

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center ◊ 200 South School Street ◊ Ukiah, California 95482
Telephone: 707-463-4470 Fax: 707-462-2088 E-mail: eo@mendolafco.org Web: www.mendolafco.org

CHAIR

Jerry Ward
Public Member

VICE CHAIR

Holly Madrigal
Willits City Council

TREASURER

Doug Hammerstrom
Fort Bragg City Council

MEMBERS

Carre Brown
County Board
of Supervisors

John McCowen
County Board
of Supervisors

Theresa McNerlin
Ukiah Valley Sanitation District

Vacant

Special District Member

ALTERNATE MEMBERS

Dan Hamburg
County Board
of Supervisors

Kevin Doble
Ukiah City Council

Carol Rosenberg
Public Member

Angela Silver
Calpella County Water District

Executive Officer

George Williamson

Counsel

Scott Browne

Analyst

Colette Metz

Commission Clerk

Elizabeth Salomone

Regular Meetings

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

A G E N D A

Regular Meeting of Monday, April 4, 2016 9:00 AM
County Board of Supervisors Chambers 501 Low Gap Road, Ukiah, California

Call to Order and Roll Call

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.

1. Approval of the March 7, 2016 Regular Meeting Summary Minutes
2. Approval of the March 2016 Claims
3. Acceptance of the Monthly Financial Report

PUBLIC EXPRESSION

4. The Commission welcomes participation in the LAFCo meeting. Any person may address the Commission on any subject within the jurisdiction of LAFCo which is not on the agenda. There is a three minute limit and no action will be taken at this meeting. Individuals wishing to address the Commission under Public Expression are welcome to do so throughout the meeting.

PUBLIC HEARINGS

Any member of the public may address the Commission on public hearing items. The Chair may regulate the order of such presentations and reserves the right to limit the time allowed for each person to speak. Documents are available for review at www.mendolafco.org or by contacting the LAFCo office.

5. Round Valley County Water District Sphere of Influence Update (continued)
6. Millview County Water District Sphere of Influence Update
7. Mendocino County Resource Conservation District Sphere of Influence Update
8. Countywide Fire Protection Services Municipal Service Review
9. Proposed Budget for Fiscal Year 2016-17

WORKSHOPS

Workshops are scheduled for Commission review of draft reports prior to noticing for hearing. Questions and comments from the Commission, participating agencies, and members of the public are welcome. Documents are available for review at www.mendolafco.org or by contacting the LAFCo office.

10. Irish Beach Water District Sphere of Influence Update
11. Noyo Harbor District Sphere of Influence Update
12. Willow County Water District Sphere of Influence Update

MATTERS FOR DISCUSSION & POSSIBLE ACTION

The following discussion and business items are for review and possible action by the Commission. Questions and comments from the Commission, participating agencies, and members of the public are welcome.

13. MSR Completion Update

INFORMATION/REPORT ITEMS

The following informational items are to report on current commission activities, communications, studies, legislation, and special projects. General direction to staff for future action may be provided by the Commission.

14. Correspondence

- SDRMA Notice of Bylaw Revisions (available upon request)

15. Executive Officer's Report (Verbal)

- Status of CSDA Special District Training

16. Commissioner Reports, Comments or Questions (Verbal)

- March 29, 2016 Executive Committee Meeting

17. Legislation Report

ADJOURNMENT

The next Regular Commission Meeting is scheduled for
Monday, May 2, 2016 at 9:00 AM
in the County Board of Supervisors Chambers
501 Low Gap Road, Ukiah, California

Notes: 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: If you are a disabled person and need a disability-related modification or accommodation to participate in a meeting, please contact the LAFCo office at 707-463-4470, by e-mail to eo@mendolafco.org, or by FAX to 707-462-2088. Requests must be made as early as possible, and at least two full business days prior to the meeting.

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 of more than \$250 to any Commissioner in the past 12-months, must disclose the contribution. If you are affected, please notify the Commission prior to the agenda item.

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at 9:00 AM
at the Mendocino
County Board
of Supervisors Chambers
501 Low Gap Road

Agenda Item No. 1

MINUTES

LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY

Regular Meeting of Monday, March 7, 2016

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

Call to Order Chair Ward called the meeting to order at 9:02am.

Roll Call

Members Present: Commissioners Carre Brown, Doug Hammerstrom, Holly Madrigal, John McCowen, Theresa McNerlin, and Jerry Ward

Members Absent: None

Alternate Members Present: Commissioners Kevin Doble (departed 10:00am with apologies), Dan Hamburg, Carol Rosenberg, and Angela Silver

Alternate Members Absent: None

Staff Present: George Williamson, Executive Officer
Elizabeth Salomone, Clerk

Alternate Commissioner Silver immediately took seat as Special District Representative.

1. Independent Special District Election Status

Mr. Williamson reviewed the process followed for the election, noting that a lack of quorum in the returned ballots required staff to follow Government Code Section 56332 to extend the date for ballot submission by 60 days and notify all districts of the extension, which was done. The new ballot deadline is April 27, 2016.

2. Alternate Public Member Appointment

Mr. Williamson reviewed the process followed for filling the Alternate Public Member seat, noting Carol Rosenberg was the only applicant.

Upon motion by Commissioner McCowen and second by Commissioner Silver, Carol Rosenberg was appointed to the Alternate Public Member seat by roll call vote:

Ayes: Commissioners Brown, Hammerstrom, Madrigal, McCowen, McNerlin, and Silver

Abstain: Ward

Oath of Office

Carol Rosenberg took the Oath of Office for her newly appointed seat as Alternate Public Member.

CONSENT CALENDAR

3. Approval of the February 1, 2016 Regular Meeting Summary Minutes
4. Approval of the February 2016 Claims
5. Acceptance of the Monthly Financial Report

Mr. Williamson noted there were no changes to the Application accounting, therefore it was not included. Chair Ward asked for it to be included each month, and asked for an update on the proposed Moore's Annexation and the Piercy Fire Department possible application.

It was noted the dropbox accounting is now under Mendocino LAFCo instead of Baracco & Associates.

The Commission discussed how to report out from LAFCo Committee meetings. In addition to posting agendas and approved minutes to the website, the Clerk will distribute Agendas and minutes directly to the Commissioners via email.

Upon motion by Commissioner McCowen and second by Commissioner Madrigal, the Consent Calendar was approved unanimously.

Ayes: Commissioners Brown, Hammerstrom, Madrigal, McCowen, McNerlin, Silver, and Ward

6. Public Expression

There was no one from the public interested in speaking at this time.

PUBLIC HEARINGS

Public Hearing Notice was published in the newspapers on February 8, 2016.

7. Hopland Public Utility District Sphere of Influence Update

The Public Hearing was opened at 9:17am.

George Williamson presented the SOI Update. Comments and questions were offered by Commissioners Rosenberg, Silver, Madrigal, Hamburg, Hammerstrom, Brown, McCowen, and Ward.

Commissioner Roseburg noted concern with this District's ability to function independently, suggesting a recommendation for annexation into another District. Commission Silver noted the local water JPA has asked the Hopland PUD to join but the District declined, though discussions continue.

Upon motion by Commissioner Silver and second by Commissioner McCowen, adoption of Resolution 15-16-14 approving the Hopland Public Utility District Sphere of Influence Update with the following changes was approved by unanimous vote:

Page 7, Capacity and Service Section, 2nd Paragraph, 2nd line – change “counseled” to “approved”

Ayes: Commissioners Brown, Hammerstrom, Madrigal, McCowen, McNerlin, Silver, and Ward

8. Potter Valley Irrigation District Sphere of Influence Update

Mr. Williamson presented the SOI Update. Comments and questions were offered by Commissioner Brown.

Upon motion by Commissioner Brown and second by Commissioner Silver, adoption of Resolution 15-16-15 approving the Potter Valley Irrigation District Sphere of Influence Update as presented was approved by unanimous vote.

Ayes: Commissioners Brown, Hammerstrom, Madrigal, McCowen, McNerlin, Silver, and Ward

9. Countywide Fire Protection Services Municipal Service Review (Part 3)

Comptche Community Services District

Piercy Fire Protection District

Westport Volunteer Fire Department

Elk Community Services District

South Coast Fire Protection District

Whale Gulch Volunteer Fire Company

George Williamson presented the MSR Update. No comments or questions were offered by Commissioners.

Upon motion by Commissioner Brown and second by Commissioner Silver, Part 3 of the Countywide Fire Protection Services Municipal Service Review was approved by unanimous vote.

Ayes: Commissioners Brown, Hammerstrom, Madrigal, McCowen, McNerlin, Silver, and Ward

It was noted the entire Countywide Fire Protection Services Municipal Service Review would be brought to the Commission for final adoption when revised and compiled as one document.

The Public Hearing was closed at 9:30am.

Workshops

10. Millview County Water District Sphere of Influence Update

George Williamson presented the SOI Update. Comments and questions were offered by Commissioner McCowen.

Workshop Action:

- Edit: page 6, Out of District Services, Maverick Enterprises Inc. – clarification on the action of wheeling water.
- Update to be brought to Public Hearing in April 2016 with discussed issues addressed.

11. Mendocino County Resource Conservation District Sphere of Influence Update

George Williamson presented the SOI Update. Patricia Hickey, District Executive Director, addressed the Commission. Comments and questions were offered by Commissioners Brown, Madrigal, McCowen, Hammerstrom, and Rosenberg.

Commissioner Madrigal noted her involvement with the Community Foundation which is considering a grant to MCRCD, though she is not part of the decision making body.

Commissioner Rosenberg introduced the issue of tribal lands within the proposed sphere of influence for the District and asked if there will be any impact for the tribes or in the relationships between the District and tribes. Discussion was held and Patricia Hickey noted healthy working relations with the tribes.

Workshop Action:

- Staff to research the governing authority to make certain decisions (MCRC Board or Board of Supervisors) and include in the SOI Update document
- Edit page 7, first full paragraph, replace “County GIS” instead of “County.”
- Add comments to document indicating that though the MCRC does not anticipate having funding to apply for annexation of territory to the District, other Districts and entities can apply and pay for annexations to the District.
- Update to be brought to Public Hearing in April 2016 with discussed issues addressed.

MATTERS FOR DISCUSSION/POSSIBLE ACTION

12. Calpella County Water District Request for Annexation Deposit Fee Waiver/Reduction

George Williamson and Commissioner Silver presented. Comments and questions were offered by Commissioners Silver, McCowen, Madrigal, Hammerstrom, McNerlin, and Rosenberg.

Commissioner McCowen asked what amount of money is involved in the requested waiver. George Williamson noted he would provide that information at the April 2016 meeting. It was further requested Calpella CWD present their financial status and need for waiver.

Commissioner McNerlin noted the Policies & Procedures Committee opened discussion on fee waivers at their last meeting and will continue to develop policy to present to the full Commission, including consideration of an application process.

Commissioner McCowen asked if the final adopted and published MSR contained the incorrect factual reference as noted by the District and whether the document should be edited on this determination. The Commission directed the Clerk to review and report back.

The Commission asked for the issues discussed to be placed on the April agenda.

13. Letter of Engagement for Fiscal Year 2015-16 Audit

George Williamson presented. Chair Ward noted the letter of engagement is expected from Pehling and Pehling and is the same pricing as the previous year.

Upon motion by Commissioner Hammerstrom and second by Commissioner Madrigal, authorization to Chair Ward to sign the Letter of Engagement for Fiscal Year 2015-16 Audit with Pehling and Pehling was approved by unanimous vote.

Ayes: Commissioners Brown, Hammerstrom, Madrigal, McCowen, McNerlin, Silver, and Ward

Chair Ward called a break from 10:17am – 10:24am.

14. Request for Proposal: Professional Services

Chair Ward presented, noting the Executive Committee reviewed the Request for Proposal and schedule, and recommends approval for publication. The Chair appointed an ad hoc committee of Carre Brown, Kevin Doble, and Angela Silver to oversee the RFP process.

Upon motion by Commissioner Brown and second by Commissioner Hammerstrom, the Request for Proposal for Contract Executive Officer Services and the delegation to the appointed ad hoc committee to carry out the timeline were approved by unanimous vote.

Ayes: Commissioners Brown, Hammerstrom, Madrigal, McCowen, McNerlin, Silver, and Ward

It was noted that Exhibit C in the RFP is the approved work plan and the Clerk was directed to include it.

15. Independent Clerk Contract

Chair Ward presented. He noted the Clerk contract has previously been subcontracted under the Executive Officer and reviewed the proposal for the Clerk to be offered a direct contract with LAFCo, being drafted by legal counsel. Comments and questions were offered by Commissioners McCowen, Brown, Madrigal, Ward, and Rosenberg. The Executive Committee was directed to proceed in conjunction with legal counsel.

INFORMATION/REPORT ITEMS

16. Status of Current and Future Projects

George Williams reviewed the staff report.

17. Correspondence - No discussion was held.

18. Executive Officer's Report

Update on RVCWD and Millview CWD Meeting

George Williamson presented. He reported both Districts were aware of the information that was provided during the February public hearing and neither felt that the SOIs were impacted by the information. Comments and questions were offered by Commissioner Ward.

CSDA Special District Training

Comments and questions were offered by Commissioners Madrigal, McNerlin, Ward, Brown, and Hammerstrom. Staff was asked to review the advertising efforts done by CSDA and to provide the flyer to Commissioners again.

19. Commissioners Reports, Comments or Questions

February 16, 2016 Executive Committee Meeting.

No verbal report was provided.

February 29, 2016 Policies and Procedures Meeting. Commissioner Hamburg reported, noting a budget reserve analysis has been requested and policy will be developed from the results. During discussion on development of a reserve policy, the Committee recommended a 2% reduction to apportionment fees for the Fiscal Year 2016-17 and a reserve transfer to cover operating costs not covered by apportionment fees.

City of Willits SOI. Commissioner Madrigal announced the new Willits City Planner and City Manager are meeting with George Williamson to discuss the SOI. The RED Committee will also be providing extra support for the SOI work.

Carre Brown Honored. Commission Madrigal shared that Commissioner Carre Brown was recently honored by the Women's Political Coalition.

Willits Chamber Event, Speaker Bob Pritchard. Commissioner Madrigal announced an open event Thursday, March 10, 2016 regarding the Bypass project.

Website Updates: Commissioner Ward asked for some updates on the website.

Cemetery District MSR: Commissioner Ward asked for an update on the MSRs. Mr. Williamson had no new information.

20. Legislation Report
No report was offered.

Adjournment

There being no further business, at 11:12am the meeting was adjourned to the next regular meeting on Monday, April 4, 2016 at 9:00 AM in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah, California.

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: April 4, 2016
 TO: Mendocino Local Agency Formation Commission
 FROM: George Williamson, Executive Officer
 SUBJECT: Claims for March 2016

 The following claims are recommended for payment authorization:

Name	Account Description	Amount
Planwest Partners	5300 Basics Services: EO, Analyst, Administrator; 7501 SOI Updates; 6200 Bookkeeping; 9000 CSDA Training Coordination; Applications: \$ 9,885.00 5300 Basic Services: Clerk \$ 1,426.25	\$11,311.25
Ukiah Valley Conf. Center	5502 Office space: \$ 400.00 5503 Work room: \$ 30.00 5603 Photocopy: \$ TBD 5605 Postage: \$ TBD	\$ 430.00
P. Scott Browne	6300 Legal Counsel Monthly flat fee: \$500.00 plus additional costs	\$ 536.80
Ukiah Daily Journal Willits News	5900 Publication and Legal Notices (Public Hearing Notice for March 7, 2016) *previous invoice paid for \$244.68 on 3/14/16	\$ 199.14
Fort Bragg Advocate-News	5900 Publication and Legal Notices (Public Hearing Notice for March 7, 2016)	\$ 102.56
Commissioner Reimbursements	6740 Angela Silver (March 2016 \$55.40) 6740 Carol Rosenberg (March 2016 \$50)	\$ 105.40

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

INVOICE

DATE: March 25, 2016 **INVOICE #:** 16-218-03
TO: Mendocino LAFCo
PROJECT: LAFCo Planning Services & Expense (February, 26-March 25 2016)

January, 27 – February 25 2016 COSTS SUMMARY

Acct 5300 - Basic Services Planwest	\$ 2,976.00
Acct 5300 - Basic Services Clerk Services - Beth Solomone	\$ 1,426.25
Acct 6200 – Bookkeeping (Other Services)	\$ 270.00
Acct 7001 - Municipal Services Reviews	\$ 432.00
Acct 7501 - Sphere of Influence Updates	\$ 5,187.00
Acct 9000 - CSDA Training Coordination	\$ 1,020.00
TOTAL AMOUNT DUE	\$ 11,311.25

Basic Services Acct 5300

Executive Officer, George Williamson	9 hours at \$108 per hour	\$ 972.00
Analyst, Colette Metz	16 hours at \$84 per hour	\$ 1,344.00
Clerk, Elizabeth Salomone	40.75 hours at \$35 per hour	\$ 1,426.25
GIS Analyst/Web	5.5 hours at \$62 per hour	\$ 341.00
Service Specialist	2 hours at \$58 per hour	\$ 116.00
Administrative Analyst	3.5 hours at \$58 per hour	\$ 203.00

Bookkeeping (Other Services) Acct 6200

Executive Officer, George Williamson	2.5 hours at \$108 per hour	\$ 270.00
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MSRs Account 7001

Executive Officer, George Williamson	4.0 hours at \$108 per hour	\$ 432.00
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SOI Updates Acct 7501

Analyst, Colette Metz	5.0 hours at \$84 per hour	\$ 420.00
GIS Analyst/Web	10.0 hours at \$62 per hour	\$ 580.00
Service Specialist	71.5 hours at \$58 per hour	\$ 4,147.00

CSDA Training Coordination Acct 9000

Analyst, Colette Metz	8.0 hours at \$84 per hour	\$ 672.00
Service Specialist	6.0 hours at \$58 per hour	\$ 348.00

Basic Services/Administration

Prepared and posted agenda and packet materials and updated website. Coordinated meeting packet preparations, and staffed March 7 2016 commission meeting. Transcribed and reviewed draft March meeting minutes for review at April 4 meeting. Staffed office in March. Started preparing April meeting agenda and staff reports. Posted notices, agendas and completed SOI Updates to website. Prepared and distributed hearing notices for publishing. Compiled claims for April agenda. Compiled agenda and packet materials for March Executive Committee meeting. Prepared materials and participated in policies and procedures committee meeting. Responded to inquiries from member organizations and property owners on potential annexations and changes in organization. Updated application cost track for executive committee review.

