdrawing from reserves in the amount of \$4,000, which was replaced with revenue from this fiscal year.

Proposed FY 2020-21 Work Plan

Staff has reviewed the 5-Year Rolling Work Plan and recommends the following MSR/SOI Updates for FY 2020-21 (Table 4). The full 5-year Rolling Work Plan is included as Attachment 3. Staff anticipates rolling the UVSD MSR/SOI Update into FY 2020-21 in order to coordinate data analysis with the City of Ukiah and Ukiah Valley FPD MSR/SOIs.

Table 4. Proposed FY 2020-21 Work Plan

Agency	Last MSR/SOI Update
Ukiah Valley Sanitation District	(roll over from FY 2019-20)
City of Ukiah	MSR 2012
Ukiah Valley Fire Protection District	MSR/SOI 2008
Covelo Community Services District	MSR/SOI 2010
<p>Work Plan Notes:</p> <ul style="list-style-type: none"> • No CEQA analysis costs have been included in the estimates other than the preparation of CEQA Exemptions • Future budgets noted in Attachment 3 are estimates only and will be reviewed annually and adjusted as needed as part of the budget development process for the next FY. 	

NEXT STEPS

Budget development steps and schedule are set forth in the Mendocino LAFCo Policies and Procedures (Chapter 5) and Government Code Section 56381(a) (Table 5).

Table 5. Budget development schedule

Budget Phase	Schedule
Preliminary Budget and Proposed Work Plan – Workshop	March 2, April 6
Proposed Budget and Work Plan – Public Hearing	May 4
Final Budget and Work Plan – Public Hearing	June 1

- Attachments: (1) FY 2019-20 Financial Summary and Projection
 (2) Preliminary FY 2020-21 Budget
 (3) Preliminary Draft 5-year Work Plan

Attachment 1

Financial Summary

The following table summarizes LAFCo's current financial status and end of FY 2019-20 projection, as of March 31, 2020 (not including March claims).

Cash in Savings Bank, March 2020		\$ 47,495
Cash in Treasury (County) February 2019		1,754
Total Funds in Accounts		\$ 49,249
Accounts Receivable - Apportionment still due		\$ 96
Total Funds Available		\$ 49,345
Accounts Payable – Estimated remaining Claims due by June 30, 2020		(69,270)
Application Deposit Held - City of Ukiah Detachment/UVSD		(3,114)
2019/2020 Operating Budget Deficit ¹		8,740
2019/2020 Proposed Additions to Operating Budget		-
Estimated Net Funds Available 6-30-20		\$ (14,299)
Reserves: Operations		\$ 55,420
Legal		\$ 35,000

¹ See attached FY 2019-20 Budget Review. Staff intend to roll the UVSD MSR/SOI over into FY 2020-21 so as to coordinate the analysis with other Ukiah Valley municipal providers scheduled for MSR/SOI updates next fiscal year. It is anticipated that approximately \$5,000 of the FY 2019-20 Work Plan budget will follow the UVSD into the next FY.

Mendocino Local Agency Formation Commission
 FY 2019-20 Budget Year End Projections (as of 3/31/20)

Acct #	Task	FY 19-20 Budget	Year to Date	Remaining Budget	Projected Year End	% of Budget Expended	Anticipated Remainder
EXPENSES							
5300	Basic Services - EO/Analyst/Clerk	\$72,060	\$49,409.00	\$22,651.00	\$72,060.00	69%	
	Unfunded Mandates (RDA Oversight)	\$0					
5500	Rent	\$5,460	\$3,667.00	\$1,793.00	\$5,460.00	67%	
5600	Office Expenses	\$2,700	\$1,286.40	\$1,413.60	\$1,950.00	48%	\$ 750
5700	Internet & Website Costs	\$1,300	\$1,152.52	\$147.48	\$1,152.00	89%	\$ 148
5900	Publication & Legal Notices	\$2,000	\$1,132.95	\$867.05	\$2,000.00	57%	
6000	Televising Meetings	\$3,000	\$638.82	\$2,361.18	\$2,000.00	21%	\$ 1,000
6100	Audit Services	\$3,500	\$3,250.00	\$250.00	\$3,250.00	93%	\$ 250
6200	Bookkeeping	\$4,500	\$3,380.00	\$1,120.00	\$4,500.00	75%	
6300	Legal Counsel (S Browne)	\$7,200	\$4,200.00	\$3,000.00	\$8,000.00	58%	\$ (800)
6400	A-87 Costs County Services	\$428	\$1,633.00	\$-1,205.00	\$1,633.00	382%	\$ (1,205)
6500	Insurance - General Liability	\$1,100	\$0.00	\$1,100.00	\$1,100.00	0%	
6600	Memberships (CALAFCO/CSDA)	\$2,750	\$2,521.00	\$229.00	\$2,521.00	92%	\$ 229
6670	GIS Contract with County	\$2,500	\$77.13	\$2,422.87	\$2,500.00	3%	
6740	In-County Travel & Stipends	\$4,000	\$1,581.93	\$2,418.07	\$4,000.00	40%	
6750	Travel & Lodging Expenses	\$3,500	\$1,052.03	\$2,447.97	\$1,052.00	30%	\$ 2,448
6800	Conferences (Registrations)	\$3,000	\$2,080.00	\$920.00	\$2,080.00	69%	\$ 920
7000	Work Plan (MSRs and SOIs)	\$41,250	\$13,916.00	\$27,334.00	\$36,250.00	34%	\$ 5,000
Year to Date Totals		\$160,248.00	\$68,377.97	\$69,270.22	\$151,508.00	43%	\$ 8,740

