

# MENDOCINO

## Local Agency Formation Commission

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

#### **Scott Ignacio**

Point Arena City Council

#### **John McCowen**

County Board of Supervisors

#### **Vacant**

Special District Member

#### **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

*Approved by Commission on December 7, 2020*

## MINUTES

### Local Agency Formation Commission of Mendocino County

#### Regular Meeting of Monday, November 2, 2020

Meeting held via Zoom due to COVID-19 Pandemic Emergency Conditions

#### 1. **CALL TO ORDER and ROLL CALL** (Video Time 6:14)

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

**Regular Commissioners Present:** Carre Brown, Tony Orth, Gerald Ward, Gerardo Gonzalez, John McCowen and Scott Ignacio (joined at 9:04 a.m.)

**Regular Commissioners Absent:** none

**Alternate Commissioners Present:** Richard Weinkle, Jenifer Bazzani (immediately seated for former Commissioner Huff)

**Alternate Commissioners Absent:** Will Lee, John Haschak

**Staff Present:** Uma Hinman, Executive Officer; Larkyn Feiler, Analyst; Kristen Meadows, Clerk; Scott Browne, Legal Counsel

#### 2. **PUBLIC EXPRESSION** (Video Time 8:22)

Matt Froneberger, Russian River Flood Control District Board member and Special District Representative Candidate, introduced himself and shared his experience and qualifications for serving on the Commission.

#### 3. **CONSENT CALENDAR** (Video Time 11:52)

##### 3a) **Approval of the September 14, 2020 Regular Meeting Summary**

Commissioners Brown, Ward, and McCowen noted corrections to the Draft Meeting Summary on pages 5 and 6 of the agenda packet.

- Brown: Grammatical error, pg. 5
- Ward: Remove Weinkle, ineligible to vote as alternate, pg. 5 & 6.
- McCowen: Change wording for Brown Act compliance, pg. 5 – “Appoint commissioners...to work with the EO.”

Due to his absence at the September meeting, Commissioner Orth abstained from voting on the minutes.

Upon motion by Commissioner Ignacio and second by Commissioner Gonzalez, the September Meeting Summary was unanimously adopted with noted changes.

Ayes: (6) McCowen, Bazzani, Ward, Ignacio, Gonzalez, Brown

Abstain: (1) Orth

**3b) Approval of the September 2020 Claims & Financial Report** (Video Time 15:49)

<b>September 2020 Claims totaling:</b>	<b>\$</b>	<b>12,954</b>
Hinman & Associates Consulting	\$	11,938
P. Scott Browne	\$	900
Lisa Weger	\$	16
Commissioner Stipends	\$	100
CSDA	\$	1,482

Commissioner Ward asked for clarification on how applicants are billed for attorney fees. EO Hinman explained that time billed by Mr. Browne to an application is applied to the applicant's deposit and LAFCo pays Mr. Browne directly.

Commissioner Ward also asked about the benefits to LAFCo of a CSDA membership. EO Hinman noted access to free trainings and discounts on insurance and website hosting costs.

Commissioner McCowen suggested monthly account updates be sent to applicants to keep them apprised of deposit balances.

Upon motion by Commissioner Gonzalez and second by Commissioner Ignacio, the September 2020 Claims and Financial Report were unanimously approved.

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

**3c) Approval of the October 2020 Claims & Financial Report** (Video Time 23:44)

<b>October 2020 Claims totaling:</b>	<b>\$</b>	<b>11,112.05</b>
Hinman & Associates Consulting	\$	6,414.00
Ukiah Valley Conference Center	\$	1,136.55
P. Scott Browne	\$	2,029.50
Streamline	\$	50.00
CSDA	\$	1,482.00

Upon motion by Commissioner Ignacio and second by Commissioner Gonzalez, the October 2020 Claims & Financial Report were unanimously approved.

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

**4. PUBLIC HEARING ITEM** None.

**5. WORKSHOP ITEMS** None.

**6. MATTERS FOR DISCUSSION AND POSSIBLE ACTION** (Video Time 26:22)

**6a) Report on Consultant Proposals for City of Ukiah and Ukiah Valley Sanitation District MSR/SOI Updates**

EO Hinman provided an informational update on the item. At the September Regular Meeting, the Commission approved distribution of an RFP to select a consultant to conduct MSR/SOI updates for the agencies listed above. The Commission also approved formation of an RFP Ad Hoc Committee, consisting of Commissioners Ward and Orth, to oversee the RFP and consultant selection process. Three proposals were received: Planwest Partners, Milani & Associates, and Elliot Mulberg. On October 28, the RFP Ad Hoc Committee reviewed the proposals and directed staff to explore funding options. The Committee will reconvene this month (November) and with the intent to provide a recommendation to the Commission at the December 7, 2020 regular meeting.