Other Services

Compiled claims for commissioner review and approval at March meeting. Entered claims into QuickBooks and prepared checks for claims to be authorized at April 2016 meeting. Reviewed FY 2014-15 audit materials with commission chair for submittal to Pehling and Pehling.

Municipal Service Reviews

Continued work on MSR Update for Fort Bragg Rural FPD. Contacted Ft Bragg RFPD regarding remaining detachment and annex actions for BOE. Contacted surveyor that prepared detachment description and sent BOE letter advising of description changes. Contacted surveyor that prepared N of Ten Mile Annex map and advised of mapping changes needed. Met with Willits staff to review current MSR and discuss out of area services and planning for future annexations.

Sphere of Influence Updates

Presented Hearing Draft SOI Updates for March 2016 hearing based on commission review and agency input for Hopland PUD and Potter Valley Irrigation District. All SOIs adopted by Commission. Incorporated Commission comments into an adopted version for LAFCo records.

Prepared SOI hearing draft versions for Round Valley CWD, Millview CWD, and Mendocino County RCD.

Prepared SOI workshop draft versions for Willow CWD, Noyo Harbor District, and Irish Beach WD.

Continued to coordinate staff level reviews for the following agencies, Willow CWD, Millview CWD, Mendocino County RCD, Noyo Harbor District, Irish Beach Water District, and Mendocino Coast Healthcare District. .

Applications

No activity.

CSDA Training Coordination

Participated in Mendocino LAFCo and California Special Districts Association (CSDA) full-day workshop on March 23 in Ukiah. Coordinated dates and secured locations for three part-day workshops in Ft Bragg, Willits and Boonville.

Law Offices of P. Scott Browne

131 South Auburn Street
Grass Valley, CA 95945

(530) 272-4250
(530) 272-1684 Fax

Marsha A. Burch
Of Counsel

Mendocino Lafco
200 South School Street, Suite F
Ukiah, CA 95482

Period Ending:

3/15/2016

Payment due by the 15th of next month

In Reference To: CLIENT CODE: MENDO-01

Professional Services

	<u>Hours</u>	
2/26/2016 PSB Legislative Committee Meeting. (3.0 hours allocated between all LAFCos)	0.50	
3/7/2016 PSB Research tribal land issue.	2.50	
	<hr/>	
SUBTOTAL:	[3.00]	
		<hr/>
Total Professional Hours	3.00	Amount \$500.00
 <u>Additional charges:</u>		
3/15/2016 On Line Legal Research		36.80
		<hr/>
Total costs		\$36.80
		<hr/>
Total billing this month		\$536.80
Per Representation Agreement, flat fee of \$500/month.		
Previous balance		\$500.00
 <u>Payments and Credit Activity</u>		
3/15/2016 Payment - Thank You. Check No. 1114		(\$500.00)

CLIENT CODE: MENDO-01

	<u>Amount</u>
Total payments and adjustments	(\$500.00)
<i>TOTAL BALANCE NOW DUE</i>	<i>\$536.80</i>

Please make your check for this bill payable to P. SCOTT BROWNE, ATTORNEY. Please write the CLIENT CODE shown on this statement on your check to insure proper credit. Thank you!

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: April 4, 2016
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: Monthly Financial Report

Application Revenues:

Payments received in March for Application Deposits: NONE

Note: At Treasurer's direction, application revenues are being tracked separately, as they are not budgeted expenses, but reimbursable fees paid by applicants on separate cost recovery track.

Other Deposits:

\$45,000 transfer from County account to SBMC account

Budgeted Expenses:

Attached is the updated budget track form with budget items, account numbers, and amounts for FY 2015-16 through March 2016. The March claims are also itemized in Agenda Item 2.

Petty Cash:

None

(Note: Petty cash expenses allocated in budget track at time of expenditure)

Attachments: Budget Track Spreadsheet
Application Track Spreadsheet

**Mendocino Local Agency Formation Commission
FY 2015-16 Budget Track - Through January 2016**

Task	Account #s	FY 15-16 Budget Amendment	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	Year to Date	Remaining Budget*
Contract Services - Basic Services		\$59,000.00											
Basic Services - EO/Analyst/GIS	5300	\$41,000.00	\$5,213.00	\$4,819.00	\$4,270.00	\$6,532.00	\$5,303.00	\$4,478.00	\$1,979.00	\$1,921.00	\$2,976.00	\$37,491.00	\$3,509.00
Basic Services - Clerk	5300	\$18,000.00	\$1,216.25	\$1,837.50	\$1,251.25	\$1,540.00	\$1,715.00	\$1,461.25	\$1,732.50	\$1,636.25	\$1,426.25	\$13,816.25	\$4,183.75
Other Expenses		\$51,770.00											
Rent	5500												
Office Space	5502	\$4,675.00	\$375.00	\$375.00	\$375.00	\$375.00	\$375.00	\$400.00	\$400.00	\$400.00	\$400.00	\$3,475.00	\$1,200.00
Work Room	5503	\$360.00	\$30.00	\$30.00	\$30.00	\$30.00	\$30.00	\$30.00	\$30.00	\$30.00	\$30.00	\$270.00	\$90.00
Office Expenses	5600												
Office Supplies (petty cash)	5601	\$700.00	\$135.39	\$27.02	\$0.00	\$188.59				\$167.21		\$518.21	\$181.79
Photocopy	5603	\$1,000.00	\$104.40	\$16.10	\$105.50	\$299.79	\$6.80	\$172.20	\$87.96	\$15.80		\$808.55	\$191.45
Postage	5605	\$300.00	\$11.76	\$0.97	\$4.59	\$37.64	\$8.67	\$1.46		\$30.70		\$95.79	\$204.21
Office Equipment	5607	\$1,500.00										\$0.00	\$1,500.00
Internet & Website Costs	5700	\$1,200.00				\$45.54				\$198.00		\$243.54	\$956.46
Publication & Legal Notices	5900	\$2,000.00		\$261.45			\$225.57	\$213.18		\$244.68	\$301.70	\$1,246.58	\$753.42
Televising Meetings	6000	\$1,700.00	\$380.00							\$400.00		\$780.00	\$920.00
Audit Services	6100	\$3,025.00							\$3,025.00			\$3,025.00	\$0.00
Bookkeeping	6200	\$4,800.00	\$416.00	\$416.00	\$520.00	\$520.00	\$312.00	\$312.00	\$260.00	\$630.00	\$270.00	\$3,656.00	\$1,144.00
Legal Counsel (S Browne)	6300	\$6,000.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$536.80	\$4,536.80	\$1,463.20
A-87 Costs County Services	6400	\$2,010.00										\$0.00	\$2,010.00
Insurance - General Liability	6500	\$1,000.00										\$0.00	\$1,000.00
Memberships (CALAFCO/CSDA)	6600	\$2,000.00				\$1,156.00						\$1,156.00	\$844.00
In-County Travel & Stipends	6740	\$2,000.00							\$855.63	\$160.39	\$105.40	\$1,121.42	\$878.58
Travel & Lodging Expenses	6750	\$2,500.00			\$1,307.08		\$179.50					\$1,486.58	\$1,013.42
Conferences (Registrations)	6800	\$3,000.00	\$1,796.00				\$80.12					\$1,876.12	\$1,123.88
Special District Training Support	9000	\$12,000.00					\$338.00	\$78.00	\$39.00	\$5,294.00	\$1,020.00	\$6,769.00	\$5,231.00
MSR & SOI Updates		\$47,000.00											
MSR Reviews - Admin	7001	\$5,000.00						\$1,450.00	\$319.00	\$580.00	\$432.00	\$2,781.00	\$2,219.00
SOI Updates	7501	\$42,000.00	\$5,457.00	\$4,930.00	\$4,350.00	\$6,066.00	\$4,470.00	\$696.00	\$1,181.00	\$4,727.00	\$5,187.00	\$37,064.00	\$4,936.00
FY 2013-14 MSRs Finalization													
Barraco & Associates **	7000	\$6,300.00						\$306.25	\$78.75			\$385.00	\$5,915.00
Monthly/ Year to Date Totals			\$15,634.80	\$13,213.04	\$12,713.42	\$17,290.56	\$13,543.66	\$10,098.34	\$10,487.84	\$16,935.03	\$12,685.15	\$122,601.84	

* Amount remaining reflects prior year charges

** Amount reflects balance from prior year contract

Note: Account 5500 for Rent has been split out to show costs allocated to accounts 5502 (office space) and 5503 (work room) separately; Account 5600 has been split into 4 Accounts: 5601 (office supplies: petty cash), 5603 (photocopy), 5605 (postage), and 5607 (office equipment)
Acct 8000: Application Revenues tracked separately

Mendocino LAFCo Application Cost Track FY 2015-16			2015							2016				
Application Name	Acct #	FY 14-15 Standing	2015/16 Deposits	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	Expenses to Date	Remaining Budget
Filed Applications	8000													
Irish Beach WD Moores Annexation	8001	-\$610.56											\$0.00	-\$610.56
City of Ukiah/UVSD MSR Trust Fund	8002	\$11,000.00											\$0.00	\$11,000.00
Fort Bragg FPD Detachment	8003	\$7,452.37											\$0.00	\$7,452.37
Fort Bragg FPD North of Ten Mile Annexation	8004	\$0.00											\$0.00	\$0.00
Schuster - Willits Detachment	8006	\$0.00											\$0.00	\$0.00
City of Ukiah SOI Reduction	8008	-\$3,693.75	\$5,000.00	\$927.00	\$104.00				\$364.00	\$174.00			\$1,569.00	-\$262.75
De Ruiter Detachment from Irish Beach WD	8009	\$1,419.00			\$182.00	\$832.00	\$312.00		\$156.00				\$1,482.00	-\$63.00
City of Ukiah Detachment of UVSD lands	8010	\$1,532.75											\$0.00	\$1,532.75
RRFC/RVCWD Consolidation	8014	-\$624.00	\$624.00										\$0.00	\$0.00
City of Ukiah SOI Reduction (EIR)	8015		\$20,000.00			\$3,764.05	\$8,249.64		\$286.75	\$162.00			\$12,462.44	\$7,537.56

MENDOCINO
Local Agency Formation Commission

Staff Report

DATE: April 4, 2016
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: **Continued Public Hearing** for Round Valley County Water District (CWD)
Sphere of Influence Update

Background

This item was originally noticed for public hearing at the September 2015 meeting and subsequently continued to the December 2015 meeting to involve the Round Valley Tribes in SOI discussions. The original SOI Update recommended expanding the District's SOI to include the watershed in which the district provides services.

At the December 2015 hearing, the Round Valley Tribes requested more time to review and comment on the document. Specifically, the Tribe expressed concern for tribal land included within the District boundary and proposed SOI. The hearing was continued to the February 1, 2016 meeting.

At the February hearing the matter was continued to April 4th, with the note that the Commission would provide that one more continuance with the understanding that should no agreement be reached on the proposed SOI expansion, staff would likely recommend a coterminous SOI for this update cycle. All parties involved were notified of this possibility via email prior to the February meeting. The Round Valley Indian Tribes and the District have indicated that they are exploring the possibility of an MOU, though no final agreement has been reached.

Staff now recommends that the Round Valley CWD SOI be reaffirmed as coterminous with the District boundary, thereby maintaining the existing SOI. Should the District wish to expand its SOI, the boundary may still be updated again in the future via application or during the next cycle of SOI Updates.

Recommendation

Staff recommends the Commission adopt Resolution No. 15-16-16 (attachment 2), thereby reaffirming the existing sphere of influence for the Round Valley CWD to remain coterminous with the District's boundary.

Attachments: 1) Round Valley CWD SOI Update Hearing Draft
2) LAFCo Resolution No. 15-16-16
3) Proof of Publications
- Notice of hearing for MSRs and SOI updates in Fort Bragg, Willits, Ukiah

MENDOCINO **Local Agency Formation Commission**

Ukiah Valley Conference Center ♦ 200 South School Street ♦ Ukiah, California 95482

**ROUND VALLEY COUNTY WATER
DISTRICT
SPHERE OF INFLUENCE UPDATE**

Prepared in accordance with Government Code §56425

Update Dates

Commission Review

Administrative Draft Workshop- August 3, 2015

Draft Hearing- September 14, 2015

November 2, 2015

February 1, 2016

April 4, 2016

Final Adoption- DATE

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INTRODUCTION

The Primary Service Area of this update is the same as the Round Valley CWD. Because floodwaters and stream restoration do not always initiate within District boundaries, the District has indicated that they are concerned with all areas within the watersheds, not just the parcels within the District. For this reason, the surrounding watershed is herein designated as the Out of District Service Area (Figure 1).

OVERVIEW

This update is prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH Act) which states, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county” (GC §56425). A “SOI” is defined under the CKH Act as “... a plan for the probable physical boundaries and service area of a local (government) agency” (GC §56076).

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update will assess and recommend an appropriate Round Valley County Water District Sphere of Influence (SOI). The objective is to update the Round Valley County Water District (Round Valley CWD or District) SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the Round Valley CWD Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

REVIEW PERIOD

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a twenty year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5-10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

EVALUATION CONSIDERATIONS

When updating the SOI, the Commission considers and adopts written determinations:

Sphere Determinations: Mandatory Written Statements

1. Present and planned land uses in the area, including agricultural and open space
 2. Present and probable need for public facilities and services in the area
 3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide
-

-
4. Existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency
 5. If the agency provides services related to water, sewer, or fire, then the present and probable need for these services by any disadvantaged unincorporated communities within the existing sphere should be considered
-

Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act in Mendocino County. This includes considering the merits of the SOI, or any changes, relative to the Commission's seven interrelated policies, as listed below, with respect to determining the appropriate SOI.

General Guidelines for Determining Spheres of Influence

The following is excerpted from *Mendocino LAFCo's 2016 Policies and Procedures*, "Chapter 9: Spheres of Influence, MSRs, and Special Studies":

Section 1. Spheres of Influence

Reduced Spheres

The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission shall, however, consider removal of land from an agency's sphere of influence if either of the following two conditions apply:

- o the land is outside the affected agency's jurisdictional boundary but has been within the sphere of influence for 10 or more years; or
- o the land is inside the affected agency's jurisdictional boundary but is not expected to be developed for urban uses or require urban-type services within the next 10 years.

Zero Spheres

LAFCo may adopt a "zero" sphere of influence encompassing no territory for an agency. This occurs if LAFCo determines that the public service functions of the agency are either nonexistent, no longer needed, or should be reallocated to some other agency (e.g., mergers, consolidations). The local agency which has been assigned a zero sphere should ultimately be dissolved.

Service Specific Spheres

If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a "service specific" sphere of influence may be designated.

Agriculture and Open Space Lands

Territory not in need of urban services, including open space, agriculture, recreational, rural lands, or residential rural areas shall not be assigned to an agency's sphere of influence unless the area's exclusion would impede the planned, orderly and efficient development of the area. In addition, LAFCo may adopt a sphere of influence that excludes territory currently within that agency's boundaries. This may occur when LAFCo determines that the territory consists of agricultural lands, open space lands, or agricultural preserves whose preservation would be jeopardized by inclusion within an agency's sphere. Exclusion of these areas from an agency's sphere of influence indicates that detachment is appropriate.

Annexations are not Mandatory

Before territory can be annexed to a city or district, it must be within the agency's sphere of influence (G.G. §56375.5). However, territory within an agency's sphere will not necessarily be

ROUND VALLEY COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE
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annexed. A sphere is only one of several factors that are considered by LAFCo when evaluating changes of organization or reorganization.

Islands or Corridors

Sphere of influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.

DRAFT

FIGURE 1.

DRAFT

OVERVIEW

CURRENT AGENCY OPERATIONS

The Round Valley CWD provides flood control and stream restoration services to landowners within the Round Valley watershed in Mendocino County. As its mission, the Round Valley CWD “focuses on flood control projects and stream restoration in Round Valley. As the creeks are a watershed to the Eel River and the prime source of water for Round Valley’s aquifer, the District is committed to maintaining the quality and historic levels of these resources for present and future use” (MSR 2014).

BACKGROUND

The Round Valley Storm Water District formed on April 12, 1948. The Round Valley County Water District formed on February 2, 1953 as an independent special district under the County Water District Law (Water Code, §§ 30000–33901). On April 21, 1961, the Round Valley Storm Water District was consolidated into the Round Valley CWD by Board of Director approval. Funds and functions of the Storm Water District were transferred and the RVCWD became both. There have been no other annexations or detachments from the District (MSR 2014).

The Round Valley CWD is located on State Route 162 in Round Valley, north of the Ukiah Valley in the unincorporated area of northeastern Mendocino County. This remote District borders the Mendocino National Forest and encompasses approximately 52 square miles (33,298 acres). The community of Covelo is the District’s socioeconomic center. The Round Valley Indian Tribe (RVIT) has substantial Tribal lands within the District boundary. The District covers portions of multiple watershed units, which drain into the Middle Fork of the Eel River, or the North Fork of the Eel River (MSR 2014).

In 2000 the District began studying the relationship of the creeks to the groundwater and, in 2009, began the process of public hearings to develop a groundwater management plan according to AB3030. However, at the request of the RVIT, the District did not complete the process. (District Manager, December 2015). According to the USGS 1977 study on the Geohydrology of Round Valley, the creeks and the watershed that supplies them is the primary source of water for the aquifer. Since late 2009 the District has been running toxin tests on groundwater and creek water, which can be affected by the watershed, and is participating in the CASGEM project.

MUNICIPAL SERVICE REVIEW

In 2014 a County-wide MSR was conducted for the County water districts, which included the Round Valley County Water District. A Municipal Service Review is a part of and a prerequisite for a SOI Update; as such, much of the information contained herein comes directly from the 2014 Round Valley CWD MSR.

SPHERE OF INFLUENCE

LAFCo files do not contain any records of the establishment of a SOI for the District. Typically this means that the SOI is coterminous with the District boundary. According to the Mendocino County-wide Water and Wastewater MSR 2014, there is no foreseeable need for expansion and a coterminous boundary/SOI was reasonable. However, upon further discussion with the District, the Covelo-Round Valley Aquifer and its historic levels and quality are better understood and

maintained by servicing the watershed boundaries within the proposed SOI. (District Manager, December 2015.)