Mendocino Local Agency Formation Commission
Preliminary Budget FY 2020-21

6-Apr-20

Attachment 2

ACCOUNT #	DESCRIPTION	FY 2018-19 Adopted	FY 2018-19 Actual	FY 2019-20 Adopted	FY 2019-20 Projected	FY 2020-21 Preliminary	Increase/ (Decrease)
REVENUE							
	<i>Anticipated Cash Balance</i>			\$ -		\$ -	
4000	LAFCO Apportionment Fees	\$ 135,000	\$ 135,000	\$ 135,000	\$ 135,000	\$ 175,000	\$ 40,000
4100	Service Charges		\$ -				\$ -
4800	Miscellaneous						
4910	Interest Income	\$ 465	\$ 502	\$ 350	\$ 450	\$ 450	\$ 100
	Revenue Subtotal	\$ 135,465	\$ 135,502	\$ 135,350	\$ 135,450	\$ 175,450	\$ 40,100
8000	Applications		\$ 7,250		\$ 13,532		
8601	Special Project (SALC Grant Project Reimbursement)		\$ -			\$ 5,100	\$ 5,100
	Revenue Total	\$ 135,465	\$ 142,752	\$ 135,350	\$ 148,982	\$ 180,550	\$ 45,200
EXPENSES							
5300	Basic Services	\$ 70,560	\$ 72,017	\$ 72,060	\$ 72,060	\$ 72,060	\$ -
5500	Rent	\$ 5,360	\$ 5,410	\$ 5,460	\$ 5,460	\$ 5,568	\$ 108
5600	Office Expenses	\$ 3,450	\$ 1,603	\$ 2,700	\$ 1,950	\$ 3,450	\$ 750
5700	Internet & Website Costs	\$ 1,300	\$ 1,153	\$ 1,300	\$ 1,152	\$ 1,300	\$ -
5900	Publication and Legal Notices	\$ 2,000	\$ 1,181	\$ 2,000	\$ 2,000	\$ 2,000	\$ -
6000	Televising Meetings	\$ 3,000	\$ 1,817	\$ 3,000	\$ 2,000	\$ 2,000	\$ (1,000)
6100	Audit Services	\$ 3,100	\$ 3,100	\$ 3,500	\$ 3,250	\$ 3,500	\$ -
6200	Bookkeeping	\$ 4,000	\$ 3,522	\$ 4,500	\$ 4,500	\$ 4,500	\$ -
6300	Legal Counsel	\$ 7,200	\$ 7,200	\$ 7,200	\$ 8,000	\$ 10,200	\$ 3,000
6400	A-87 Costs County Services	\$ -	\$ -	\$ 428	\$ 1,633	\$ 2,131	\$ 1,703
6500	Insurance-General Liability	\$ 1,000	\$ 1,076	\$ 1,100	\$ 1,100	\$ 3,000	\$ 1,900
6600	Memberships (CALAFCO/CSDA)	\$ 2,300	\$ 2,302	\$ 2,750	\$ 2,521	\$ 3,691	\$ 941
6670	GIS Contract with County (Counsel training, IT support)	\$ 3,500	\$ 2,767	\$ 2,500	\$ 2,500	\$ 2,500	\$ -
6740	In-County Travel & Stipends	\$ 2,000	\$ 2,477	\$ 4,000	\$ 4,000	\$ 5,000	\$ 1,000
6750	Travel & Lodging Expense	\$ 3,000	\$ 4,236	\$ 3,500	\$ 1,052	\$ 4,000	\$ 500
6800	Conferences (Registrations)	\$ 3,000	\$ 2,600	\$ 3,000	\$ 2,080	\$ 3,500	\$ 500
7000	Work Plan (MSRs and SOIs)	\$ 35,000	\$ 29,514	\$ 41,250	\$ 36,250	\$ 48,000	\$ 6,750
9000	Miscellaneous (Special District Training Support, bank fees)	\$ 500	\$ 140	\$ -	\$ -	\$ -	\$ -
	Operating Expenses Subtotal	\$ 150,270	\$ 142,115	\$ 160,248	\$ 151,508	\$ 176,400	\$ 16,152
8000	Application Filing Expenses	\$ -	\$ 2,017	\$ -	\$ 13,532	\$ -	
8601	Special Project (SALC Grant Project)	\$ -	\$ -	\$ -	\$ -	\$ 5,100	\$ 5,100
	Expenses Total	\$ 150,270	\$ 144,132	\$ 160,248	\$ 165,040	\$ 181,500	
	REVENUE/EXPENSE DIFFERENCE	\$ (14,805)	\$ (6,613)	\$ (24,898)	\$ (16,058)	\$ (950)	
	<i>(Negative balance indicates use of fund balance and/or reserves)</i>						
	Legal Reserves Total			\$ 35,000	\$ 35,000	\$ 35,000	
	Operations Reserves Total			\$ 30,518	\$ 39,358	\$ 38,408	
	<i>Target Balance for Operations Reserves per Policy (25%)</i>			\$ 40,062	\$ 37,877	\$ 44,100	