There were no comments or questions from Commissioners.

**6b) Proposed Policy for Inactive Applications** (Video Time 29:43)

EO Hinman presented the item noting that in early 2020 Chair Brown had requested the Policies & Procedures Committee develop a draft policy on inactive applications to address outdated applications on file. The Cortese-Knox-Hertzberg does not address stale or inactive applications; however, local policies may be adopted to address

such situations. The Policies & Procedures Committee developed the proposed policy, which is recommended to the Commission for approval. Legal Counsel has reviewed the proposed policy and suggested including a three-year time limit to avoid tracking errors that could allow the application to languish unresolved.

Upon motion by Commissioner McCowen and second by Commissioner Gonzalez, the Commission unanimously adopted Resolution No. 2020-21-02 approving the Inactive Applications Policy and directing staff to update the Mendocino LAFCo Policies & Procedures Manual.

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

**6c) Agreement for Services with Mendocino County** (Video Time 33:30)

EO Hinman presented the item summarizing that LAFCo contracts with the County of Mendocino for GIS support and video and audio meeting services. The proposed contract updates the billing rates of relevant personnel and clarifies the maximum budget as identified in the LAFCo FY 2020-21 Final Budget. Treasurer Ward, LAFCo Legal Counsel, and County Legal Counsel have reviewed the contract.

Commissioner Ward and Commissioner McCowen suggested staff request a multi-year contract in the future.

Commissioner Ignacio stated the County has approved the agreement, nothing that any change would initiate another review process and cause further delay.

The Chair encouraged a motion of the item and thanked the Commissioners for their comments.

Upon motion by Commissioner McCowen and second by Commissioner Gonzalez, the Commission unanimously approved the proposed contract with the County of Mendocino County Executive Office Information Services Division to provide GIS and audio/video meeting support for the fiscal year 2020-21.

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

**6d) Commissioner Terms of Office and Special District Member Election** (Video Time 39:19)

EO Hinman presented the informational item, providing an overview of the Commissioner's Terms of Office. EO Hinman also provided an update on the Special District Member Election process to fill two regular seats: the remainder of a term ending December 2022 (vacated mid-term by the resignation of John Huff from the district) and a full four-year term ending December 2024 (seat currently held by Commissioner Orth). Election ballots are due November 23, 2020.

Pursuant to Government Code §56334, Commissioners serve four-year terms and until the appointment and qualification of a successor.

Commissioner Gonzalez requested confirmation of his term dates.

**6e) Mendocino LAFCo Website** (Video Time 44:55)

EO Hinman presented the new website and gave a brief overview of the hosting company (Streamline), which specializes in local government website hosting, support and compliance. She thanked Commissioners Brown, Ignacio and Orth for their assistance in the research and selection. The service ensures compliance with federal and state website accessibility and transparency laws. Included in the package is 24/7 unlimited support, automated compliance checks and scheduled reminders to meet Brown Act deadlines. The website service fee is a sliding scale based on an agency's operating expenses and will be \$50 per month.

Pacific Internet, the previous website host, experienced a catastrophic loss of its hosting servers and systems resulting in a complete loss of Mendocino LAFCo's website and content. Pacific Internet's annual service was billed and paid in advance at the beginning of the fiscal year; a refund has been requested.

Staff spent a considerable amount of time rebuilding the content of the website and will continue adding past meeting documents and information over the next few weeks.

The website domain remains the same: [www.mendolafco.org](http://www.mendolafco.org). Notifications of the reactivated website were sent to the Commissioners, the email list of member agencies and interested parties, and CALAFCO.

Chair Brown acknowledged the burden of rebuilding the website on staff and thanked EO Hinman for moving forward, noting that she believes the new host will be more suitable for LAFCo in the future. The Chair also recognized Commissioner Ignacio for his assistance to staff with the website.