The District has considered increasing SOI boundaries in the last 5 years. Due to the nature of the District's responsibilities, services are not typically provided on the individual parcel level; rather the District provides restoration and flood control services for areas within the watershed. As such, the Out of District Service Area was mapped according to watershed unit boundaries that the District reported as serving.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCO is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. The Round Valley CWD provides none of these services, and is therefore not responsible for assuring that those services are adequately provided to the community. Wastewater service is provided by Covelo CSD and fire protection is provided by the Covelo Fire Protection District.

Two DUCs are identified within the Round Valley CWD: the unincorporated community of Covelo and the RVIT. Covelo, a census designated place, had a 2010 population of 1,255 and a MHI of \$28,114. The MHI for Covelo residents is less than 80 percent (45.6%) of the statewide MHI of \$61,632, and is therefore considered to be a DUC. The RVIT is a federally recognized Indian Community and is located within Round Valley, approximately one mile north of Covelo. The RVIT has an enrollment of approximately 3,700, although not all live in Round Valley. It is estimated that 89 percent of RVIT members are unemployed (MSR 2014).

Though communities within the Primary Service Area are considered disadvantaged, the Round Valley CWD does not provide any of the three basic services - water, sewer or structural fire protection services - and is therefore not responsible for assuring that these services are adequately provided to the community.

The Out of District Service Area is not a census designated place, so specific MHI and population information is not available. The Round Valley CWD does not provide any of the three basic services - water, sewer or structural fire protection services - and is therefore not responsible for assuring that these services are adequately provided to the Out of District Service Area.

POPULATION AND LAND USE

Population and Growth

Excepting the community of Covelo and the RVIT lands, land uses within the District are primarily designated for rural residential, agriculture and forestry. Population within the District is concentrated in Covelo, located in the center of Round Valley, and in RVIT's residential development north of Covelo. Additionally, the District reports a large influx of people to the area during the summer months (MSR 2014).

The 2010 Census for the Round Valley area includes 225.2 square miles and encompasses a population of 2,516. The Round Valley area, which includes the community of Covelo and the RVIT lands, is located in Census Tract 010100 in Mendocino County (MSR 2014).

The Round Valley CWD anticipates little growth in population within the next few years; however, no formal population projections have been made by the District. The State Department of Finance projects that the population of unincorporated Mendocino County will grow by a little more than 4 percent in the next 10 years, from 87,924 in 2010 to 91,498 in 2020 and 95,158 in 2030 (MSR 2014).

If the Round Valley area (Census Tract 010100) follows the County growth trend the population will be 2,618 residents in 2020 and 2,725 residents in 2030. However, Round Valley is a remote area that is bordered by the Mendocino National Forest. Factors affecting community growth include limited vehicular access, distance to employment centers such as Willits and Ukiah, lack of a public water system, and limited wastewater capacity provided by the Covelo CSD. Given Covelo's relatively isolated location and planning constraints, it's unlikely to experience significant population increases in the next few decades. Significant industrial or commercial development is also unlikely within the District's boundaries; therefore, associated increases in impervious surfacing that could affect stormwater and flood potential are not anticipated (MSR 2014).

Land Use and Development

Lands within the District are subject to Mendocino County land-use authority, and encompass the town of Covelo which has residential (remote, rural, and suburban), public service, industrial, rural community, and commercial land use designations. Uses are primarily residential and commercial, along with additional uses such as a casino, an airport, wastewater treatment facility, school, churches, etc. The surrounding valley outside of Covelo, within the District, is devoted to agricultural, rangeland, forestland, public land, and rural residential uses. The Round Valley Indian Reservation encompasses a majority of the north end of Round Valley CWD (MSR 2014). Services provided by the District are consistent with the land-use designations both within the Primary Service Area and in the Out of District Service Area.

While some development is expected to occur on Tribal lands within the Service Area, minimal development is anticipated in the remainder of the Service Area. Round Valley is an isolated community with little growth projected. The need for services currently provided by the District are expected to continue into the foreseeable future.

The Out of District Service Area is also subject to Mendocino County land use authority. This area has forest land, rangeland, public land, and minimal agriculture and remote residential land use designations. This area is minimally populated, and contains mostly non-urban uses. The services provided by the District are consistent with the land-use designations of the Out of District Service Area.

CAPACITY AND SERVICE

Services

District activities include collaborative flood control projects with the Covelo Community Services District (CCSD), Mendocino County Public Works Department, and Caltrans for area drainage improvements, particularly along roadways. Approximately 15 miles of stream banks are maintained by the District, and its budget is about \$15,000 annually. Groundwater and surface water quality, and groundwater levels are monitored by the RVCWD four times a year for the California Statewide Groundwater Elevation Monitoring Program (CASGEM) and the Department of Water Resources. The District additionally monitors well and creek water for various toxins twice a year. The District is not responsible for the maintenance of storm water ditches or storm water drains; is not involved

ROUND VALLEY COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE
MENDOCINO LAFCO

in the distribution or supply of water, and does not perform sewage collection, treatment or disposal services for its inhabitants.

The District also coordinates with California Department of Fish and Wildlife and the Department of Conservation through acquisition of grants to conduct stream restoration activities on area creeks and natural drainages (MSR 2014). The District collaborates with Mendocino County Public Works, Caltrans, Department of Fish and Wildlife, and Department of Water Resources to provide, plan, and monitor flood control and stream restoration projects within its boundaries.

Service Area

Need for flood control and conservation services is typically impacted by development occurring within the Service Area, resulting in an increase in stormwater runoff from increased impervious surfaces, further degradation of natural waterways, and need for additional infrastructure.

The District includes 5 main creeks (Mill, Turner, Grist, Town and Short Creeks) in Round Valley that are the main source of water for the Covelo-Round Valley Aquifer. Ultimately these creeks drain into the Middle Fork Eel River. The District also encompasses portions of Hulls Creek, but has indicated that they do not consider the drainage unit assigned to the creek as a part of their Out of District Service Area (General Manager, August 2015). Currently the District funds toxicity tests on the creeks and adjacent wells, and monitors groundwater levels in 12 wells for the Department of Water Resources and CASGEM program. In order to sustain the Aquifer, the District has expressed that it like to would extend monitoring services to the creeks entering the Valley in order to understand and mitigate where possible water diversions and toxins entering the watershed and aquifer (MSR 2014).

Services provided by the Round Valley CWD within the Service Area are needed at a watershed level, often in areas originating both inside and outside the District boundary. The following creeks and watersheds are areas that currently require District services:

Town Creek, which runs from west to east through Round Valley and through the community of Covelo, was identified in the Mendocino County General Plan as an area with infrastructure and residential and nonresidential development susceptible to flooding and inundation. A 100-year floodplain is associated with Town Creek, and the channel through Covelo has substantially degraded over the past 50 years. Consequently, two bridge crossings over Town Creek are significantly impacted: the State Highway 162 crossing in Covelo, and the Airport Road crossing just west of Covelo (MSR 2014).

RVCWD reports that Mill Creek also floods regularly, eroding banks and damaging mostly ranchlands. Old levees on the creek are also a concern near homes. The District has with the aid of grants conducted extensive work on Mill Creek (MSR 2014).

The District also reports that the Board has submitted plans for project approval to California Fish and Wildlife to protect a home adjacent to Grist Creek, which also floods and is currently cutting out a bank 40' from a home (MSR 2014).

Mill Creek and Short Creek are other primary drainages in the Valley. Both Creeks are known to be in a degraded state from livestock use within the stream zone, unmitigated seasonal roadway crossings (at Short Creek and Dobie Lane), and eroding banks (MSR 2014).

The northern portion of the District includes a mountainous area north of Round Valley, the major features of which include Hulls Valley and Hulls Creek. Hulls Creek flows north to the North Fork of the Eel River (MSR 2014).

Infrastructure

The District does not own or operate any formal infrastructure or facilities. Creeks are the primary flood control “infrastructure” for the District. In order to maintain the creeks’ drainage capacity, restoration projects are performed by the District as grant-funding allows.

Challenges

The District faces various challenges in providing adequate services. Flood control and stream restoration services provided by the District face a general lack of funding. According to the District, the small (approximately \$16K year) County Budget partially limits the District from providing expanded services, such as monitoring and water testing, to the watershed. Other efforts by the RVCWD are addressing illegal dumping in the creeks and reducing the amount of vehicles driving in and over creeks and pools (General Manager, August 2015).

Additional concerns identified include traditional ranching methods that allow cattle unrestricted access to creeks and drainages; this challenges the District’s efforts to reduce and prevent stream bank erosion. To address the problem, the District has built fences and conducted other programs to exclude cows from creeks, but the current practice of unlimited creek access for livestock continues. There is also a growing concern over the diversions of surface water from the watershed and its creeks. This threatens groundwater levels in farm and residential wells and the creek habitats they support (General Manager, August 2015). There is growing concern that growth occurring in the hillside farming community could impact stream flow and the aquifer recharge. Little growth is expected to occur within the District that would impact flood control and watershed restoration efforts (MSR 2014).

Based on information provided in the MSR regarding ongoing flood and stormwater control, watershed restoration efforts, management practice and accountability, and financing, the Round Valley CWD’s service appears to be adequate (MSR 2014).

Relevant Local Agencies and Communities of Interest

The RVCWD cooperates with the Round Valley Indian Tribes (RVIT) Environmental Protection Agency by reviewing and collaborating on water testing of creeks and wells and creek trash removal within the Tribal areas as well as areas overlying the Water District boundaries. RVCWD has worked conjunctively with the RVIT Natural Resource Department on restoration projects on Town and Mill Creek. Within the past 5 years RVCWD worked on a Groundwater Management Plan with the Tribe’s Natural Resource Department (MSR 2014). Approximately a third of lands within the District belong to the Tribes. The area that comprises the RVCWD Sphere of Influence is 73,381 acres; of this 10,684 is Tribal property, (RVIT Letter, 2015).

The Covelo CSD provides wastewater treatment to the Covelo community. The Covelo Fire Protection District provides fire protection services. No special district provides water service, but portions of the area receive service by the Round Valley Indian Tribes who own and operate four Public Water Systems in Round Valley: the Piner, Agency, Della Davis, and Administration systems. Since there are no other service providers, agencies, districts, or communities located in geographic proximity, no other Districts were considered relevant in this update.

RELEVANT PLANNING AND SERVICE FACTORS

Local planning policies and land-use designations inform LAFCo SOI decisions. Below are relevant policies and service factors that are used as a guide.

County of Mendocino General Plan Chapter 3: Development Element (DE)

3-18 Flooding and Inundation

Flooding can be a major problem in almost any part of the county. In Mendocino County, two types of flooding occur: overbank flooding due to excessive rainfall and coastal flooding due to wave run-up. Localized flooding may occur outside of recognized drainage channels or floodplains, due to a combination of locally heavy precipitation, increased surface runoff, and inadequate facilities for drainage and stormwater conveyance. Such events frequently occur in flat areas and in urbanized areas with large impermeable surfaces.

In general, major floods in Mendocino County have resulted from extended periods of winter rainfall produced by winter storms from the Pacific Ocean. Years with strong El Niños can often produce the most significant flood events. Historical records from 1911 through 2006 indicate that flooding, landsliding, embankment failures, and high winds were experienced in portions of Mendocino County during the following periods: November 1912, December 1937, December 1955, December 1964, April 1965, January 1966, January 1974, January 1978, February, 1983, February 1986, January 1995, March 1995, January 1997, February 1998, and December 2005-January 2006. While most of the identified floodplains are located in relatively undeveloped areas, infrastructure and other nonresidential and residential development susceptible to flooding include:

- State Route 175 at the Russian River Bridge
- State Route 1 at the Garcia River
- State Route 128 between Philo and Navarro
- Talmage Court – east side of the Ukiah Valley
- Ukiah – eastern side along/near the Russian River
- Little Lake Valley near Willits wastewater treatment plant
- Confluence of Anderson, Rovernsin, and Mill Creeks near Boonville
- Tenmile Creek near Laytonville
- **Town Creek near Covelo**
- South Fork of the Eel River
- Felize Creek and Russian River near Hopland
- Mill Creek in the Talmage area

Based on previous occurrences, Mendocino County can expect a serious flood event to occur every 3-4 years, and in particular, during strong El Niño years (every 7-8 years). The county's numerous rivers and streams present potential flooding and inundation hazards. Policies call for recognition of flooding and inundation hazards in considering land use actions, and reducing potential for exposure of persons and structures to flooding. New development is also subject to review relative to impacts caused by placement of fill and structures in the floodplain. The County will continue to implement FEMA flood insurance program requirements.

Drainage and Flooding Policies from Development Element (DE)

Policy DE-192: Encourage compatible uses of flood plain land, such as agriculture, forestry, and recreation.

Policy DE-193: Emphasize land use compatibility and onsite floodwater retention to prevent or manage flooding.

Policy DE-194: To the maximum extent practical, avoid constructing critical facilities within the designated 100-year flood plain areas or areas potentially subject to inundation by dam failures (or other water impoundment facilities) or seiches.

Policy DE-195: Development in the designated 100-year flood plain areas shall be consistent with all applicable federal regulations with regard to flooding.

Policy DE-196: Continue participation in the Federal Emergency Management Agency's National Flood Insurance Program.

Policy DE-197: Collaborate with the Federal Emergency Management Agency and other relevant agencies to update National Flood Insurance Program Hazard Maps.

Policy DE-198: The creation of lots with no flood-free buildable area will not be allowed.

Policy DE-199: Development in floodplains will not be allowed unless mitigation measures are incorporated into the project that protect against the contribution to downstream or upstream flooding.

Action Item DE-199.1: The County shall follow the Federal Emergency Management Agency (FEMA) promoted No Adverse Impact (NAI) Policy and require the following items:

- All flood studies prepared using build-out conditions
- Allow no rise in floodway elevation
- Allow no increase in flood velocity
- Allow no loss in floodplain storage

Policy DE-200: Work with local, state and federal agencies to fund and implement site-specific flood hazard planning, forecasting, and flood proofing measures.

County of Mendocino General Plan Chapter 6: Community – Specific Policies: Covelo Goals and Policies

The following goals, policies, and actions are specific to Covelo, and supplement the countywide goals and policies elsewhere in this General Plan.

Community Plans- Covelo (CP-C)- Covelo Community Goals

Goal CP-C-1: Conserve Round Valley's natural, visual and historical resources while maintaining agricultural operations including grazing lands.

Goal CP-C-2: Expand economic opportunities in Round Valley consistent with the desired rural character of the valley.

Goal CP-C-3: Maintain compact development patterns by focusing commercial, residential and community uses in Covelo.

Covelo Community Area Policies

Policy CP-C-1: Preserve and enhance the established historic character of downtown Covelo.

Action Item CP-C-1.1: Enhance Covelo's downtown and incorporate beautification improvements through circulation, streetscapes, signage, landscaping and other means.

Policy CP-C-2: Retain and restore historic buildings and sites.

Policy CP-C-3: The design of new development should reflect the Covelo community rural character.

Policy CP-C-4: Discourage subdivision activity in the outlying Rural and Remote Residential lands, including on lands adjacent to Rangelands and Forest Lands.

Policy CP-C-5: Encourage higher density residential uses, including affordable housing units, in or near the commercial centers as part of a mixed-use strategy.

Policy CP-C-6: Encourage improvements to existing residential structures.

Policy CP-C-7: Establish places and facilities that create a sense of community.

Action Item CP-C-7.1: Revitalize the commercial core of Covelo as the focal point of the community, with mixed-use potential for convenience retail, office and residential uses, focusing on the State Route 162 (Covelo Road) corridor and Greely Street.

Action Item CP-C-7.2: Consider installation of a central plaza or gazebo in the downtown.

Policy CP-C-8: Expand and diversify economic ventures.

Policy CP-C-9: The County encourages the expansion of commercial uses in Covelo.

Policy CP-C-10: Commercial uses should be focused near the established core areas along State Route 162.

Policy CP-C-11: Actively pursue light industrial manufacturing employers for Round Valley.

Action Item CP-C-11.1: Consider placement of a community signboard along State Route 101 at the State Route 162 intersection advertising Round Valley services and special events.

Action Item CP-C-11.2: Designate the mill site northwest of the town center as a Out of District Service Area to consider a range of future land uses, including industrial, light industrial, commercial and other uses supporting jobs creation for local residents

Policy CP-C-12: Increase economic and social ties with the Round Valley Indian Tribes.

Policy CP-C-13: Encourage joint-use opportunities with Round Valley Indian Reservation.

Policy CP-C-14: Support a community fire hydrant system to facilitate economic and public safety.

Policy CP-C-15: Encourage the Covelo CSD to plan for the provision of a public water system.

Action Item CP-C-15.1: Assist the Covelo Community Services District (CSD) in its efforts to serve future growth with water capacity consistent with the land use patterns and densities established in the General Plan.

Policy CP-C-16: Consider upgrades to the Round Valley Airport to support economic development and emergency services.

DISCUSSION

Out of District Service Area

Round Valley CWD has adequate flood control and stream restoration services to accommodate existing and probable demands within its current service area and has expressed a desire and ability to expand these services within the Out of District Service Area. Services provided by the Round Valley CWD are needed at a watershed level, often in areas originating both inside and outside the District boundary. The Out of District Service Area has established and maintained substantive social and ecological ties with Round Valley CWD (Primary Service Area) given the area is a part of the same watersheds system and valley.

Though the District has sufficient service capability to support expanding the District's SOI to the watershed level, the public participation process for this document revealed a further need for tribal inclusion and participation prior to finalizing an expanded sphere for the District. This process of communication and coordination requires more time than the current LAFCo SOI Update cycle allows. Due to this, expanding the SOI to match watershed boundaries is premature until district and Tribal coordination has occurred. An SOI expansion which better captures where the District provides services may be warranted in the future, but additional coordination is needed prior to such an action.

ANALYSIS

As presented in the introduction, when updating the SOI, the Commission considers and adopts written determinations. The following are the formal determinations for this SOI Update:

1.) Present and Planned Land Use

The Round Valley Indian Reservation encompasses a majority of the north end of Round Valley CWD. Services provided by the District are consistent with the land-use designations both within the Primary Service Area and in the Out of District Service Area.

2.) Present and Probable Need for Public Facilities and Services

The need for services currently provided by the District are expected to continue into the foreseeable future. Services provided by the Round Valley CWD for these water systems are needed both inside and outside of the District Boundary.

3.) Present Capacity of Facilities and Adequacy of Public Services

Based on information provided in the MSR regarding ongoing flood and stormwater control, watershed restoration efforts, management practice and accountability, and financing, the Round Valley CWD's service appears to be adequate. Round Valley CWD has an adequate flood control and stream restoration service to accommodate existing and probable demands within its current service area, and to expand these services within the Out of District Service Area.