Attachment 3

Mendocino LAFCo 5-Year Rolling Work Plan		
FY 2020-21 through 2024-25		
April 6, 2020		
<p>Disclaimer: The schedule for each study identified in this Work Plan is an <u>estimate</u> and is <u>subject to change</u> based on overall staff workload, agency responsiveness and timely provision of requested information, complexity of issues, and public controversy. Each study is assumed to consist of a combined MSR and SOI Update and be exempt from CEQA. The cost estimate reflects the minimum staff time to: coordinate a response to the Request for Information (RFI), draft the study for agency review and make revisions, prepare the study for one Public Workshop and Public Hearing and make revisions, and finalize the study to post online and mail to the subject agency. This Work Plan will be <u>reviewed mid-year</u>, or sooner as needed, and revised to account for a more refined level of detail related to the anticipated scope of work for specific studies. The estimated Work Plan schedule and costs may <u>roll over</u> to the next Fiscal Year.</p>		
Prior Study	Service Provider	Estimated Cost
Fiscal Year 2020-21		
n/a	Ukiah Valley Sanitation District (continued from FY 2019-20)	\$ 5,000
2012	City of Ukiah	\$ 25,000
2013	Ukiah Valley FD (Ukiah Valley Fire Authority JPA)	\$ 7,000
2010	Covelo CSD	\$ 8,000
n/a	Lighting Districts Discovery Only (11?)	TBD
	Contingency	\$ 3,000
Estimated Subtotal		\$ 48,000
Fiscal Year 2021-22		
2015	City of Point Arena	\$ 8,000
2015	Anderson Valley CSD	\$ 7,500
2015, 2016	Water/Wastewater Districts (14) - include Mutual Water Companies	\$ 20,000
2008	Mendocino Coast Recreation and Park District	\$ 8,000
	Contingency	\$ 4,350
Estimated Subtotal		\$ 47,850
Fiscal Year 2022-23		
2017	City of Fort Bragg	\$ 10,000
2016	Mendocino County Resource Conservation District	\$ 5,000
2016	Noyo Harbor District	\$ 8,000
2017	Cemetery Districts (8)	\$ 10,000
2016	Mendocino Coast Health Card District	\$ 10,000
	Contingency	\$ 4,300
Estimated Subtotal		\$ 47,300
Fiscal Year 2023-24		
2016	Hopland PUD	\$ 8,000
2019	Brooktrails Township CSD	\$ 8,000
2018	Fire Districts (16)	\$ 10,000
2019	City of Willits	\$ 12,000
	Contingency	\$ 3,800
Estimated Subtotal		\$ 41,800
Fiscal Year 2024-25		
2008	Mendocino City CSD	\$ 8,000
n/a	Ukiah Valley Sanitation District	\$ 15,000
n/a	County Service Area 3	\$ 8,000
	Contingency	\$ 3,100
Estimated Subtotal		\$ 34,100

MENDOCINO
Local Agency Formation Commission
Staff Report

MEETING April 6, 2020
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Sustainable Agricultural Lands Conservation Grant Project Agreement for Services**

RECOMMENDATIONS

Approve the signing of the Agreement for Services with the Mendocino County Resource Conservation District for a maximum grant reimbursement of \$10,200 and authorize the Executive Officer and LAFCo staff to perform the assigned tasks within the project scope of work.

INTRODUCTION

The County of Mendocino Department of Agriculture was awarded a \$208,600 planning grant for the Mendocino County Sustainable Agricultural Land Conservation (SALC) Program. Mendocino County is contracting with the Mendocino County Resource Conservation District to be the fiscal and administrating agent for the project. Mendocino LAFCo is identified as the lead for Task 4 described as to increase communication with diverse stakeholders regarding the coalescence of agricultural land conservation and sustainable housing development. The attached Agreement for Services is between Mendocino County RCD and Mendocino LAFCo and lays out the responsibilities and reimbursement for the project.

LAFCo's total budget for the project is \$14,200, of which \$10,200 is reimbursable through the grant and \$4,000 is match funding. The match funding will be in kind services performed and documented by LAFCo staff through typical operations and application processing.

Attachment: Agreement for Services

MENDOCINO COUNTY RESOURCE CONSERVATION DISTRICT
SUSTAINABLE AGRICULTURAL LANDS CONSERVATION (SALC 2020)
AGREEMENT FOR SERVICES #2020-0X

The MENDOCINO COUNTY RESOURCE CONSERVATION DISTRICT, a resource conservation district authorized pursuant to California Public Resource Code, Division 9, hereafter called “DISTRICT”, does hereby agree with Mendocino Local Agency Formation Commission hereinafter called “CONTRACTOR” as follows:

1. DISTRICT is retaining CONTRACTOR to carry out various tasks as detailed in the Sustainable Agricultural Lands Conservation project and attached approved **Scope of Work** in order to assist DISTRICT with the Project. CONTRACTOR will implement the Project as determined by the DISTRICT in accordance with the terms, conditions and specifications in the Agreement No. TBD between Mendocino County Resource Conservation District and the COUNTY of Mendocino Department of Agriculture. The approved Scope of Work may be modified without amendment of this Agreement upon the CONTRACTOR'S submission of proposed modifications to the DISTRICT, and the DISTRICT'S written approval of it, and when necessary, approval by the COUNTY of Mendocino. CONTRACTOR agrees in the performance of work, duties, and obligations devolving upon it related to Project.
2. CONTRACTOR agrees that it will at all times perform its duties under the Project to the best of its ability and in accordance with the highest scientific, professional and ethical standards of its profession. All services to be performed by CONTRACTOR pursuant to this Agreement shall be performed in accordance with all applicable federal, state, county and municipal laws, ordinances and regulations.
3. CONTRACTOR and DISTRICT agree that all designs, plans, reports, specifications, photographs, drawings, schematics, prototypes, models, inventions and all other information and items made or used during the course of implementing the Project shall be jointly owned by CONTRACTOR and DISTRICT. CONTRACTOR agrees to refer all outside requests for information about specific properties, restoration projects, or landowners to the DISTRICT and shall keep such information as confidential, unless such records are considered public records.
4. CONTRACTOR shall provide the following:
 - a) Close coordination with DISTRICT staff and other involved entities, including local, state and federal agencies, as well as, the local landowners and participation in meetings and other communications as necessary to ensure coordination.
 - b) A written copy of any proposed subcontracts, in whole or in part, contemplated by the CONTRACTOR prior to initiation for review and action by the DISTRICT.
 - c) A written monthly status, schedule, and financial report, on Project activities by the 20th of each month throughout the term of this Agreement, which shall include the following sections:
 - i. Product Status
This section shall discuss the status of any contract/project activities. The section shall also include discussion of any problems encountered and proposed changes to any proposed products.
 - ii. Schedule Status
This section shall state whether or not any assigned projects are progressing according to the contract terms and discuss any delays or potential delays.
 - iii. Financial Status