Commissioner Ignacio expressed his appreciation to staff for their rapid response to a tragic problem with the website. One of the deciding factors in choosing Streamline is its relationship with CALAFCO and knowledge and experience hosting LAFCo websites. Those factors enabled staff to re-populate the website content without having to reinvent the wheel. He found the site extremely responsive and easy to navigate.

Commissioners Ward and McCowen commented on the expected refund from Pacific Internet. Hinman anticipates the costs for web hosting and domain will be returned. Ward asked staff to research insurance coverage for the website. Both Commissioners expressed satisfaction with the new website.

Commissioner Orth also recommended Streamline to staff. He believes it is an excellent organization, an inexpensive operation, and easy to work with.

EO Hinman noted that the website costs are determined based on the agency's operating budget, some offerings as low as \$15/mo. Streamline offers free trainings and, as CSDA members, an additional discount was received.

Chair Brown suggested recommending Streamline to the special districts and Commissioner Ignacio suggested looking into a referral program through Streamline.

## **7. INFORMATION/REPORT ITEMS** (Video Time: 59:28)

### **7a) Work Plan, Current, and Future Proposals**

EO Hinman gave a summary of current and future proposals, specifically noting the potential for competing applications in the area known as the Masonite properties.

Chair Brown asked if the County or Millview Water District had been notified of the City's North Annex application, noting there is no tax-sharing agreement between the County and the City. Hinman stated that this is currently a Pre-Application and that notification is typically sent to the agencies once an application is submitted.

Staff is also provided an update on the Work Plan activities, stating that staff is strategically organizing the Work Plan to stay within budget.

The Chair also noted the overlap of agencies' applications and scheduled Municipal Service Review and Sphere of Influence Updates. EO Hinman explained that typically SOI Updates must be completed before processing an application.

Commissioner Orth commented on the complexity of the Work Plan and encouraged awareness of agency activities within the Ukiah Valley.

### **7b) Correspondence** None.

### **7c) Executive Officer's Report** (Video Time: 1:06:43)

EO Hinman presented her report.

The Upper Russian River Water Agency (URRWA) is scheduled to meet this week to discuss consolidation of water and wastewater providers in the Ukiah Valley area. URRWA consists of the Ukiah Valley Sanitation District and the following county water districts: Capella, Redwood Valley, Millview, and Willow. EO Hinman noted the high level of activity among the agencies in the Ukiah Valley and that LAFCo will have to take a critical role in shaping their activities through work on SOI Updates, applications, and efforts for consolidation.

Focus has been given to various tasks that have taken precedence (i.e. RFP, election process, application processing, website development, etc.) causing progress on the Work Plan to slow considerably over the past months. Additionally, staff continues work on the 2019-20 year-end financial reports.

Commissioner Ignacio asked for information regarding the URRWA meeting be shared with the Commission. Commissioner Orth, after thanking Commissioner Ignacio for his request, noted his attendance at the URRWA meeting and that his comments would be reflected in the agenda packet.

Chair Brown added that she had encouraged the formation of the agency and believes a consolidation will be beneficial to the water districts and the consumers.

**7d) Committee Reports (Executive Committee/Policies & Procedures)** (Video Time: 1:09:59)

EO Hinman noted that the Policies & Procedures Committee met and discussed the Inactive Applications Policy and will discuss an Electronic Signatures Policy at the next meeting.

**7e) Commissioners Reports, Comments or Questions** (Video Time: 1:12:32)

Commissioner Ward asked for an update to the Indemnity Clause October Agenda Item to be presented at the December meeting.

Chair Brown suggested presenting the Inactive Applications Policy (including any other related policies) upon submittal of new applications, possibly requiring written acknowledgement from the applicant and EO for documentation.

**7f) CALAFCO Business and Legislation Report** (Video Time: 1:15:48)

EO Hinman drew attention to a free-to-CALAFCO-members webinar: *Proactively Navigating Economic and Service Crisis Realities*. Registration deadline is Nov. 16, 2020.

Chair Brown noted additional trainings available on the CSDA website. EO Hinman confirmed and directed Commissioners to contact the Clerk for assistance, if necessary.

**ADJOURNMENT** (Video Time: 1:18:13)

There being no further business, the meeting adjourned at 10:15 a.m. The next regular meeting is scheduled for Monday, December 7, 2020 at 9:00 a.m. The location is to be determined based on guidelines recommended by the Mendocino County Public Health Officer and Executive Orders regarding the COVID-19 pandemic.

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

[November 2, 2020 Meeting Recording on YouTube](#)