4.) Social and Economic Communities of Interest

The Round Valley CWD does not share services or facilities with other Districts. There may be a need for treated water services within District boundaries. The Out of District Service Area has substantive social and ecological ties with Round Valley CWD, given that the Area is a part of the same watersheds system and valley. The Round Valley Tribes have substantial land holdings both within the District and within the Out of District Service Area and are considered a community of interest.

5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs)

Though communities within the Primary Service Area are considered disadvantaged, the Round Valley CWD does not provide any of the three basic services - water, sewer or structural fire protection services - and is therefore not responsible for assuring that these services are adequately provided to the community.

CONCLUSIONS

The SOI for the Round Valley County Water District should remain coterminous with the District boundary. Should the District wish to pursue SOI expansion in the future, the SOI may be updated via application or during the next cycle of SOI Updates.

See Figure 1.

REFERENCES

Mendocino County Coastal Element: Chapter 6: Community – Specific Policies

Mendocino County General Plan: Coastal Element. Adopted by Mendocino County Board of Supervisors. November 5, 1985 (Revised -- March 28, 1988, February 13, 1989, January 22, 1990, July 9, 1990, March 11, 1991)

Mendocino LAFCo, 2004 Policies and Procedures, Chapter 5- Policies That May Apply for Some Applicants, D. Sphere of Influence.

Mendocino LAFCo. (MSR, 2014). “Final Water and Wastewater Municipal Service Review: Caspar South Water District, Elk County Water District, Gualala Community Services District, Irish Beach Water District, Laytonville County Water District, Pacific Reefs Water District, Round Valley County Water District, Westport County WaterDistrict. October 2014.” Prepared by: Kate Harrison, SWALE, Inc.; Uma Hinman, Uma Hinman Consulting. Final approval October 6, 2014.

(RVIT Letter, 2015)

DRAFT

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-16

**A RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY
APPROVING THE ROUND VALLEY COUNTY WATER DISTRICT
SPHERE OF INFLUENCE UPDATE 2016**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, is authorized to establish, amend, and update spheres of influence for local governmental agencies whose jurisdictions are within Mendocino County; and

WHEREAS, the Commission conducted an update for the Round Valley County Water District’s sphere of influence pursuant to California Government Code Section 56425; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner prescribed by law; and

WHEREAS, the Executive Officer’s report and recommendations on the sphere of influence update were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at public hearings held on the sphere of influence update on September 7, 2015, November 2, 2015, December 7, 2015, February 1, 2016, and April 4, 2016; and

WHEREAS, the Commission considered all the factors required under California Government Code Section 56425.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

1. This sphere of influence update has been informed by the Commission’s earlier municipal service review on countywide water and wastewater services, for which the section on the Round Valley County Water District was accepted by the Commission on October 6, 2014.
2. The Commission, as Lead Agency, finds the update to the Round Valley County Water District’s sphere of influence is exempt from further review under the California Environmental Quality Act pursuant to California Code of Regulations Section 15061(b)(3). This finding is based on the Commission determining with certainty the update will have no possibility of significantly effecting the environment given no new land use or municipal service authority is granted.
3. The Round Valley County Water District confirmed during the review of its sphere of influence that its services are currently limited to flood control and stream restoration services. Accordingly, the Commission waives the requirement for a statement of services prescribed under Government Code Section 56425(i).
4. This sphere of influence update is assigned the following distinctive short-term designation: “Round Valley County Water District Sphere of Influence Update 2016”

5. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations included in the Round Valley County Water District Sphere of Influence Update report, hereby incorporated by reference.
6. The Executive Officer shall revise the official records of the Commission to reflect this update of the Round Valley County Water District sphere of influence.

BE IT FURTHER RESOLVED that the Round Valley County Water District's sphere of influence is affirmed to remain coterminous with the District boundary, as depicted in Exhibit "A".

The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 4th day of April, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JERRY WARD, Chair

ATTEST:

GEORGE WILLIAMSON, Executive Officer

Fort Bragg Advocate-News

450 N. Franklin Street
PO Box 1188
Fort Bragg, California 95437
707-964-5642
2114461

MENDOCINO COUNTY LOCAL AGENCY FORMATION
COMMISSN
200 S SCHOOL ST STE 2
UKIAH, CA 95482

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

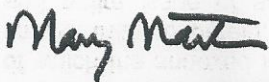
**STATE OF CALIFORNIA
COUNTY OF MENDOCINO**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the Office Clerk of the Fort Bragg Advocate-News, a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California under the date of May 9, 1952 - Case Number 9151, that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been printed in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates:

03/17/2016

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Ukiah, California,
March 17th, 2016



Mary Martin, LEGAL CLERK



RECEIVED
3/22/16

Legal No. **0005689986**

**MENDOCINO
LAFCO NOTICE
OF PUBLIC
HEARINGS**

NOTICE IS
HEREBY GIVEN
that on Mon-
day, April 4,
2016, at 9:00 AM
(or as soon
thereafter as
the matter may
be heard) in the
Mendocino
County Board of
Supervisors
Chambers, 501
Low Gap Road,
Ukiah, Califor-
nia, the
Mendocino Lo-
cal Agency For-
mation Com-
mission
(LAFCo) will
hold public
hearings to
consider the
following:

- Millview County Water District Sphere of Influence Update
- Mendocino County Resource Conservation District Sphere of Influence Update
- Countywide Fire Protection Services Municipal Service Review
- Proposed Budget for Fiscal Year 2016-17

Copies of all related documents are on file and may be reviewed at the LAFCo office. If you cannot attend the public hearing(s) described in this notice, you may submit written comments prior to the hearing. Please direct comments, questions, and requests to review documents to LAFCo, 200 South School Street, Ukiah, CA 95482:

e-mail: eo@men-
dolafco.org;
phone: (707)
463-4470.
All interested
persons are in-
vited to attend,
be heard, and
participate in
the hearings.
BY ORDER
OF THE
MENDOCINO
LOCAL AGENCY
FORMATION
COMMISSION
GEORGE
WILLIAMSON,
Executive
Officer
Date Posted:
March 8, 2016
Publish:
03/17/16

Ukiah Daily Journal

590 S. School St
PO Box 749
Ukiah, California 95482
(707) 468-3500
dlegals@pacific.net
2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST, STE 2
UKIAH, CA 95482

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

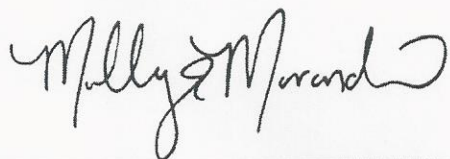
**STATE OF CALIFORNIA
COUNTY OF MENDOCINO**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Ukiah Daily Journal, a newspaper of general circulation, printed and published daily in the City of Ukiah, County of Mendocino and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California, under the date of September 22, 1952, Case Number 9267; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

03/09/2016

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Ukiah, California,
March 9th, 2016



Molly E. Morandi, LEGAL CLERK

RECEIVED
3/15/16

Legal No. **0005687949**

1779-16

3-9/16

**Mendocino LAFCo Notice of
Public Hearings**

NOTICE IS HEREBY GIVEN that on Monday, April 4, 2016, at 9:00 AM (or as soon thereafter as the matter may be heard) in the Mendocino County Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, the Mendocino Local Agency Formation Commission (LAFCo) will hold public hearings to consider the following:

- Millview County Water District Sphere of Influence Update
- Mendocino County Resource Conservation District Sphere of Influence Update
- Countywide Fire Protection Services Municipal Service Review
- Proposed Budget for Fiscal Year 2016-17

Copies of all related documents are on file and may be reviewed at the LAFCo office. If you cannot attend the public hearing(s) described in this notice, you may submit written comments prior to the hearing. Please direct comments, questions, and requests to review documents to LAFCo, 200 South School Street, Ukiah, CA 95482; e-mail: e o@mendolafco.org; phone: (707) 463-4470.

All interested persons are invited to attend, be heard, and participate in the hearings.

BY ORDER OF THE MENDOCINO
LOCAL AGENCY FORMATION
COMMISSION
GEORGE WILLIAMSON, Executive
Officer

Date Posted: March 8, 2016

The Willits News

77 W Commercial Street
PO Box 628
Willits, CA 95490
707-459-4643
2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST, STE 2
UKIAH, CA 95482

PROOF OF PUBLICATION

STATE OF CALIFORNIA COUNTY OF MENDOCINO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of The Willits News, a newspaper of general circulation, printed and published Every Wednesday and Friday in the City of Willits, California, County of Mendocino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California, in the year 1903, Case Number 9150; that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

03/11/2016

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Willits, California this 11th day of March, 2016.



Signature

Legal No. **0005688166**

WN16035

Mendocino LAFCo Notice of Public Hearings

NOTICE IS HEREBY GIVEN that on Monday, April 4, 2016, at 9:00 AM (or as soon thereafter as the matter may be heard) in the Mendocino County Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, the Mendocino Local Agency Formation Commission (LAFCo) will hold public hearings to consider the following:

Millview County Water District Sphere of Influence Update
Mendocino County Resource Conservation District Sphere of Influence Update

Countywide Fire Protection Services Municipal Service Review Proposed Budget for Fiscal Year 2016-17

Copies of all related documents are on file and may be reviewed at the LAFCo office. If you cannot attend the public hearing(s) described in this notice, you may submit written comments prior to the hearing. Please direct comments, questions, and requests to review documents to LAFCo, 200 South School Street, Ukiah, CA 95482; e-mail: eo@mendolafco.org; phone: (707) 463-4470.

All interested persons are invited to attend, be heard, and participate in the hearings.

BY ORDER OF THE MENDOCINO
LOCAL AGENCY FORMATION COMMISSION
GEORGE WILLIAMSON, Executive Officer
Date Posted: March 8, 2016
03/11/2016

MENDOCINO
Local Agency Formation Commission

Staff Report

DATE: April 4, 2016
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: **Public Hearing** for the Millview County Water District Sphere of Influence Update

Background

This is a public hearing item to consider a sphere of influence (SOI) update for the Millview County Water District (CWD or District). The Commission reviewed the draft SOI Update at a workshop in March.

Staff has had ongoing discussions with the District regarding lands to be included within the proposed SOI at the March workshop. The proposed SOI reflects District input and the District General Manager commented that it appropriately reflects the District's probable plan for future services. However, the Millview CWD Board has reviewed this item. The District has requested that this hearing item be continued to the May 2, 2016 meeting to allow time for Board review. See the attached District letter.

Recommendation

Staff recommends the Commission continue the Willow CWD SOI Update hearing to the May 2, 2016 meeting.

Attachments: 1) Millview CWD SOI Update Hearing Continuance Request Letter

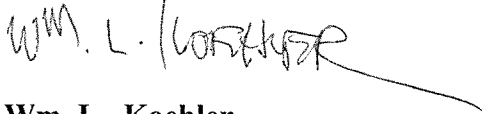
Millview County Water District
151 Laws Avenue
Ukiah, California 95482
Phone (707) 462-7229
Fax (707) 462-2687
e-mail millviewwater@comcast.net

March 24, 2016

Mendocino LAFCo

Millview County Water District requests that Mendocino LAFCo re-schedule the Millview SOI hearing until May 2, 2016. This will allow the Millview Board of Directors to review and approve any changes to the SOI at the regular Millview Board meeting, April 14, 2016.

Respectfully,

A handwritten signature in black ink, appearing to read "Wm. L. Koehler", with a long horizontal line extending to the right.

Wm. L. Koehler
General Manager

MENDOCINO Local Agency Formation Commission

Staff Report

DATE: April 4, 2016
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: **Public Hearing** for the Mendocino County Resource Conservation District Sphere of Influence Update

Background

This is a public hearing item to consider adopting an expanded sphere of influence (SOI) for the Mendocino County Resource Conservation District (MCRCDD or District). The Commission reviewed the draft SOI Update at a workshop in March. Comments and revisions are highlighted in track changes.

The MCRCDD's advises and assists individuals and public agencies in the prevention of soil erosion, soil conservation, rural road and watershed assessments, education and outreach, land use planning, conservation of wildlife and other related natural resources.

The MCRCDD is an independent special district formed under the provisions of the California Soil Conservation District Act (Division 9 of the Public Resources Code). The District's Board of Directors is appointed by the Mendocino County Board of Supervisors. Pursuant to PRC §9314 (b)(3), the appointment of directors by the Board of Supervisors does not affect the independent special district status of the District.

The District's territory extends throughout most of Mendocino County, including close to all federal and state publicly held lands. The existing SOI is assumed to be coterminous. Unlike many other resource conservation districts in the state, MCRCDD does not receive ad valorem property taxes or other special tax or assessment revenue. The organization is close to 100 percent grant funded, although the District does offer fee-for-service in areas such as biological monitoring, natural resource assessments, and conservation planning.

The MCRCDD has requested and LAFCo staff recommends that its SOI be expanded to include all lands within the County. MCRCDD has indicated they have no available funding sources to commit to annexation. However, one possible avenue for District annexation is via sponsorship by land owners or a municipality interested in receiving services from the District. Interested landowners or registered voters may also petition for annexation and help share annexation costs.

Recommendation

Staff recommends the Commission adopt Resolution No. 15-16-16 (attachment 2), thereby expanding the sphere of influence for the Mendocino County RCD to the Mendocino County boundary.

Attachments: 1) Mendocino County RCD SOI Update Hearing Draft
2) LAFCo Resolution No. 15-16-17

MENDOCINO **Local Agency Formation Commission**

Ukiah Valley Conference Center ♦ 200 South School Street ♦ Ukiah, California 95482

**Mendocino County Resource Conservation
District**

SPHERE OF INFLUENCE UPDATE

Prepared in accordance with Government Code §56425

Update Dates

Commission Review

Administrative Draft Workshop- March 7, 2016

Draft Hearing- April 4, 2016

Final Adoption- DATE

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INTRODUCTION

OVERVIEW

This update is prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH Act) which states, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county” (GC §56425). A “SOI” is defined under the CKH Act as “.... a plan for the probable physical boundaries and service area of a local (government) agency” (GC §56076).

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update will assess and recommend an appropriate Mendocino County Resource Conservation District (MCRCD) Sphere of Influence (SOI). The objective is to update MCRCD’s SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the MCRCD Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

REVIEW PERIOD

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a twenty year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5-10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

EVALUATION CONSIDERATIONS

When updating the SOI, the Commission considers and adopts written determinations:

Sphere Determinations: Mandatory Written Statements

1. Present and planned land uses in the area, including agricultural and open space
 2. Present and probable need for public facilities and services in the area
 3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide
 4. Existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency
 5. If the agency provides services related to water, sewer, or fire, then the present and probable need for these services by any disadvantaged unincorporated communities within the existing sphere should be considered
-

Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act. This includes considering the merits of the SOI, or any changes, relative to the Commission's seven interrelated policies, as listed below, with respect to determining the appropriate SOI.

General Guidelines for Determining Spheres of Influence

The following is excerpted from *Mendocino LAFCo's 2016 Policies and Procedures*, "Chapter 9: Spheres of Influence, MSRs, and Special Studies":

Section 1. Spheres of Influence

Reduced Spheres

The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission shall, however, consider removal of land from an agency's sphere of influence if either of the following two conditions apply:

- the land is outside the affected agency's jurisdictional boundary but has been within the sphere of influence for 10 or more years; or
- the land is inside the affected agency's jurisdictional boundary but is not expected to be developed for urban uses or require urban-type services within the next 10 years.

Zero Spheres

LAFCo may adopt a "zero" sphere of influence encompassing no territory for an agency. This occurs if LAFCo determines that the public service functions of the agency are either nonexistent, no longer needed, or should be reallocated to some other agency (e.g., mergers, consolidations). The local agency which has been assigned a zero sphere should ultimately be dissolved.

Service Specific Spheres

If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a "service specific" sphere of influence may be designated.

Agriculture and Open Space Lands

Territory not in need of urban services, including open space, agriculture, recreational, rural lands, or residential rural areas shall not be assigned to an agency's sphere of influence unless the area's exclusion would impede the planned, orderly and efficient development of the area. In addition, LAFCo may adopt a sphere of influence that excludes territory currently within that agency's boundaries. This may occur when LAFCo determines that the territory consists of agricultural lands, open space lands, or agricultural preserves whose preservation would be jeopardized by inclusion within an agency's sphere. Exclusion of these areas from an agency's sphere of influence indicates that detachment is appropriate.

Annexations are not Mandatory

Before territory can be annexed to a city or district, it must be within the agency's sphere of influence (G.C. §56375.5). However, territory within an agency's sphere will not necessarily be annexed. A sphere is only one of several factors that are considered by LAFCo when evaluating changes of organization or reorganization.

Islands or Corridors

Sphere of influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.



FIGURE 1. DISTRICT BOUNDARY AND PROPOSED SOI

HUMBOLDT

TRINITY

TEHAMA

GLENN

LAKE

SONOMA

Pacific Ocean

271

1

162

Laytonville

20

Willits

Mendocino

Tomki Rd

Orr Springs Rd

Elk



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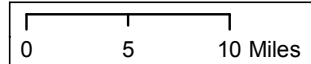
Ukiah

253

101

1

 District Boundary
 Proposed SOI



Mendocino Resource Conservation District

Prepared for **PLANWEST PARTNERS, INC.**
 Mendocino
 LAFCo by: 
 Date: 1/26/2016

OVERVIEW

CURRENT AGENCY OPERATIONS

Mendocino County Resource Conservation District (MCRCD) is a non-regulatory agency with the mission of advising and assisting individuals and public agencies in the prevention of soil erosion, soil conservation, rural road and watershed assessments, education and outreach, land use planning, conservation of wildlife and other related natural resources. The District accomplishes its mission by promoting public awareness of the continuing need for resource conservation through educational workshops, informational fliers and papers, planning partnerships, hands on cleanup or restoration projects, and as a conduit for or source of grant financing. Additionally, MCRCD conducts biological surveys and assessments and manages projects by assisting landowners with permitting and implementation (MSR 2014).

Unlike many other resource conservation districts in the state, MCRCD does not receive ad valorem property taxes or other special tax or assessment revenue. The organization is close to 100 percent grant funded, although the District does offer fee-for-service in areas such as biological monitoring, natural resource assessments, and conservation planning (District Executive Director, February 2016).