This section shall include a narrative report comparing costs to date with the approved category totals in the estimated budgets. If actual costs exceed or will exceed category totals, required budget category increases shall be requested providing they are offsetting, decreased expenditures identified in other budget categories. The report shall state whether or not projects are progressing within the approved contract agreement maximum compensation total.

5. The term of this Agreement shall commence upon signing of both parties and shall continue in effect until **January 31st, 2022**. All invoices and reporting must be received by the DISTRICT by **February 20th, 2022**. This Agreement may be amended upon mutual written consent of both parties.
6. This Agreement is expressly made contingent upon the continued execution of the above-described Agreement. Upon termination of the above document for any cause whatsoever, DISTRICT shall notify CONTRACTOR and this Agreement for Services shall terminate upon DISTRICT'S written notice. DISTRICT shall pay CONTRACTOR all amounts to be reimbursed by this Agreement for Services.
7. This Agreement may be terminated by either party by furnishing the other party with written notice at least thirty (30) days prior to such termination. If the DISTRICT terminates this Agreement, the CONTRACTOR shall take all reasonable measures to prevent further costs to the DISTRICT under this Agreement, and the DISTRICT shall be responsible for any reasonable and non-cancelable obligations incurred by the CONTRACTOR in the performance of this Agreement prior to the date of the notice to terminate, but only up to the undisbursed balance of funding authorized in this Agreement. Payments made to CONTRACTOR or recoveries by DISTRICT under a termination for cause shall be in accordance with the legal rights and liabilities of the CONTRACTOR and DISTRICT. If a dispute arises over the contract or the performance thereof, the matter shall first be mediated before a qualified mediator. Only if the mediation is unsuccessful shall a party be authorized to proceed with suit. If a party refuses to mediate or otherwise fails to participate, that party may not collect their attorneys fees even if otherwise authorized as the prevailing party. If any action at law is brought by either party to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs.
8. This Agreement is for services and may not be assigned, in whole or in part, by CONTRACTOR without the DISTRICT'S prior written consent, which consent shall not be unreasonably withheld. Any assignment in violation of this section shall be null and void. Further, DISTRICT may terminate this Agreement for Services effective immediately if CONTRACTOR assigns any responsibility under this contract without the DISTRICT's consent.
9. The maximum compensation to CONTRACTOR for its services under this Agreement shall not exceed **ten thousand and two hundred** dollars (**\$ 10,200**) as outlined and directly related to CONTRACTOR'S portion of the contract BUDGET specified for the **SALC** Project. Payments not to exceed \$ **10,200** shall be made incrementally and periodically as the CONTRACTOR'S services are provided over the lifetime of this Agreement. CONTRACTOR may submit invoices no more frequently than monthly. All payments made under this Agreement shall be considered provisional and subject to audit under item 13 in this Agreement. Invoices must be received by the DISTRICT no later than the 20th of the following month. All payment requests must be submitted with a progress report summarizing the current status of Project. Invoices shall describe the nature and extent of the services actually performed and completed during the period covered stated on the invoice. Invoices are subject to approval by the DISTRICT. CONTRACTOR agrees to provide such additional documentation as may be required by the DISTRICT regarding CONTRACTOR'S request for payment. The contract amount may be modified by an amendment to this contract signed by both parties.

10. Any payments under this Agreement shall be due and payable to the CONTRACTOR only following receipt by the DISTRICT of funds from the **County's receipt of Department of Conservation reimbursement**. Note that payment to the DISTRICT may occur 90 to 150 days after invoicing. The DISTRICT shall have no liability for payment until said funds are received by the DISTRICT.

Contractor Initials

The final payment under this agreement may be withheld until: 1) the CONTRACTOR has submitted all required documentation for project requirements to be performed under this Agreement to the DISTRICT and 2) DISTRICT, upon review by the **COUNTY of Mendocino**, concurs that all activities have been completed to the satisfaction of the DISTRICT, COUNTY and the grantor.

11. All work initiated hereunder by the CONTRACTOR shall be subject at all times to inspection by authorized representatives of the DISTRICT and shall be accomplished to the satisfaction of the DISTRICT.
12. CONTRACTOR is an independent contractor. No relationship of employer/employee exists between the parties hereto. Performance of services under this Agreement shall be in an independent capacity. Because of its status as an independent contractor, CONTRACTOR waives any and all employment benefits available to DISTRICT employees. It is the CONTRACTOR'S responsibility to provide workers compensation and payroll deductions and contributions to its employees for any worker benefits or tax purposes as provided for by law.
13. Independent Role of the CONTRACTOR. Nothing in this contract is intended to in any way restrict or bind the CONTRACTOR in establishing and enforcing its own agricultural preservation and sustainability policies.
14. During the performance of this Agreement, the CONTRACTOR and its subcontractors shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sex, or sexual orientation. The CONTRACTOR and its sub-contractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination. The CONTRACTOR and its subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.). The CONTRACTOR and its sub-contractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. This nondiscrimination clause shall be included in all contracts entered into by the CONTRACTOR to perform work provided for under this Agreement.
15. CONTRACTOR shall maintain acceptable financial management systems during the term of this Agreement. Such systems shall provide accurate, current and complete disclosure of the financial activity under this Agreement.
16. CONTRACTOR shall maintain standard financial accounts, documents, and records relating to this the services it performs under this Agreement. The CONTRACTOR shall retain these records for three years following the date of final disbursement by the District under this Agreement, regardless of the termination date. The documents shall be subject to examination and audit by the DISTRICT during CONTRACTOR's normal business hours and upon reasonable advance written notice. The CONTRACTOR may use any accounting system, which follows the guidelines of "Generally Accepted Accounting Principles" published by the American Institute of Certified Public Accountants.

17. Indemnification.

- a. CONTRACTOR agrees to defend, indemnify and save harmless 1) the Mendocino County Resource Conservation District, its officers, agents and employees and 2) the **COUNTY of Mendocino**, its officers, agents and employees (collectively the INDEMNIFIED PARTIES) against any and all claims, damages, costs, losses and expenses, in any manner resulting from, arising out of or in connection with claims brought against the INDEMNIFIED PARTIES in connection with the CONTRACTOR's negligence or willful misconduct in performing its obligations under this Agreement.
- b. The other parties to this contract agree to defend, indemnify and save harmless the CONTRACTOR , its officers, agents and employees against any and all claims, damages, costs, losses and expenses, in any manner resulting from, arising out of or in connection with claims brought against the CONTRACTOR in connection with the negligence or willful misconduct of the other parties in performing its obligations under this Agreement.

18. CONTRACTOR further agrees to obtain at CONTRACTOR's expense and keep in full force and effect throughout this Agreement a policy or policies of comprehensive public liability insurance. Such policy or policies shall provide for a minimum coverage limit of \$1,000,000 combined bodily injury and property damage liability, or its equivalent, and shall further provide that such policy is subject to cancellation only upon 30 days prior written notice delivered to DISTRICT. Such insurance shall be issued by a company or companies admitted to transact business in the State of California.

Contractor shall, prior to commencement of this Project, furnish to District a certificate evidencing that such insurance has been procured and is in full force and effect, together with a copy of an endorsement confirming coverage of the above named additional insureds.

19. Venue and jurisdiction for any dispute arising between the parties regarding the Agreement shall be in the County of Mendocino.

The Effective Date of this Agreement for Services is March 15th, 2020.

Accepted and agreed by DISTRICT: Mendocino County Resource Conservation District and CONTRACTOR: **Mendocino Local Agency Formation Commission**.

By: _____
Signature

By: _____
Signature

Megan McCluer

Printed Name

Executive Director
Mendocino County RCD

Title: _____

Official Address:

Tax Payer ID# _____

SCOPE OF WORK

- The CONTRACTOR agrees to support the DISTRICT and the County of Mendocino in the execution of the Department of Conservation (DOC) Sustainable Ag Lands Conservation (SALC 2020) project, issued to the County under **DOC grant agreement #3019-904**, by supporting all objectives, tasks and deliverables, especially Tasks 3 and 4 described below.
- The subcontractor agrees to comply with match and billable hours as described in the Budget Tables in Attachments 2 and 3.
- The contractor agrees to utilize the web-based Smartsheets[®] project software system for tracking progress on specific tasks. An example screenshot is provided in Attachment 4.
- The contractor agrees to provide monthly and quarterly reporting and invoicing as required by the DISTRICT, utilizing Smartsheets as required, and aligning all billing per subtask and summarizing per task. An example monthly invoice is provided in Attachment 5.

TASK 4: Increase communication with diverse stakeholders regarding the coalescence of agricultural land conservation and sustainable housing development. (Lead: LAFCO)		
TOTAL Task 4 Match: \$18,510, Task 4 SALC \$74,915		
<p>Task 4.1: Convene and facilitate monthly meetings of the Mendocino County Sustainable Ag lands Committee to maintain communication among project partners, refine planning strategies and expand dialogue between Committee members, public officials, housing development advocates, and other stakeholders.</p> <p><i>Deliverables:</i> sign-in sheets, meeting minutes, agenda</p>	<p>MCRCD LAFCO MC Ag. Dept. MC Farm Bureau NRCS Land Trusts MLT IMLT AVLT</p>	<p>Months 1 – 23 Targeted completion date: February 2022</p>
<p>Task 4.2: Organize and convene 6 meetings with specific stakeholder groups including realtors, City and County planning officials, housing advocacy groups and conservation organizations to explain Ag Lands Strategy objectives and solicit input. Participate in meetings and workshops that discuss zoning and the Housing Element of the Mendocino County General Plan.</p> <p><i>Deliverables:</i> sign-in sheets, meeting minutes, agendas</p>	<p>LAFCO MCRCD MLT IMLT AVLT</p>	<p>Months 3-18 Targeted completion date: September 2021</p>
<p>Task 4.3: Update GIS shapefiles and data layers associated with the development of the Ag Lands Strategy and make that data available on a Web Portal hosted by the Mendocino County Resource Conservation District for use by multiple stakeholders, including County Ag and Planning departments.</p> <p><i>Deliverables:</i> shapefiles with link to interactive MCRCD website</p>	<p>MCRCD Data Consultant</p>	<p>Months 3-18 Targeted completion date: September 2021</p>