BACKGROUND

MCRCD was formed as an independent special district under the provisions of the California Soil Conservation District Act ([Division 9 of the Public Resources Code](#)), and was established by election on May 14, 1945. Originally it was named the Willits Soil Conservation District and was comprised of 146,000 acres in the Little Lake Valley. [Soil Conservation Districts assisted landowners with erosion and flood control problems, primarily on agricultural lands.](#) In 1956, the District became essentially countywide [via an election \(Ukiah News, 1956\)](#) with the exception of the territory within the cities and ~~some State forest and~~ private timber lands which were excluded ([MSR 2014](#)). At that same time, the District's name was changed to Mendocino County Soil Conservation District. In fiscal year (FY) 1972-73, the name was changed to the current one—Mendocino County Resource Conservation District as a part of legislative changes to the principal act (Division 9 of the California Public Resources Code, Section 9151, et seq.). [With these legislative changes, the District's](#) range of services expanded to include watershed-related programs in keeping with the District's authorizing legislation (MSR 2014).

[The District's Board of Directors is appointed by the Mendocino County Board of Supervisors \(MSR 2014\). The appointment of directors by the Board of Supervisors does not affect the status of the District as an independent special district \(PRC § 9314 \(b\)\(3\)\). As such the District Board retains "independence" from the appointing Board as they represent the community, not the appointing Board.](#)

MUNICIPAL SERVICE REVIEW

A Municipal Service Review (MSR) was conducted for the MCRCD in 2014 and was adopted by the LAFCo Commission on August 4, 2014. A MSR is a part of and a prerequisite for a SOI Update. As such, much of the information contained herein comes directly from the 2014 MCRCD MSR.

BOUNDARY

The District's territory extends throughout most of Mendocino County, including close to 100 percent of all federal and state publicly held lands (see Figure 2 in Appendix A). The existing map of

District boundaries covers 1,872,500 acres of land (84% of the county) (District Executive Director, February 2016). MCRCD boundaries have historically included all territory within Mendocino County except for ~~the State-owned Jackson Demonstration State Forest~~, some private timber company lands, and incorporated cities (MSR 2014). In addition, timberland once held by Georgia-Pacific and Louisiana-Pacific timber companies remains outside of District boundaries. It should be noted that current owners of those forest tracts also own extensive tracts of forestland within the district's boundaries. For example, 81 percent of Mendocino Redwood Company (MRC) timberland is located within MCRCD's boundaries. MRC land outside district boundaries includes an extent of land located within the Noyo River Watershed, which was once owned by Louisiana-Pacific (District Executive Director, February 2016).

During the 2014 MSR process, the District map was identified as "in progress" for the (Mendocino LAFCo Minutes, 2014). For the purposes of this SOI Update, LAFCo staff, the County [GIS staff](#), and the District have worked together to identify a likely boundary (See Figure 1). The following describes some of the District's challenges with the current boundary.

TIMBERLAND

MCRCD boundaries encompass 74 percent of all timber production zoned land in the County (see Figure 3 in Appendix A). The nature of the pattern of land ownership within and outside of MCRCD boundaries requires an understanding of ownership boundaries when working with forestland owners. For example, the District frequently works in partnership with MRC and the Conservation Fund on fisheries enhancements, rural roads assessments and upgrades, and other restoration projects. It is not always clear which parcels fall within district boundaries and which do not for a single ownership. As MCRCD continues to build its Forestland Conservation Program with USDA NRCS, the Mendocino Fire Safe Council, and CAL FIRE it would be helpful to have the district's boundaries or SOI coincide with County boundaries to avoid inconsistencies in service provision or inequitable distribution of federal and state grant funds to County landowners. Extending the District's boundaries to coincide with the County boundary would be important if MCRCD were to assume control of the Mendocino County Fire Safe Council, which is currently under consideration (District Executive Director, February 2016).

INCORPORATED AREAS

Although MCRCD's service area did not traditionally include incorporated cities, the expansion of city boundaries over the last three to four decades now includes a significant number of parcels within MCRCD's District boundaries (see Figure 4 and Table 1 in Appendix A). The MCRCD board and staff have noted that they feel it would be logical to extend the District's boundaries or SOI to include all incorporated city parcels rather than removing those which lie within District boundaries. In recent years, MCRCD has begun working more closely with city departments and schools, providing much needed technical expertise, grant writing assistance, and project development around issue areas such as urban stream restoration, stormwater management, low-impact development, and water conservation. MCRCD is currently under contract with the County of Mendocino to provide stormwater management outreach and education assistance to all County residents. The District is working with Ukiah High School, which lies within MCRCD boundaries, as well as with the Anderson Valley Unified School District, to fund water conservation projects and education and outreach (District Executive Director, February 2016).

UNSERVED TERRITORY

MCRCO reported that a small portion of the Gualala watershed in the southern part of Mendocino County is the only area that is actively not served by the District, as Sonoma RCD has accepted responsibility for that area through an informal agreement. Though this area is not presently served by the District, MCRCO has indicated that the informal agreement could change at any time, and the territory should be included within the area considered for future services by MCRCO.

SPHERE OF INFLUENCE

The District SOI is assumed to be coterminous with its boundaries, based on documented records (MSR 2014). The District has requested its SOI be expanded to include all lands within Mendocino County.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCO is required to evaluate disadvantaged unincorporated communities (DUCs) as part of a SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. The criterion for the provision of adequate services to a DUC is limited to water supply, sewage disposal, and structural fire protection. The Resource Conservation District does not provide these services and is not responsible for assuring that these services are adequately provided to the communities that meet the DUC thresholds (MSR 2014).

POPULATION AND LAND USE

Population and Growth

According to the 2010 Census, there are approximately 59,156 residents within the Mendocino County unincorporated area, which may serve a rough approximation of the District's population (MSR 2014).

The State Department of Finance (DOF) projects that the population of the unincorporated portion of Mendocino County will grow by 4.6 percent from 2010 to 2020. Thus, the average annual population growth in the unincorporated portion of the County is anticipated to be approximately 0.4 percent. Based on these projections, the District's population would increase from 59,156 in 2010 to approximately 61,877 in 2020. It is anticipated that demand for service within the District attributable to population will increase minimally, based on the DOF population growth projections through 2020 (MSR 2014).

While MCRCO anticipates minimal growth in population within the District, the District anticipates that demand for services will most likely increase, due to various regulations and conservation programs. The District reported that it has experienced a general increase in demand in recent years due to various factors. The District attributes the growth in service demand to water quantity and water quality issues, the increase in threatened and endangered fish problems, and broader regulatory compliance. Additionally, a greater public perception and awareness, particularly with regard to water quality and quantity and other land conservation practices, have also contributed to greater service demand (MSR 2014).

CAPACITY AND SERVICE

Relevant Services

MCRCO is a non-regulatory agency with the mission to provide local leadership in voluntary stewardship through conservation programs and partnerships on wild and working lands. The

organization works in close partnership with state and federal resource agencies, local government and non-profit conservation organizations, and tribal governments in Mendocino County (District Executive Director, February 2016). The District has established a series of long range goals related to watersheds, stream bank protection and restoration, road sediment reduction, dam removal, erosion prevention, land management, coordinated permitting, education and information, river and creek cleanups, invasive species control, habitat preservation, and biological surveys (MSR 2014).

MCRCD regularly collaborates with other agencies on programs to maximize its outreach and education efforts. The District collaborates with Anderson Valley Unified School District to provide the “Connecting to Creeks” educational program to middle and high school students. MCRCD engages in several other collaborative efforts with agencies and organizations including the California Department of Water Resources, the California Department of Fish and Wildlife, the Mendocino County Department of Transportation, the Navarro Watershed Working Group, and the Navarro River Resource Center (MSR 2014).

Many of the conservation agencies work closely together to promote communication, coordination, and greater leveraging of resources. Like many other RCDs, MCRCD operates under Memorandums of Understanding (MOUs) with the U.S. Department of Agriculture and the State of California. The latter agreement recognizes a commitment from the State in aiding administration, coordination, financing and delivery of the conservation programs through local conservation districts. Through another cooperative work agreement, MCRCD, NRCS, the California Association of RCDs, and the California Department of Conservation agree to share information and resources, when available, to measure program effectiveness and to reduce duplication of efforts and contradictory mandates (MSR 2014).

Relevant Local Agencies and Communities of Interest

The District is a member of the North Coast Resource Partnership, the North Coast Resource Conservation and Development Council, and the California Special Districts Association. MCRCD also participates in regional planning activities. The North Coast Resource Partnership was formed with the intent of integrating county plans from each of the North Coast counties into regional plans. Presently, the District is collaborating with Mendocino County on the Integrated Regional Water Management Plan (IRWMP). The purpose of the study is to integrate the County’s plans with the North Coast Resource Partnership’s plans (MSR 2014).

Services provided by the District occur county-wide and involve various local governments and organizations, state and federal agencies and nonprofit organizations. Such an array of services provided over the area means that the entire County may be considered a community of interest.

DISCUSSION

This update focuses on the MCRCD current boundaries and where the District is providing services to make the required SOI Update determinations. This analysis considers expanding the SOI boundary to be coterminous with the Mendocino County boundary.

The MCRCD has requested its SOI be expanded to include all lands within the County. In addition the District has expressed interest in annexation of this same territory. MCRCD recognizes the need to address resource issues at the county scale and partners with public agencies and private land owners who manage lands, some of which are presently only partially within District bounds.

In the Northern California region it is not uncommon to find RCDs that cover entire counties. Nearby, Del Norte, Humboldt, Trinity, and Glenn counties all have a single RCD serving their territories. Counties to the south with larger urban populations tend to have multiple active RCDs that collectively cover the entire county. Mendocino County is largely agricultural and rural; expanding the SOI to encompass the entire county conforms to similar nearby RCD boundaries.

RCDs generally are limited or constrained by available funding sources. MCRCD does not receive a constant and reliable funding source (such as a portion of the one percent property tax), and as such is forced to rely almost entirely on grant funds. The District has expressed interest in establishing a special tax or assessment to support its services but lacks available funds needed to conduct an election process. Similarly, the District lacks available (unrestricted) funds needed to support a LAFCo annexation process at this time.

[One possible avenue for District annexation is via sponsorship by land owners or a municipality interested in receiving services from the District. Interested landowners or registered voters may also petition for annexation and help share in the costs of annexation.](#)

ANALYSIS

As presented in the introduction, when updating the SOI, the Commission considers and adopts written determinations. The following are the formal determinations for this SOI Update:

1.) Present and Planned Land Use

Presently the services provided by the District include activity on both low-density rural lands such as rural residential, industrial, manufacturing, agricultural, timber, and grazing; as well activity in more traditionally urban areas such as residential neighborhoods (local schools) and within city boundaries.

2.) Present and Probable Need for Public Facilities and Services

While MCRCD anticipates minimal population growth within the District, the MCRCD anticipates that demand for services will most likely continue to increase due to various regulations and conservation programs.

3.) Present Capacity of Facilities and Adequacy of Public Services

The District reported that it has sufficient capacity to handle present demand for services. The MCRCD is providing adequate services given financial constraints, based on the professional management practices, including long-term landowner conservation planning and annual reports, as well as a successful grant writing program. MCRCD does not own facilities or infrastructure; consequently, there are no needs associated with District-owned infrastructure.

4.) Social and Economic Communities of Interest

The whole of Mendocino County may be considered a Community of Interest. Expanding the SOI to encompass the entire County allows the District to more comprehensively conduct service provision in areas where the MCRCD boundary is unclear and will also address properties that are partially within the District.

5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs)

MCRCD does not provide water, sewer or structural fire protection services. The District is not responsible for assuring that these services are adequately provided to the disadvantaged urban communities within the District boundaries.

CONCLUSIONS

This update serves to expand the District's SOI boundary to include all territory within Mendocino County, based on the following considerations:

- 1.) MCRCD is providing service to property owners and public entities whose territory is wholly or partially outside the District's boundary;
- 2.) MCRCD has established service relationships with residents and local governments, as well as public agencies whose territory was originally not included in the District;
- 3.) There is sufficient evidence to support MCRCD as the agency best able to provide resource conservation services based on spatial proximity, service ability and capacity, and historical service precedent.

The MCRCD's SOI should be expanded to be coterminous with the Mendocino County line. See Proposed SOI in Figure 1.

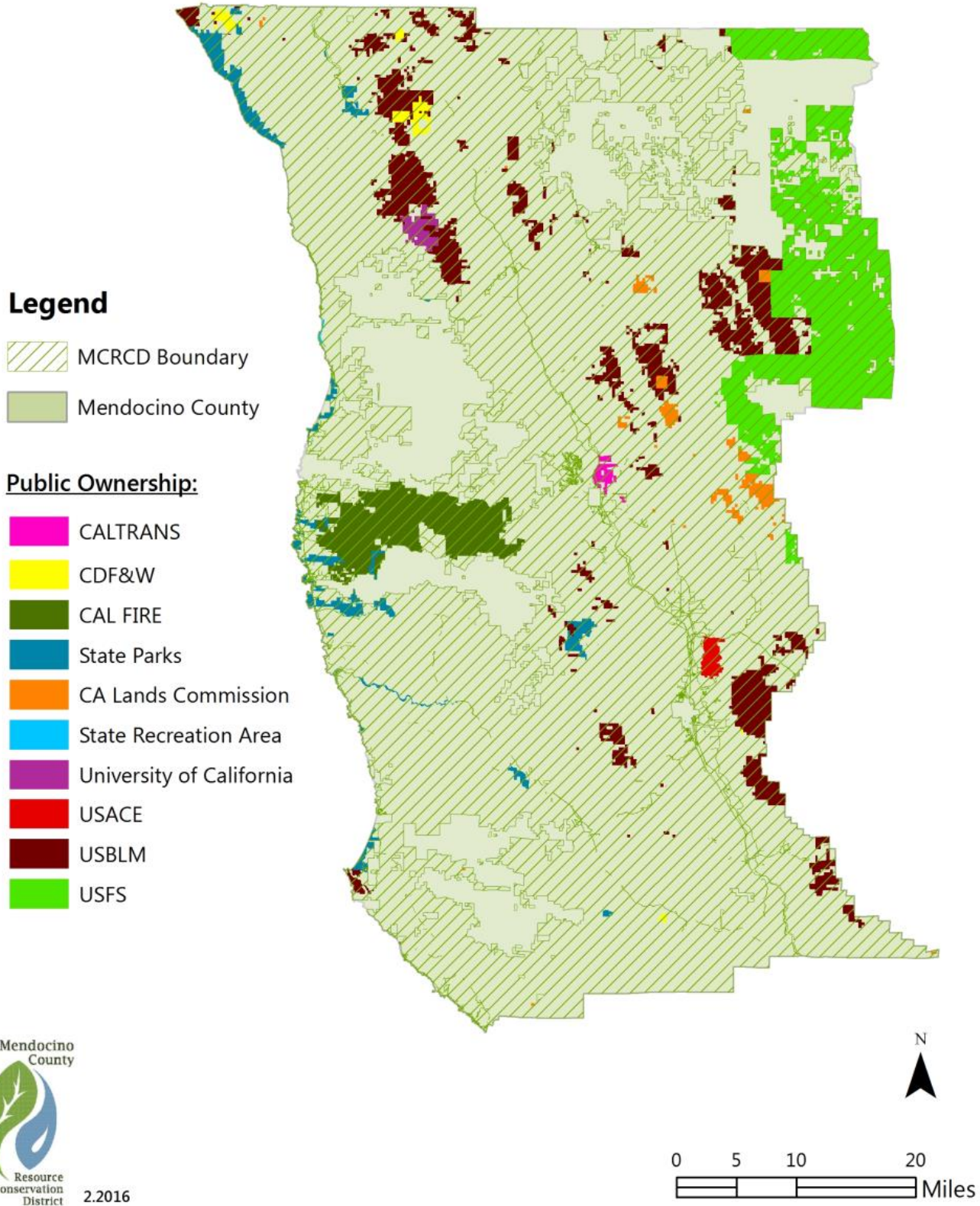
REFERENCES

(District Executive Director, February 2016) Hickey, Patricia. February 17, 2016. "Re: MCRCD Boundaries and Municipal Service Review" Responsive Letter to LAFCo Staff.

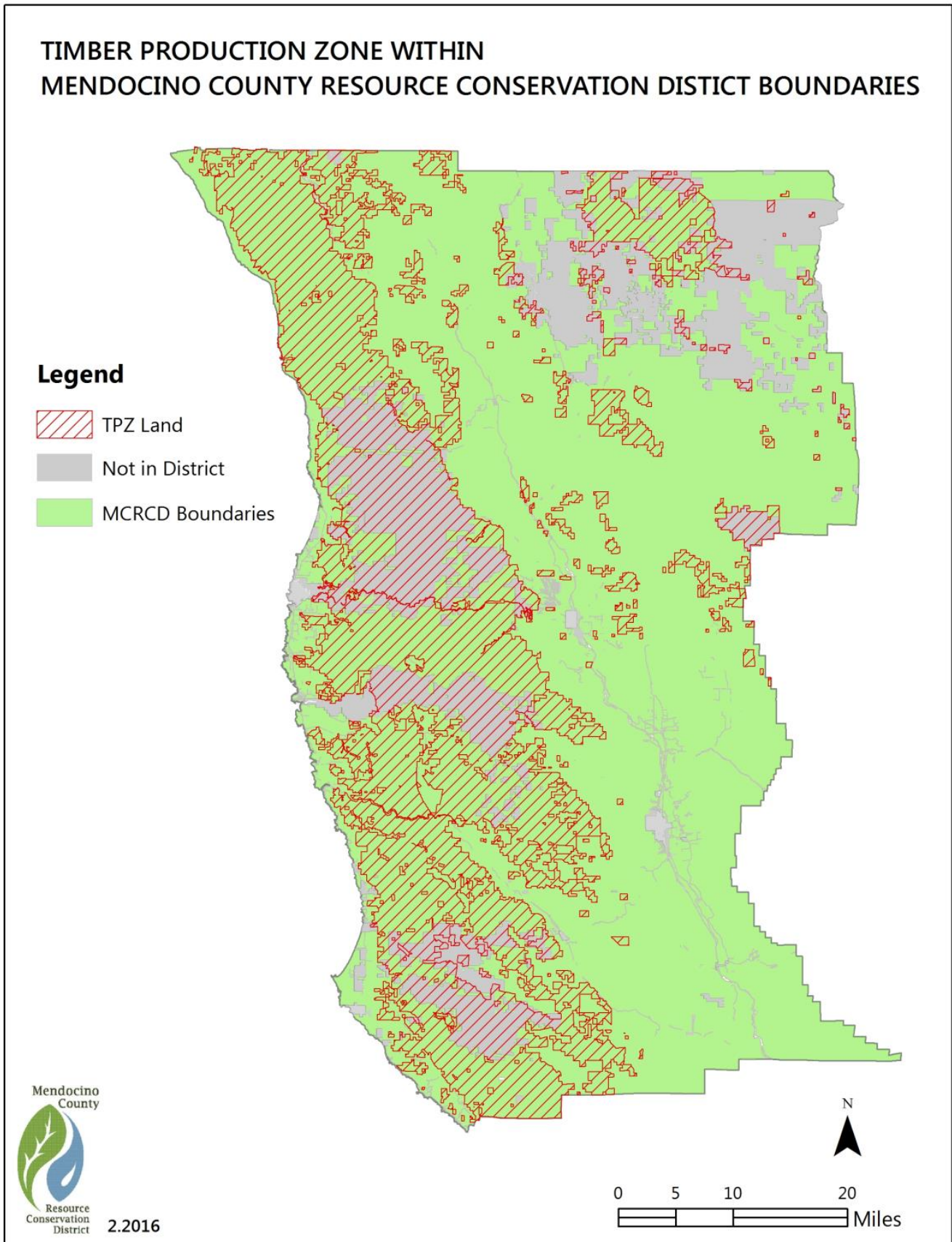
(Mendocino LAFCo Minutes, 2014) Mendocino Local Agency Formation Commission Regular meeting minutes for August 4th, 2014.