<p>Task 4.4: Conduct a media campaign including press releases to local newspapers and radio broadcast appearances such as the KZYX Farm and Garden Show and the Ecology Hour to explain Ag Land Strategy objectives</p> <p><i>Deliverables:</i> 4 press releases, link to 2 radio broadcast or copy of radio schedule</p>	<p>MCRCD MLT IMLT AVLT</p>	<p>Months 3-20 Targeted completion date: December 2021</p>
<p>Task 4.5: Distribute educational materials such as fact sheets, e-newsletters, and postings on existing on-line communication platforms.</p> <p><i>Deliverables:</i> 4 fact sheets, link to partner websites, 8 e-newsletters</p>	<p>MCRCD MC Ag. Dept MC Farm Bureau NRCS MLT IMLT AVLT</p>	<p>Months 3-20 Targeted completion date: December 2021</p>

BUDGET DETAIL WORKSHEET

Project Title			
	SALC Program REQUEST	MATCH FUNDING	TOTAL FUNDING
Personnel including Applicant’s staff, stakeholders, contractors and consultants			
County of Mendocino (AgComm)	\$ 10,000	\$ 12,500	\$ 22,500
Mendocino County Resource Conservation District (MCRCD)	\$ 94,800	\$ 4,430	\$ 99,230
Mendocino Land Trust (MLT)	\$ 10,200	\$ 3,400	\$ 13,600
Inland Mendocino Land Trust (IMLT)	\$ 10,200	\$ 3,400	\$ 13,600
Anderson Valley Land Trust (AVLT)	\$ 10,200	\$ 3,400	\$ 13,600
Mendocino Local Agency Formation Commission (LAFCO)	\$ 10,200	\$ 4,000	\$ 14,200
Environmental Consultant	\$ 30,000	\$ -	\$ 30,000
Website Database Consultant	\$ 12,000	\$ -	\$ 12,000
USDA Natural Resource Conservation Service (NRCS)	\$ -	\$ 8,000	\$ 8,000
Mendocino County Farm Bureau	\$ -	\$ 4,000	\$ 4,000
Subtotal	\$ 187,600	\$ 43,130	\$ 230,730
<i>Note: Information regarding Personnel and subcontractors is entered on page 2 of the Budget</i>			
Operating Expenses			
Database hosting, and maintenance fees (Task 14)	\$ 2,000	\$ -	\$ 2,000
Workshop Rental Space (4 x \$1000)	\$ 4,000	\$ -	\$ 4,000
Subtotal	\$ 6,000	\$ -	\$ 6,000
Miscellaneous (itemize/explain—examples provided)			
Postage, Advertising, Printing	\$ 10,000	\$ -	\$ 10,000
Travel reimbursement	\$ 5,000	\$ -	\$ 5,000
Subtotal	\$ 15,000	\$ -	\$ 15,000
TOTAL PROJECT COST	\$ 208,600	\$ 43,130	\$ 251,730

BUDGET DETAIL WORKSHEET (CONTINUED)

Personnel						
Personnel including Applicant's staff, stakeholders, contractors and consultants required to accomplish the project should be listed in this table.						
TITLE	RATE	In-Kind Hours	Grant HOURS	TOTAL	Cash match	In-kind Match
Agricultural Commissioner (County of Mendocino)	\$ 125.00	20	80	\$ 12,500	\$ 10,000	\$ 2,500
Executive Director (MCRCD)	\$ 100.00	40	120	\$ 16,000	\$ 430	\$ 4,000
Program Manager (MCRCD)	\$ 90.00	0	800	\$ 72,000	\$ -	\$ -
GIS Mapping, Database Expertise (MCRCD)	\$ 90.00	0	120	\$ 10,800	\$ -	\$ -
Project Manager (MLT)	\$ 85.00	40	120	\$ 13,600	\$ -	\$ 3,400
Project Manager (IMLT)	\$ 85.00	40	120	\$ 13,600	\$ -	\$ 3,400
Project Manager (AVLT)	\$ 85.00	40	120	\$ 13,600	\$ -	\$ 3,400
Project Manager (LAFCO)	\$ 100.00	40	102	\$ 14,200	\$ -	\$ 4,000
Environmental Consultant (Task 3)	\$ 150.00	0	200	\$ 30,000	\$ -	\$ -
Website Database Consultant (Task 14)	\$ 120.00	0	100	\$ 12,000	\$ -	\$ -
District Conservationist (USDA NRCS)	\$ 100.00	80	0	\$ 8,000	\$ -	\$ 8,000
Executive Director (Farm Bureau)	\$ 100.00	40	0	\$ 4,000	\$ -	\$ 4,000
Totals:		340	1882	\$ 220,300	\$ 10,430	\$ 32,700

USE OF SMARTSHEETS FOR REPORTING PROGRESS

Smartsheet is a web-based project management software for collaboration and work management, developed by Smartsheet Inc. It is used to assign tasks, track project progress, manage calendars, share documents, and manage other work, using a tabular user interface. Use of the software by the CONTRACTOR requires formal account registration but is free. An example screen shot is shown below. For more information, visit: smartsheets.com

	Task Name	Responsible Organizations	Assigned To	Deliverables	Match Requirement	Budget	Task Start Date	First Meeting Date	Re Fin
1	Mendocino County Sustainable Ag Lands Conservation Project								
2	Task 1. Develop an agricultural component for a Mendo Co Climate Action Plan (CAP).	MCRCD	Megan McCluer		\$9,000	\$69,750			
8	Task 2. Expand the Carbon Farm Planning Program and local Soil Health Initiative	MCRCD	Katy Brantley		\$8,000	\$33,837			
12	Task 3. Increase participation in Williamson Act and Conservation Easement programs.	Farm Bureau	Devon Jones		\$7,620	\$30,098			
16	Task 4: Increase communication with diverse stakeholders regarding the coalescence of agricultural land conservation and sustainable housing development.	LAFCO	Uma Hinman		\$18,510	\$74,915			
17	4.1 Convene and facilitate monthly meetings of the Mendocino County Sustainable Ag lands Committee to maintain communication among project partners, refine planning strategies and expand dialogue between Committee members, public officials, housing development advocates, and other stakeholders.	LAFCO, Ag Dept, MCRCD, NRCS, FB, Land Trusts		sign-in sheets, meeting minutes, agenda			03/15/20		
18	4.2: Organize and convene 6 meetings with specific stakeholder groups including realtors, City and County planning officials, housing advocacy groups and conservation organizations to explain Ag Lands Strategy objectives and solicit input. Participate in meetings and workshops that discuss zoning and the Housing Element of the Mendocino County General Plan.	LAFCO, MCRCD, Land Trusts		sign-in sheets, meeting minutes, agendas			05/15/20		
19	4.3 Update GIS shapefiles and data layers associated with the development of the Ag Lands Strategy and make that data available on a Web Portal hosted by the Mendocino County Resource Conservation District for use by multiple stakeholders, including County Ag and Planning departments.	MCRCD Data Consultant		shapefiles with link to interactive MCRCD website			05/15/20		
20	4.4: Conduct a media campaign including press releases to local newspapers and radio broadcast appearances such as the KZYX Farm and Garden Show and the Ecology Hour to explain Ag Land Strategy objectives	MCRCD, Land Trusts		4 press releases, link to 2 radio broadcast or copy of radio schedule			05/15/20		
21	4.5: Distribute educational materials such as fact sheets, e-newsletters, and postings on existing on-line communication platforms.	LAFCO, Ag Dept, MCRCD, NRCS, FB, Land Trusts		4 fact sheets, link to partner websites, 8 e-newsletters			05/15/20		

Example Monthly Invoice - ATTACHMENT 5

COMPANY LOGO						
Address						
Address <i>Monthly Invoice Template</i>						
Contact Person						
To: Mendocino County Resource Conservation District						
410 Jones St. Suite C-3						
Ukiah, CA 95482						
Attn: Katy Brantley						
INVOICE: <i>Number</i> DATE:						
Re: Agreement For Services #						
Project Title: <i>Mendocino County Sustainable Ag Lands Conservation Program (SALC 2020)</i>						
Reporting Period: Start Date Finish Date						
Organization <small>(dropdown menu)</small>		Rate <small>(auto-filled)</small>				
Select Organization		85		Hours - Match		Hours - Billable
				\$ Amount - Match		\$ Amount - Billable
TASK						
Select Task		0.0		0.0		\$ - \$ -
Select Task		0.0		0.0		\$ - \$ -
Select Task		0.0		0.0		\$ - \$ -
Select Task		0.0		0.0		\$ - \$ -
Select Task		0.0		0.0		\$ - \$ -
Select Task		0.0		0.0		\$ - \$ -
Select Task		0.0		0.0		\$ - \$ -
Select Task		0.0		0.0		\$ - \$ -
Select Task		0.0		0.0		\$ - \$ -
Select Task		0.0		0.0		\$ - \$ -
Select Task		0.0		0.0		\$ - \$ -
Grand TOTAL: \$ - \$ -						
Signature: _____						
Name, Title						Date
Executive Summary of work completed this reporting period:						

MENDOCINO Local Agency Formation Commission

Staff Report

MEETING April 6, 2020
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Status of Applications, Proposals, and Work Plan**

RECOMMENDATION

Informational report.

BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 delegates Local Agency Formation Commissions (LAFCos) 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.

APPLICATIONS

Following is a summary of active and future proposals.

Active Proposals

There are currently two (2) active proposals.

Weger Mendocino Coast Health Care District Detachment Application Review

The application was approved by the Commission at its regular meeting on March 2, 2020. The CEQA Notice of Exemption was filed on March 2, 2020. The

Moore's Annexation to Irish Beach Water District (IBWD)

The application to annex a parcel of approximately 16.8 acres directly north of the IBWD into the District has been on-hold since 2015 pending completion of a concurrent processing of a Local Coastal Plan (LCP) amendment and rezone. The applicant has submitted a deposit and requested the application be processed. Staff has reviewed the application materials on file and has sent correspondence to Mr. Moore's and IBWD regarding requirements and next steps for processing the application.

Applications On-Hold

There is currently one (1) application on hold. Any updates available are noted below in addition to the date of last activity.

City of Ukiah Detachment of Ukiah Valley Sanitation District (UVSD) Served Areas

The application by the City of Ukiah to detach UVSD served areas from the City was deemed incomplete in December 2014. The City has requested the application remain on hold; there remains a balance of \$1,532 held in LAFCo's account.