(Ukiah News, 1956) Ukiah News newspaper (July 26, 1956). Page 4.
<https://www.newspapers.com/newspage/5001378/>

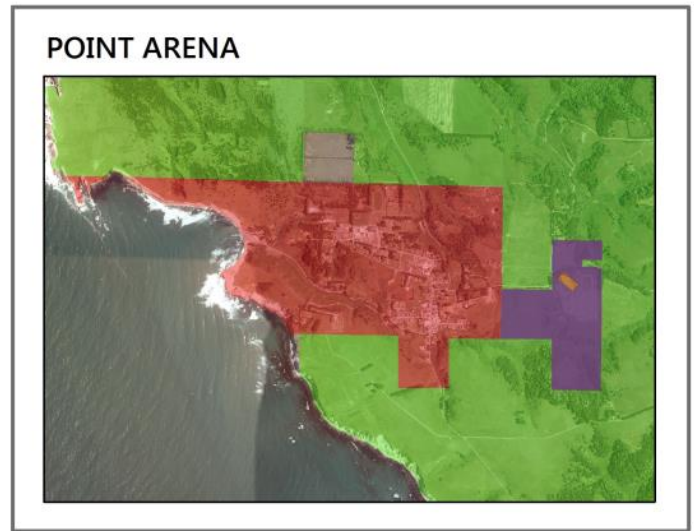
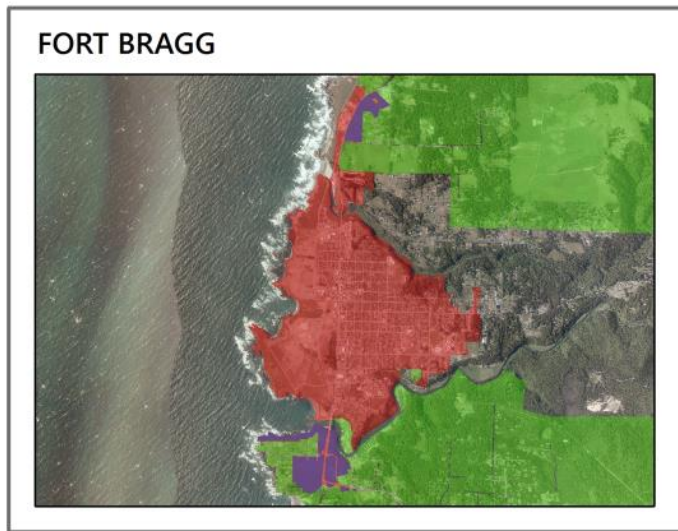
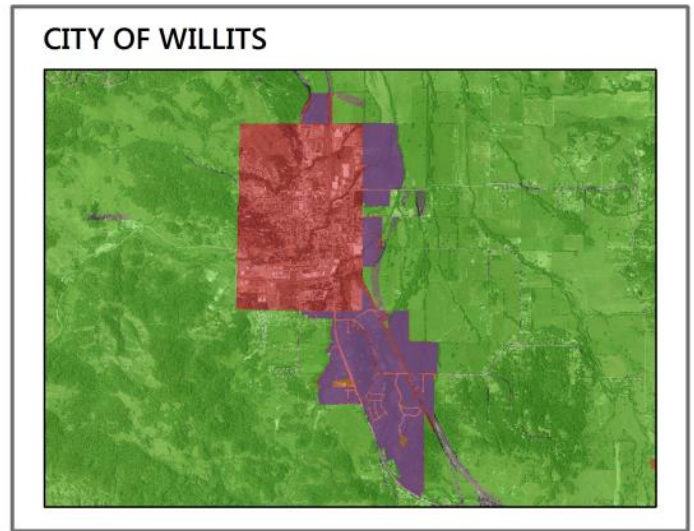
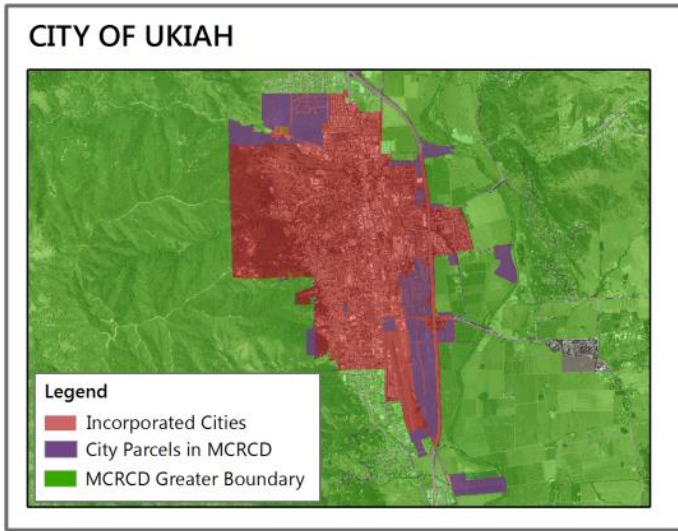
STATE AND FEDERAL LANDHOLDINGS IN MENDOCINO COUNTY



APPENDIX A. FIGURE 3: TPZ Lands within MCRCD Boundaries



APPENDIX A. FIGURE 4: Incorporated City Parcels within MCRCD Boundaries



Figures and Table provided by MCRCD February, 2015

Table 1. MCRCD City Overlap

Incorporated Area	Number of Parcels within MCRCD Boundary	Acreage
Fort Bragg	64	154.29
Point Arena	5	153.71
Ukiah	712	614.34
Willits	423	671.05

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-17

**A RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY
APPROVING THE MENDOCINO COUNTY RESOURCE CONSERVATION DISTRICT
SPHERE OF INFLUENCE UPDATE 2016**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, is authorized to establish, amend, and update spheres of influence for local governmental agencies whose jurisdictions are within Mendocino County; and

WHEREAS, the Commission conducted an update for the Mendocino County Resource Conservation District’s sphere of influence pursuant to California Government Code Section 56425; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner prescribed by law; and

WHEREAS, the Executive Officer’s report and recommendations on the sphere of influence update were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on the sphere of influence update on April 4, 2016; and

WHEREAS, the Commission considered all the factors required under California Government Code Section 56425.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

1. This sphere of influence update has been informed by the Commission’s earlier municipal service review on the Mendocino County Resource Conservation District, adopted by the Commission on August 4, 2014.
2. The Commission, as Lead Agency, finds the update to the Mendocino County Resource Conservation District’s sphere of influence is exempt from further review under the California Environmental Quality Act pursuant to California Code of Regulations Section 15061(b)(3). This finding is based on the Commission determining with certainty the update will have no possibility of significantly effecting the environment given no new land use or municipal service authority is granted.
3. The Mendocino County Resource Conservation District confirmed during the review of its sphere of influence that its services are currently limited to soil erosion, soil conservation, rural road and watershed assessments, and other natural resource-related services. Accordingly, the Commission waives the requirement for a statement of services prescribed under Government Code Section 56425(i).
4. This sphere of influence update is assigned the following distinctive short-term designation: “Mendocino County Resource Conservation District Sphere of Influence Update 2016”

5. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations included in the Mendocino County Resource Conservation District Sphere of Influence Update report, hereby incorporated by reference.
6. The Executive Officer shall revise the official records of the Commission to reflect this update of the Mendocino County Resource Conservation District sphere of influence.

BE IT FURTHER RESOLVED that the Mendocino County Resource Conservation District's sphere of influence is expanded to be coterminous with the Mendocino County boundary, as depicted in Exhibit "A".

The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 4th day of April, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JERRY WARD, Chair

ATTEST:

GEORGE WILLIAMSON, Executive Officer

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: April 4, 2016
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: **Public Hearing** for the Countywide Fire Protection Services Municipal Service Review (Parts 1-3)

Background

This is a public hearing item to consider final adoption of the Countywide Fire Protection Services MSR, which include the following fire-related districts:

Albion-Little River FPD	Mendocino FPD
Comptche CSD	Piercy FPD
Covelo FPD	Potter Valley CSD
Elk CSD	Redwood Valley-Calpella FPD
Hopland FPD	South Coast FPD
Leggett Valley FPD	Westport VFD
Little Lake FPD	Whale Gulch VFC
Long Valley FPD	

Due to the large file size, this MSR will be available for viewing on the LAFCo website (under meeting documents tab).

Recommendation

Staff recommends the Commission adopt Resolution No. 15-16-18 (attached), thereby approving the Countywide Fire Protection Services MSR.

Attachments: LAFCo Resolution No. 15-16-18

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-18

**A RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY
APPROVING THE COUNTYWIDE FIRE PROTECTION SERVICES
MUNICIPAL SERVICE REVIEW**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, is authorized to conduct municipal service reviews for local governmental agencies whose jurisdictions are within Mendocino County; and

WHEREAS, the Commission designated a municipal service review to evaluate fire protection services within the geographic area of Mendocino County pursuant to California Government Code Section 56430; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner prescribed by law; and

WHEREAS, the Executive Officer’s report and recommendations on the municipal service review were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at public workshops/hearings held in 2015 and 2016 for individual agency profiles, and at a public hearing held on the complete municipal service review on April 4, 2016; and

WHEREAS, the Commission considered all the factors required under California Government Code Section 56430.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

1. The Commission, as Lead Agency, finds the municipal service review is exempt from further review under the California Environmental Quality Act pursuant to California Code of Regulations Section 15306. This finding is based on the use of the municipal service review as a data collection and service evaluation study. The information contained within the municipal service review may be used to consider future actions that will be subject to additional environmental review.
2. This municipal service review is assigned the following distinctive short-term designation: “Countywide Fire Protection Services MSR 2016”
3. Pursuant to Government Code Section 56430(a), the Commission makes the written statement of determinations included in the municipal service review, hereby incorporated by reference.

BE IT FURTHER RESOLVED that the Countywide Fire Protection Services Municipal Service Review is hereby approved and incorporated by reference.

The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 4th day of April, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JERRY WARD, Chair

ATTEST:

GEORGE WILLIAMSON, Executive Officer

MENDOCINO
Local Agency Formation Commission
Staff Report

DATE: April 4, 2016
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: Public Hearing for Proposed Budget, Fiscal Year 2016-17

Background

Local Agency Formation Commissions (LAFCoS) are responsible under State law for annually adopting a proposed budget by May 1st and a final budget by June 15th. State law specifies the proposed and final budgets shall – at a minimum – be equal to the budget adopted for the previous fiscal year unless LAFCo finds the reduced costs will nevertheless allow the agency to fulfill its prescribed regulatory and planning duties.

Discussion

At the February 1, 2016 LAFCo meeting, the Commission approved a Preliminary Budget for FY 2016-17. At this meeting, the Commission approved increases to operating expenses that would be funded through the use of the unexpended fund balance (i.e., no increases to member agency apportionment fees). This approved preliminary budget was the basis for the Draft Proposed Budget included in Attachment 1.

Subsequent to Commission review and approval, the Policies and Procedures Committee met on February 29, 2016, and discussed a LAFCo Reserve Policy. The Committee directed staff to conduct a budget and reserve analysis, either in-house or through a contract, and recommended a 2% reduction to apportionment fees for the FY 2016-17 covered through a reserve transfer. The Committee noted that the budget and reserve analysis would support policy development for future fiscal years.

The Commission is requested to consider a 2% reduction (-\$2,500) for Account 4000, or a total of \$122,500. This reduction would be covered by Commission reserves.

Recommendation

Staff recommends the Commission adopt Resolution No. 15-16-19, thereby approving a Proposed Budget for fiscal year 2016-17 with any requested revisions, and direct staff to distribute the Proposed Budget to cities, special districts and the County and to schedule the Final Budget for a public hearing on May 2, 2016.

Attachments: 1) LAFCo Resolution No. 15-16-19

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-19

**A RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY
ADOPTING A PROPOSED BUDGET FOR FISCAL YEAR 2016-17**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, annually approves a proposed budget by May 1st and a final budget by June 15th to fulfill its purposes and functions that are set by State law; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner prescribed by law; and

WHEREAS, the Executive Officer’s report and recommendations on the proposed budget were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on the proposed budget for fiscal year 2016-17 on April 4, 2016.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

1. The Commission hereby approves a proposed budget for fiscal year 2016-17 in the amount of \$190,920, as shown in Exhibit A.
2. The proposed budget reflects the use of unrestricted fund balance and/or reserves in the amount of \$35,800 for purposes of increasing necessary operating expenses without increasing apportionment fees of member agencies.
3. The proposed budget allows the Commission to fulfill its prescribed regulatory and planning duties.

BE IT FURTHER RESOLVED that the Commission directs staff to distribute the proposed budget to member agencies and to schedule a final budget hearing for May 2, 2016.

The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 4th day of April, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

JERRY WARD, Chair

GEORGE WILLIAMSON, Executive Officer

**Mendocino Local Agency Formation Commission
Operating Budget**

ACCOUNT #	DESCRIPTION	FY 2015-16 Amended	FY 2016-17 Draft Proposed
REVENUE			
4000	LAFCO Apportionment Fees	\$125,000.00	\$125,000.00
4030	Application Filing Fees	\$33,900.00	\$30,000.00
4100	Service Charges	\$0.00	\$0.00
4800	Miscellaneous	\$0.00	\$0.00
4910	Interest Income	\$128.00	\$120.00
	Revenue Total	\$159,028.00	\$155,120.00
EXPENSES			
5300	Basic Services (split between sub-accounts)	\$59,000.00	\$0.00
5301	Executive Officer Contract	\$0.00	\$43,000.00
5302	Clerk Contract	\$0.00	\$19,000.00
5500	Rent (split between sub-accounts)	\$0.00	\$0.00
5502	Office Space	\$4,675.00	\$4,800.00
5503	Work Room	\$360.00	\$360.00
5600	Office Expenses (split between sub-accounts)	\$0.00	\$0.00
5601	Office Supplies (petty cash)	\$700.00	\$700.00
5603	Photocopy	\$1,000.00	\$1,000.00
5605	Postage	\$300.00	\$300.00
5607	Office Equipment	\$1,500.00	\$0.00
5700	Internet & Website Costs	\$1,200.00	\$1,200.00
5900	Publication and Legal Notices	\$2,000.00	\$2,000.00
6000	Televising Meetings	\$1,700.00	\$1,700.00
6100	Audit Services	\$3,025.00	\$4,650.00
6200	Bookkeeping	\$4,800.00	\$4,800.00
6300	Legal Counsel	\$6,000.00	\$6,000.00
6400	A-87 Costs County Services	\$2,010.00	\$2,010.00
6500	Insurance-General Liability	\$1,000.00	\$1,000.00
6600	Memberships (CALAFCO/CSDA)	\$2,000.00	\$2,100.00
6740	In-County Travel & Stipends	\$2,000.00	\$4,300.00
6750	Travel & Lodging Expense	\$2,500.00	\$5,000.00
6800	Conferences (Registrations)	\$3,000.00	\$3,000.00
7000	Barraco & Associates MSR Contract	\$6,300.00	\$0.00
7001	MSR Reviews - Admin	\$5,000.00	\$15,000.00
7501	SOI Updates	\$42,000.00	\$39,000.00
9000	Special District Training Support	\$12,000.00	\$0.00
	Operating Expense Total	\$164,070.00	\$160,920.00
8000	Application Filing Expenses	\$33,900.00	\$30,000.00
	Expense Total	\$197,970.00	\$190,920.00
	REVENUE/EXPENSE DIFFERENCE	-\$38,942.00	-\$35,800.00
	<i>(Negative balance indicates use of fund balance)</i>		
	Fund Balance		77,428.39
	<i>(As of December 31, 2015)</i>		
	Reserves Total		\$100,105.41
	<i>(As of December 31, 2015)</i>		

MENDOCINO Local Agency Formation Commission

Staff Report

DATE: April 4, 2016
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: **Workshop** for the Irish Beach Water District Sphere of Influence Update

Background

This is a workshop to introduce the Draft SOI Update for the Irish Beach Water District (IBWD or District). The District provides treated water to landowners within Irish Beach, a coastal subdivision community consisting primarily of second homes. The District monitors groundwater resources and has an existing moratorium on drilling wells for those areas not presently served by district facilities within the District's boundaries (IBWD Resolution 2000-7). Additionally, the District provides administrative oversight of private and community septic system maintenance.

IBWD's existing SOI is coterminous with its boundary except for two parcels which together are commonly referred to as the Inn Site or the proposed Moore's Annexation. No District services are provided outside the District boundary. Mendocino LAFCo has two applications on file for this District- the above mentioned Moore's Annexation (LAFCo Application A-2009-01) and the De Ruitter Detachment (LAFCo File No. D-2014-01). At the time of this analysis, the Moore's Annexation is on hold to allow time for the applicant to address necessary land use entitlements and environmental review at the County-level. The De Ruitter detachment application has been found incomplete due to the need to process an LCP Amendment prior to any action on an SOI reduction or detachment from the District boundary.

Staff recommends maintaining the existing SOI. Doing so accounts for all areas that may receive District services in the future, including the Moore's Annexation. Should progress be made on the De Ruitter detachment, a sphere of influence amendment may be considered at that time. Amending the sphere now to reflect the potential detachment is premature.