Future Proposals

Following is a summary of potential future proposals to the Commission:

Anderson Valley CSD Proposed Activation of Latent Powers to Provide Water/Sewer Services

The Anderson Valley CSD has obtained two state planning grants to prepare a feasibility study and CEQA review for wastewater and water treatment plants and infrastructure to serve the community area of Boonville. Public workshops and a CEQA document are in process. The AVCSO has provided periodic updates to LAFCo staff.

Millview County Water District Proposed Annexation of Masonite Properties

A Pre-Application Review for the proposed annexation of the Masonite properties into the Millview County Water District (MCWD) was completed in September 2017. An application for the annexation is anticipated in the coming months.

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 reports over the course of the fiscal year. This report provides an update on progress made in terms of accomplishing the activities scheduled in the Work Plan. This report also serves to inform the Commission of any changes in circumstances or priorities.

Fiscal Year 2019-20 Work Plan

County Service Area (CSA) No. 3

The Administrative Draft MSR/SOI is in process. This will be the first MSR/SOI report for the CSA.

Mendocino City Community Services District

The Workshop Draft MSR/SOI is ready for Workshop.

Ukiah Valley Sanitation District (UVSD)

The Request for Information (RFI) has been sent to the District and staff is collecting documentation for the MSR/SOI report. The District has requested additional time to respond to the RFI as they are in finishing up a number of substantial projects that have dominated staff time.

Covelo Community Services District

Due to delays with other MSR/SOI updates, the data collection process has been initiated and the Request for Information has been sent to the District.

CALAFCO BULLETIN

March 30, 2020



As a way to continue sharing information with our member LAFCoS on changing statutes and requirements due to the COVID-19 pandemic, in addition to forwarding critical email updates, we will provide a weekly (or more frequent as necessary) bulletin sharing information you should know. Some of the information contained in this bulletin you are already aware of.

This bulletin is not intended to be legal advice and each LAFCo is encouraged to consult your legal counsel when responding to issues and creating policies.

FPPC EXTENDS FORM 700 FILING DEADLINE

On March 26, 2020 the [FPPC announced a 60-day extension](#) until June 1, 2020 for those required to file a 2019 annual Statement of Economic Interest (Form 700). The extension will apply to officials required to file in April pursuant to Commission Regulations 18723 and 18730. The FPPC still encourages filers to file when they can, as soon as they are able.

EXECUTIVE ORDER PROVIDES BROWN ACT FLEXIBILITY FOR LOCAL PUBLIC AGENCY MEETINGS

On March 17, 2020, Governor Gavin Newsom issued [Executive Order N-29-20](#). This updated order supersedes [Executive Order N-25-20](#), issued on March 12, 2020. The provisions of the N-29-20 order apply during the period in which state or local public officials impose or recommend measures to promote social distancing, including limitations on public events.

Among other items, the order states that “a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body[.]” Section 3 of the executive order waives or relaxes several requirements related to teleconferencing of public meetings, while still seeking to strike a balance between public health and the public’s interest in the conduct of their government and their right to access.

In particular, the March 17 executive order states that a legislative body “need not make available any physical location from which members of the public may observe the meeting and offer public comment.” The order also exempts (among other things) requiring public access to each location participating in the meeting remotely and that such locations be included in the notice and agenda postings at each remote location. However, local agencies must ensure they have complied with the Americans with Disabilities Act (ADA) accessibility requirements and the notice requirements outlined in the executive order.

This means that during the time this order is in effect, the commissioners of LAFCo are allowed to each teleconference or web conference from a remote location without the requirement to include the commissioners’ remote locations on the agenda, post an agenda at that location or open that location to the public.

Timing of posting of meeting notices and agendas pursuant to the Brown Act have not changed.

For more information, see the [March 18, 2020 Legal Alert](#) from Best Best & Krieger.

CALAFCO BULLETIN

March 30, 2020



FEDERAL PAID LEAVE FOR WORKERS IMPACTED BY COVID-19

On March 27, 2020, the Legislative Analysts Office (LAO) posted an [update](#) on the federal paid leave provisions of the Families First Coronavirus Response Act (H.R. 6201).

According to the bulletin, the 2-weeks emergency paid sick leave applies to public sector employers as well as private. Additionally, the 12-weeks emergency paid FMLA applies to public and private sector employers. While it is clear from the bulletin that businesses would receive federal tax credits to cover the paid sick leave and FMLA leave, it is unclear how (or even if) public employers are assisted by the measure as private sector employers are.

CALAFCO has made inquiries about this with people in Sacramento and will provide you with any updates as they are received.

LOCAL SHELTER-IN-PLACE ORDERS BEING EXTENDED

In a [press announcement today by the Mercury News](#), six Bay Area counties will extend their shelter-in-place order to at least May 1 in an effort to slow the spread of the virus. The state's shelter-in-place order, issued by Governor Newsom on March 19, 2020 through [Executive Order N-33-20](#), is in effect "until further notice."

RESOURCES FOR REMOTE MEETINGS

CALAFCO previously provided members various resources to assist you in planning for remote access for commission meetings. As a reminder, here are some resources for you to check out for best practices and tools:

Virtual Meeting Resources:

- ▶ Institute for Local Government <https://www.ca-ilg.org/covid-19>
- ▶ Regional Government Services <https://www.rgsjpa.org/covid-19-2/>
- ▶ Streamline <https://engage.getstreamline.com/communicating-during-crisis>
- ▶ Remote meeting tool comparison document
<https://cdn2.hubspot.net/hubfs/4515944/Comparison%20of%20popular%20remote%20meeting%20tools.pdf>