Recommendation

Staff recommends the Commission hold a public workshop on the Draft SOI Update; provide comments and requested revisions, and direct staff to notice the matter for public hearing at the Commission's May 2, 2016 meeting.

Attachments: 1) Irish Beach CWD Draft SOI Update

MENDOCINO **Local Agency Formation Commission**

Ukiah Valley Conference Center ♦ 200 South School Street ♦ Ukiah, California 95482

Irish Beach Water District
SPHERE OF INFLUENCE UPDATE

Prepared in accordance with Government Code §56425

Update Dates

Commission Review

Administrative Draft Workshop- April 4, 2016 (tentative)

Draft Hearing- May 2, 2016 (tentative)

Final Adoption- DATE

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INTRODUCTION

OVERVIEW

This update is prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH Act) which states, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county” (GC §56425). A “SOI” is defined under the CKH Act as “.... a plan for the probable physical boundaries and service area of a local (government) agency” (GC §56076).

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The following update will assess and recommend an appropriate Sphere of Influence (SOI) for the Irish Beach Water District (IBWD or District). The objective is to update IBWD’s SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the IBWD Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

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 5. If the agency provides services related to water, sewer, or fire, then the present and probable need for these services by any disadvantaged unincorporated communities within the existing sphere should be considered
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Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act. This includes considering the merits of the SOI, or any changes, relative to the Commission's seven interrelated policies, as listed below, with respect to determining the appropriate SOI.

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The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission shall, however, consider removal of land from an agency's sphere of influence if either of the following two conditions applies:

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If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a "service specific" sphere of influence may be designated.

Agriculture and Open Space Lands

Territory not in need of urban services, including open space, agriculture, recreational, rural lands, or residential rural areas shall not be assigned to an agency's sphere of influence unless the area's exclusion would impede the planned, orderly and efficient development of the area. In addition, LAFCo may adopt a sphere of influence that excludes territory currently within that agency's boundaries. This may occur when LAFCo determines that the territory consists of agricultural lands, open space lands, or agricultural preserves whose preservation would be jeopardized by inclusion within an agency's sphere. Exclusion of these areas from an agency's sphere of influence indicates that detachment is appropriate.

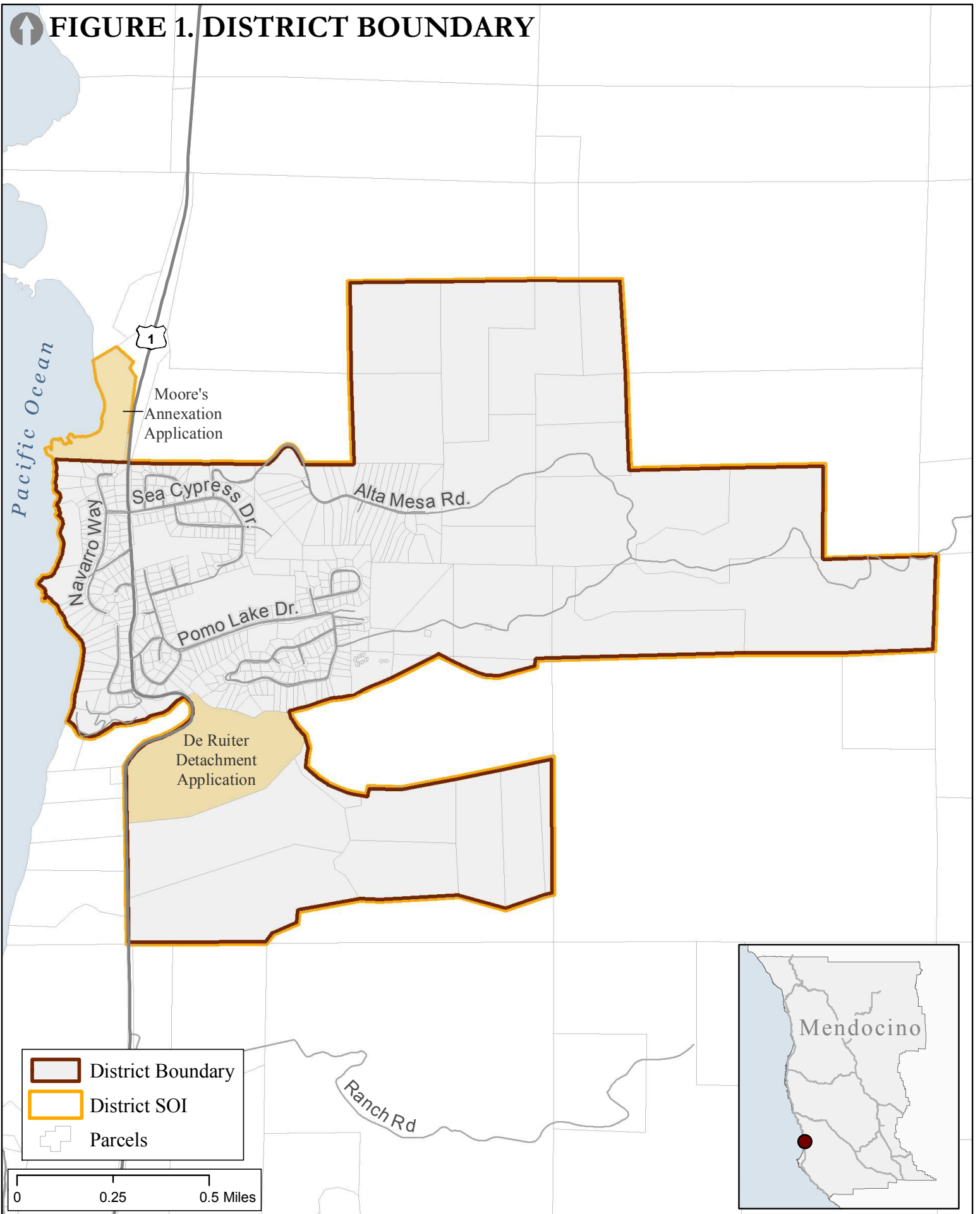
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Islands or Corridors

Sphere of influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.

FIGURE 1. DISTRICT BOUNDARY



- District Boundary
- District SOI
- Parcels

0 0.25 0.5 Miles

Irish Beach Water District

Prepared for **PLANWEST PARTNERS, INC.**
Mendocino LAFCo by: Date: 3/4/2016

OVERVIEW

CURRENT AGENCY OPERATIONS

The Irish Beach Water District (IBWD or District) provides treated water to landowners within Irish Beach, a subdivision primarily of second homes. The District monitors groundwater resources and has an existing moratorium on drilling wells for those areas not presently served by district facilities within District's boundaries (IBWD Resolution 2000-7). Additionally, the District provides administrative oversight of current and future private and community septic system maintenance (MSR 2014).

BACKGROUND

The District is located approximately four miles north of Manchester and eight miles south of Elk on Mendocino's south coast in the unincorporated area of southwestern Mendocino County. The District encompasses 1,294 acres (2.02 square miles) and serves the Irish Beach subdivision, of approximately 460 parcels, 200 of which are developed (MSR 2014).

IBWD is an independent special district formed pursuant to California Water District Law (State Water Code Section 34000-38501). IBWD was established on April 14, 1967 for the primary purpose of providing water to the community of Irish Beach. In 1980, under Health and Safety Code Section 6955 *et seq.*, the District added a wastewater disposal zone to its purview and provides oversight of existing and future private and community septic systems (MSR 2014).

Upon formation in 1967, the District consisted of 220 acres (LAFCo Resolution No. 67-2). In 1972, the Moore's annexation added 400 acres to the District (LAFCo Resolution No. 72-7). A second Moore's Annexation added an additional 720 acres to the District (LAFCo Resolution No. 75-14). The last completed boundary change was the Arnold detachment, which removed 112.23 acres from the District in December 1988 (LAFCo Resolution No. 88-9) (MSR 2014).

MUNICIPAL SERVICE REVIEW

In 2014, LAFCo prepared a countywide water and wastewater services MSR, which included the Irish Beach Water District. The IBWD MSR was approved by the Commission on November 3, 2014. A Municipal Service Review is a part of and a prerequisite for a SOI Update; as such, much of the information contained herein comes directly from the 2014 IBWD MSR.

SPHERE OF INFLUENCE

The District's Sphere of Influence (SOI) was last updated in 1994 to include APNs 131-110-04 and 131-110-36, commonly referred to as the "Inn Site" or the proposed Moore's Annexation. With the exception of this site, the SOI is otherwise coterminous with the District's boundaries (See Figure 1). The District considers this existing SOI to be appropriate and does not provide services to any properties outside the District boundary (MSR 2014). This update will consider maintaining the existing SOI.

Proposed Moore's Annexation

As discussed above, APN 131-110-04 and 131-110-36 are included in the existing District SOI. This area, consisting of approximately 17 acres of vacant land north of the Irish Beach Subdivision, is referred to as the "Inn Site" in the 2014 MSR and is also known as the proposed Moore's

IRISH BEACH WATER DISTRICT SPHERE OF INFLUENCE UPDATE
MENDOCINO LAFCO

Annexation (LAFCo Application A-2009-01). The District has a “will serve” contractual agreement with the property owner (MSR 2014).

The Inn Site is currently designated Range Lands with a Visitor Accommodation and Services Combining District (VAS) for hotel, inn or motel use types (*2C) as denoted on the Coastal Land Use Plan Map. This designation provides for an inn up to 20 units. However, given the constraints of the parcel, only a small portion of the site is developable and it is unlikely that an inn of that size would be feasible there. While an application was made for a use permit for an inn development in the early 1990s, it was ultimately withdrawn.

In 2006, the property owner applied to Mendocino County for a General Plan Amendment (GPA) and rezone of the Inn Site and other property within the District boundaries. This application seeks to change the Range Land zoning (160 acre minimum lot sizes) to Rural Residential with the potential for one acre lots.

In 2009, the property owner submitted an application to LAFCo to annex the Inn Site, which was placed on hold pending completion of the District MSR. Once the MSR was completed in 2014, the applicant again requested annexation based solely on currently allowable development. LAFCo reviewed the proposal on March 2, 2015 and acknowledged Coastal Commission comments that annexation and extension of water services to the subject property would require a Mendocino County Local Coastal Program (LCP) Amendment and further environmental review for purposes of amending the County’s certified Land Use Plan (LUP) prior to any action that would authorize changes to the District boundary and urban boundary line. At the time of this analysis, the LAFCo application is on hold to allow time for the applicant to address necessary land use entitlements and environmental review at the County-level.

Proposed De Ruiter Detachment

Mendocino LAFCo presently has an application on file for a property owner-initiated detachment of APN 132-210-22 from the IBWD. The detachment application was filed in October 8, 2014, and is known as the De Ruiter Detachment (LAFCo File No. D-2014-01). The property consists of approximately 60.5 acres within the District’s boundary and has been described in the past as part of a 196-acre property previously referred to as the “Nichols Ranch”. The District does not provide water services to this property, which is outside the Urban/Rural boundary. The property is located immediately south of Irish Gulch and is currently designated Range Land (RL-160).

The De Ruiter property is currently vacant with an existing well. Mendocino County Planning Department approved coastal development permit (CDP) #8-2014 in September 2014, authorizing construction of a single family residence, barn, guest cottage, driveway, and ancillary development on the subject site. The property owner has objected to restrictions in use of the existing well for residential purposes only.

In response to a LAFCo referral, the Coastal Commission commented on September 18, 2015 noting that an LCP Amendment and further environmental review is necessary “prior to any action that would authorize changes to the service district boundary”. According to this letter, additional review would be required “to understand the relationship between any access easements, water rights, and water sources on the subject property, and whether any of these water sources identified by IBWD currently serve or were envisioned under the certified LCP to eventually serve any of the parcels within the District”.

At the time of this analysis, this LAFCo application is on hold pending a LCP Amendment.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of a SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. The IBWD provides water services, and is therefore only responsible for assuring that this service is adequately provided to communities.

The Irish Beach Water District encompasses the majority of the community of Irish Beach. However Irish Beach is not a ‘census designated place’ (CDP), therefore the median household income amount is not available. Because Irish Beach is primarily a ‘second home’ residential area with higher value homes, it is not expected that the community qualifies as a DUC. In addition, Annual Consumer Confidence Reports issued by the District continue to find that the District provides safe and abundant water to the community (MSR 2014).

POPULATION AND LAND USE

Population and Growth

The District was established to serve the unincorporated community of Irish Beach, a subdivision located between Manchester and Elk on the southern Mendocino Coast. An estimated population of 65 resides in Irish Beach year-round, with increases by 250 seasonal residents at various times of the year (MSR 2014).

The 2010 Census for zip code 95459 consists of 67.1 square miles and includes the communities of Manchester and Irish Beach. Population within the zip code was tabulated at 504 in the 2010 Census, with an average population concentration of eight persons per square mile. Manchester, approximately four miles south of Irish Beach, is a census designated place (CDP) located within Census Tract 011102 in Mendocino County and has a population of 195. Although rural residential properties are scattered throughout the zip code area, Irish Beach is the only other planned community in the area. Between the Census years 2000 and 2010, the area experienced a decrease in population of 81 people, from 585 to 501, a loss of approximately 14 percent of the population (MSR 2014).

Given Irish Beach’s relatively isolated location and limited development potential, it’s unlikely to experience significant population increases in the next few decades. In the application for formation of the District in the late 1960s, a build-out population of 1,200 was estimated. However, the area has experienced little growth with only 200 of the 460 parcels currently developed. Additionally, the occupancy rate has been reduced substantially since the 1960s, which further reduces the projected build-out population. While the District has undergone a number of annexations since its formation, little to no development has occurred within those areas (MSR 2014).

CAPACITY AND SERVICE

Water Services

The District currently provides service to approximately 200 residential customers within the District. Annual demand for Irish Gulch water was estimated at 24.1 acre-feet per year (af/yr) in 2000. Maximum monthly use is approximately 920,000 gallons, or approximately 0.05 cfs, and was achieved in July of 1994 and 1995 (MSR 2014).

Water Supply

The Irish Beach Water District has four developed sources of water, and one additional partially developed well source: 1) the upper diversion on Irish Gulch (SWRCB Permit No. 15580); 2) the well (Well 9) located east of the main subdivision; 3) the lower diversion on Irish Gulch (Permit No. 20443); and 4) the new well (Well 5) located southeast of Well 9. The additional partially developed well (Well 2) is located east of Tank 2, and was developed with the property owner's permission. This well has been drilled, cased and tested, but has not yet been connected to the system or had utilities connected to it. Well 9 production volume has diminished in the past few years. The District maintains that the current water system capacity is adequately sized for existing development with some room for growth. In correspondence from the District to LAFCo in 1994, the District provided a "Plan for Services" and estimated its capacity to provide water service to 425 parcels (MSR 2014).

A mitigated negative declaration (MND) prepared for an extension of time for SWRCB Permit No. 15580 (Irish Gulch Water Rights) indicated that the District will require 0.292 cfs (211.4 af/yr) at full build-out, which is anticipated to be achieved sometime between 2038 and 2067. The District also has property and a trust fund to develop an additional water source and treatment plant when required (MSR 2014).

Infrastructure and Facilities

The District has five water storage facilities, a pipeline network, hydrant system, and a water treatment plant. IBWD has approximately 7.6 miles of pipeline, ranging from 6 to 2 inches in diameter. Parts of the District's distribution system dates from 1965, with sections added over the years, the newest of which was installed in 2000. Over 83 percent of the District's distribution and transmission system is more than 30 years old. Much of this system has an estimated useful life of 40 years. To address aging infrastructure needs, a Proposition 218 Assessment was passed by District voters in early the 2000s. The assessment funds are kept in a special reserve account specifically for capital improvements including but not limited to replacement of pipelines, pumps, valves, tanks, hydrants, and connections (MSR 2014).

Wastewater Services

In 1980 the IBWD passed a Resolution of Intention to form a wastewater disposal zone under Health and Safety Code Sections 6955, et seq. The purpose of the establishment of the zone was to monitor, maintain, repair, replace and pump wastewater disposal systems after such systems are initially installed pursuant to County Health and/or Regional Water Quality Control Board permits and standards on properties previously established as building sites within the subdivision known as Irish Beach. The District was not required to go through LAFCo to initiate the zone (MSR 2014).

As such, the District is responsible for maintaining individual wastewater disposal system records, including date of installation, as-built plans of installed systems and service records of systems. It is also under the purview of the District to send to new owners and owners of new systems information regarding maintenance practices that should be followed and local contractors that provide service. To enforce this, IBWD passed Resolution No. 93-5, which requires that all septic tanks be inspected and/or pumped if necessary every five years by a registered sanitarian or a septic tank operator. In 2011, the District passed Resolution No. 2011-2 to establish discharge limits of waste that may contaminate the waters of the state flowing through Irish Beach (MSR 2014).

The District does not own, lease, operate or maintain any wastewater facilities or collection systems. District responsibilities regarding wastewater are limited to keeping individual septic system records and reminding owners to properly maintain their systems. Based on information provided by the District regarding facilities, management practice and accountability, and financing, IBWD's service appears to be adequate (MSR 2014).

RELEVANT PLANNING AND SERVICE FACTORS

Local planning policies and land-use designations inform LAFCo SOI decisions. Below are relevant policies and service factors that are used as a guide.

County of Mendocino General Plan- Development Element (DE)

General Plan Water Supply and Sewer (Wastewater Treatment) Services Policies:

Policy DE-186: Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-187: The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-187.1: Work aggressively with water and sewer service providers to overcome current and projected system and supply deficiencies necessary to serve planned community growth.

Action Item DE-187.2: Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-187.3: Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water/sewer systems.

Policy DE-188: Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-189: Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with land use and resource objectives of the General Plan, except where the extension is needed to address a clear public health hazard.

Policy DE-190: Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-191: Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

DISCUSSION

Sphere of Influence

This update considers maintaining the existing SOI. The District considers its SOI to be appropriate and does not provide services to any properties outside the SOI boundary (MSR 2014).

Presently there are two applications on file with Mendocino LAFCo regarding IBWD boundaries, one annexation proposal and one detachment proposal (see above SOI discussion). Maintaining the existing SOI accounts for all areas that may receive District services, including the most recent Moore's Annexation. Should the De Ruiter property be detached from the District, a sphere of influence amendment for reduction may be considered at that time. Amending the sphere now to reflect the potential detachment is premature.

ANALYSIS

As presented in the introduction, when updating the SOI, the Commission considers and adopts written determinations. The following are the formal determinations for this SOI Update:

1.) Present and Planned Land Use

The current landuse designation for the Moore's Annexation area is Range Land. However, as a part of the annexation application process, the property owner is seeking a change in landuse designation. Maintaining the SOI to include this area does not impact the land use designation decision by the County. Should the land use designation change, inclusion of the subject property in tot the District will be considered further.

2.) Present and Probable Need for Public Facilities and Services

Given Irish Beach's relatively isolated location and limited development potential, it's unlikely to experience significant population increases in the next few decades. A need for district services is anticipated to continue present levels with little to no growth. The annexation application on file signifies a continued need for service in that portion of the SOI not within District boundaries.

3.) Present Capacity of Facilities and Adequacy of Public Services

The current water system capacity appears to be adequately sized for existing development with some room for growth. The District also has property and a trust fund to develop an additional water source and treatment plant when required. Given the low anticipated growth rate, the District should have sufficient water supply and service capability for the planning horizon of this document.

4.) Social and Economic Communities of Interest

The IBWD serves the community of Irish Beach which is the primary community of interest for this SOI Update. There are no other communities in the immediate area.

5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs)

The District has not been identified as a DUC, nor are there any DUCs within the vicinity which have been identified that should be considered for service by the District.

CONCLUSIONS

This update considers the present SOI relative to services provided and its consistency with LAFCo policy. The current SOI for the District is coterminous with the exception of the proposed Moore's Annexation site, which is outside of the current District boundary and urban limit line. Given that no services are provided outside of the District SOI and given the District indicates no future plans for service beyond the applications on file, an updated SOI that remains the same as the existing SOI boundary is sufficient (See SOI in Figure 1).

REFERENCES

- (MSR, 2014) "Mendocino Local Agency Formation Commission, Final Water and Wastewater Municipal Service Review: Caspar South Water District, Elk County Water District, Gualala Community Services District, Irish Beach Water District, Laytonville County Water District, Pacific Reefs Water District, Round Valley County Water District, Westport County Water District. October 2014". Prepared by: Kateri Harrison, SWALE, Inc.; Uma Hinman, Uma Hinman Consulting. Final approval October 6, 2014.

DRAFT

MENDOCINO Local Agency Formation Commission

Staff Report

DATE: April 4, 2016
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: **Workshop** for the Noyo Harbor District Sphere of Influence Update

Background

This is a workshop to introduce the Draft SOI Update for the Noyo Harbor District (NHD or District), which provides port and harbor services to residents and visitors of the City of Fort Bragg and surrounding area. The District operates the harbor, docks, and related facilities of Noyo Harbor.

The District's existing SOI is coterminous with the District boundary. The 2014 Noyo Harbor District Municipal Service Review recommended considering a sphere expansion to include what it defined as the District's service area, estimated to be about 225 square miles. The District has requested its SOI be expanded to include all of Mendocino County. This update considers expanding the SOI to capture the District's likely service area and ultimately recommends maintaining the SOI as coterminous with the existing boundary. Staff finds that there is insufficient evidence to support the entire County as the District's SOI at this time.

This conclusion is based on the following considerations:

- 1) The estimated District population of 10,000 accounts for approximately 11 percent of the County's population. Therefore, the District's boundary and existing SOI already capture a substantial amount of the County's coastal population.
- 2) The City of Point Arena - also offers harbor-related services along the southern coast of Mendocino County.
- 3) The physical location of services currently provided is within the District's boundary. No services are provided outside of the District, although users of District services may originate from outside of the District's boundary.
- 4) NHD does not have capacity at this time to provide expanded services to support a larger service area.
- 5) An SOI expansion which better captures the out of district user-base may be warranted in the future, but additional analysis is needed prior to such an action.

Recommendation

Staff recommends the Commission hold a public workshop on the Draft SOI Update; provide comments and requested revisions, and direct staff to notice the matter for public hearing at the Commission's May meeting.

Attachments: 1) Noyo Harbor District Draft SOI Update

MENDOCINO **Local Agency Formation Commission**

Ukiah Valley Conference Center ♦ 200 South School Street ♦ Ukiah, California 95482

NOYO HARBOR DISTRICT
SPHERE OF INFLUENCE UPDATE

Prepared in accordance with Government Code §56425

Update Dates

Commission Review

Administrative Draft Workshop- April 4, 2016

Draft Hearing- May 2, 2016

Final Adoption- DATE

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The following update will assess and recommend an appropriate Noyo Harbor District (NHD or District) Sphere of Influence (SOI). The objective is to update NHD’s SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the Noyo Harbor District Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

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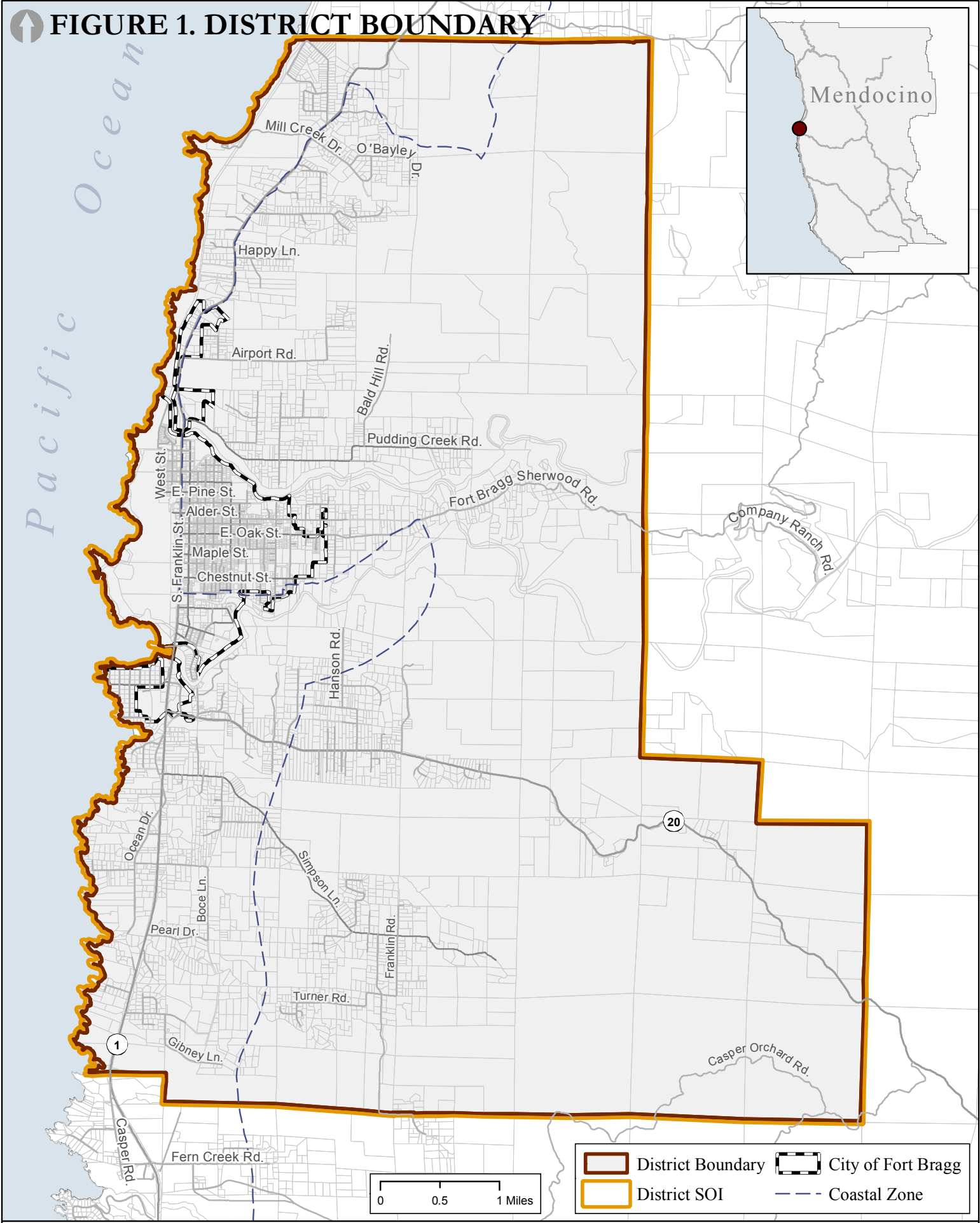
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Islands or Corridors

Sphere of influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.

FIGURE 1. DISTRICT BOUNDARY



Noyo Harbor District

Prepared for **PLANWEST PARTNERS, INC.**
 Mendocino LAFCo by: 
 Date: 3/21/2016

Sources: Boundaries: Mendocino County; Roads: US Census TIGER.

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OVERVIEW

CURRENT AGENCY OPERATIONS

Noyo Harbor District is located on the central coast of Mendocino County. The District encompasses 43 square miles, including the City of Fort Bragg, and is bordered by Little Valley Road on the north and Jughandle Creek on the south. NHD provides port and harbor services to residents and visitors and operates the harbor, docks, and related facilities; (MSR 2014).

NHD is governed by an appointed five-member Commission: two appointments by the Fort Bragg City Council, two appointments by the Mendocino County Board of Supervisors (BOS), and one appointment by consensus of the City Council and the BOS.

BACKGROUND

NHD was formed in October 1950 as an independent special district. The District was formed to organize, fund, administer, and maintain the Noyo Harbor. The principal act that governs the District is the Harbors and Navigation Code of the State of California. Upon formation in 1950, the Noyo Harbor District was formed as a port district pursuant to Section 6231 of the Harbors and Navigation Code. While the chosen name for the District is confusing, it is actually a port district. The District has not undertaken any annexations or detachments since its formation (MSR 2014).

MUNICIPAL SERVICE REVIEW

A Municipal Service Review (MSR) was adopted for NHD by the LAFCo Commission on February 3, 2014. A MSR is a part of and a prerequisite for a SOI Update; as such, much of the information contained herein comes directly from the 2014 Noyo Harbor District MSR.

SPHERE OF INFLUENCE

The Sphere of Influence (SOI) for NHD was established in 1994, and is coterminous with the District boundary (MSR 2014). The 2014 MSR recommended considering a sphere expansion to include what it defined as the District's service area, estimated to be about 225 square miles. The District has requested its SOI be expanded to include all of Mendocino County. This update considers expanding the SOI to capture the District's likely service area or alternately maintaining the SOI as coterminous.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of an SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection.

Within the Noyo Harbor District Boundary and SOI, there exists one Disadvantaged Unincorporated Community (DUC). This is Cleone, a 'census designated place' with an estimated population of 618, and located at the north end of the district adjacent to the coast. Cleone qualifies as a DUC because its median household income of \$43,920 is less than 80% of the State median household income of \$61,632; or 71.3% (MSR 2014). However, NHD does not provide water, sewer or structural fire protection services, and is therefore not responsible for

assuring that these services are adequately provided to the Cleone community.

POPULATION AND LAND USE

Population and Growth

There are approximately 10,000 residents within the District, of which approximately 7,250 are within the City of Fort Bragg. NHD reported that population of the District has declined since 2008 mainly due to the closure of the lumber mill. Declining population trends have been negatively affecting district service demand; however, an even stronger negative effect is seen from the decline of fisheries (MSR 2014).

NHD reported that it did not have capacity to provide services to possible future growth. To do so, the District would have to expand in terms of personnel, facilities and boat slips, many of which had been destroyed by the tsunami tidal surge in March 2011 (MSR 2014).

Land Use and Development

The District boundary area is approximately 43 square miles, of which 2.8 square miles are also within the City of Fort Bragg city limits. A majority of the land uses within the District are residential, commercial and industrial within the city limits, and open area, forest lands, and agricultural areas beyond. The harbor area itself is not within the city limits, so land use authority remains with the County of Mendocino (MSR 2014).

CAPACITY AND SERVICE

NHD serves customers and their boats from all over the world. About 45% of clients using the marina are from outside the District boundary. Industrial vessels, fishermen, commercial fishing vessels, and sport and pleasure fishing boats come from all over northern California because the NHD marina can accommodate large boats. In addition, the District accommodates a significant number of world-wide cruisers (MSR 2014).

Several jurisdictions share responsibility for the Noyo Harbor, which is located entirely within Mendocino County's jurisdiction; but is also within the City of Fort Bragg Sphere of Influence. The U.S. Army Corps of Engineers is responsible for maintaining the channel. The State Department of Fish and Wildlife, the State Department of Boating and Waterways, the California Coastal Commission, the County of Mendocino, and the City of Fort Bragg have partial responsibility and jurisdiction in the area (MSR 2014).

Services

NHD provides harbor-related services to residents and visitors of the District and owns and operates select parcels and facilities in Noyo Harbor. These include:

- A pier, a marina, one launch ramp, parking lot, a park facility for community events, four public restrooms, one public shower, and the District office building.
- Managing a second public launch ramp owned by the State Department of Boating and Waterways.
- Collecting rents for the State for the use of tideland and keeps these rents for the maintenance of public facilities.
- Managing the pier motor oil recycling center for customers of the facility.
- Storage facilities for boats, gear and equipment.
- Launching services for the Mendocino County Sheriff's Office patrol boat free of charge.

NHD projects its service demand through its annual budgeting process; by studies conducted by USACE; and by responding to specific conditions. NHD has 256 berths which are nearly always occupied; with approximately 43% of the moored boats being commercial craft. During the summer months, the marina and the parking lot are fully occupied. The District maintains a lengthy wait list and believes that there is an additional demand for more boat slips and a larger parking lot during summer. There is additional room for expansion of both; however, the District would have to obtain grant funding to make expansion possible (MSR 2014).

The District is responsible for dredge material management and disposal, due to recent changes in the classification of the Noyo Harbor dredge material and associated increased costs of disposal. The District does not have the financial resources to dispose of the channel dredging material. The District is working to transfer channel dredge material disposal responsibility to the Army Corps of Engineers (MSR 2014).

Funding for Services

NHD reported that current revenues were adequate for District operations, but inadequate to complete necessary capital improvements. Challenges include the recent economic downturn, closure of fisheries, and silting that became a problem in 2005-2006, and which creates navigating hazards. In addition, the damage to Noyo Harbor from the tsunami was fairly extensive (MSR 2014).

NHD identified multiple opportunities for additional financing sources and cost avoidance, including soliciting political assistance to cope with the costs of dredging and removing of soils, and applying for grants from the State Department of Boating and Waterways to construct new a bathroom facility, repave the parking lot; and rehabilitate the launch ramp (MSR 2014).

The District also charges for tow services, boat repair in parking lot fees, miscellaneous use of facilities, main pier, hoist, yearly parking permit, fees for lower launch ramp, ground rent, annual permit to launch and/or park, daily parking permit, bumpers, oil spill, and use of Grader Park. District residents and non-residents are charged equal fees (MSR 2014).

The Department of Boating and Waterways owns the land and has paid for the construction of the Noyo Public Access Facility, which is used by NHD to provide services and collect rents (MSR 2014).

Service Adequacy

Based on the information about facilities offered, management practices and accountability discussed in the previous sections, NHD's level of service appears to be adequate. NHD offers a broad range of harbor facilities and services and would like to further expand if funding becomes available. The facilities and services provided are appropriate to the needs of district residents and non-residents (MSR 2014).

Presently, the District's facilities have marginal capacity to provide adequate services. There are multiple infrastructure needs for which NHD does not have sufficient funding. NHD does not have enough capacity to provide services to future growth. The District would have to expand in terms of personnel, facilities and number of boat slips (MSR 2014).

RELEVANT PLANNING AND SERVICE FACTORS

Local planning policies and land-use designations inform LAFCo SOI decisions. Below are relevant policies and service factors that are used as a guide.

County of Mendocino General Plan- Development Element (DE)

General Plan Water Supply and Sewer (Wastewater Treatment) Services Policies:

Policy DE-186: Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-187: The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-187.1: Work aggressively with water and sewer service providers to overcome current and projected system and supply deficiencies necessary to serve planned community growth.

Action Item DE-187.2: Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-187.3: Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water/sewer systems.

Policy DE-188: Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-189: Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with land use and resource objectives of the General Plan, except where the extension is needed to address a clear public health hazard.

Policy DE-190: Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-191: Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

DISCUSSION

Sphere of Influence

The District has requested that their SOI be expanded to include all of Mendocino County, which they believe captures their service area, defined by where harbor facilities users originate. There are no other public harbor facilities between Noyo Harbor and Shelter Cove approximately 90 miles to the north or between t Noyo Harbor and Point Arena Cove approximately 40 miles to the south. NHD receives tax revenue within District boundaries, and is contemplating the possibility of annexing additional territory in order to enhance its ability to raise revenue to provide essential harbor services (District Manager, December 2015). The District maintains a lengthy boat slips wait list and believes that there is an additional demand for more slips during summer and a larger

NOYO HARBOR DISTRICT SPHERE OF INFLUENCE UPDATE
MENDOCINO LAFCO

parking lot. There is additional room for expansion of both; however, the NHD would have to obtain funding to make expansion possible (MSR 2014).

While the 2014 MSR reports that NHD's level of service appears to be adequate and that it is well-managed, it also reports that the District's facilities have marginal capacity to provide adequate services and that there are multiple infrastructure needs for which NHD does not have sufficient funding. NHD does not have enough capacity to provide services to future growth (MSR 2014).

Although additional tax revenue via annexation may be an option, there is the question of capacity and perceived service area. Mendocino County has large rural areas with both coastal and inland communities. While the Noyo Harbor District operates the only public harbor in the region for at least 40 miles in every direction, this does not guarantee that a substantial percentage of Mendocino County residents utilize the Noyo Harbor facilities. The distance and travel time, particularly for the inland communities such as Ukiah pose a barrier to access.

Additionally, as mentioned above, within Mendocino County the City of Point Arena 40 miles south of the Noyo Harbor District also operates Harbor facilities and arguably serves a similar County population. In order to extend a SOI to encompass the whole of the County additional analysis should be conducted to better understand the District's customer-base demographics prior to expanding the District's SOI to the entire County.

An annexation has the possibility of increasing user demand for services, demand which the District does not have the capacity to handle (MSR 2014). District capacity building within existing boundaries via grant funded planning and infrastructure improvements may better position the NHD for future annexation. In 2013, Mendocino County received a Community Development Block Grant Planning and Technical Assistance award for the preparation of a Noyo Harbor Economic Revitalization Study and Development Design Criteria. The County was unable to enter a contract with consultation firm within the grant financial deadline and the grant award was retracted. This was a missed opportunity for the District. Future grant awards should be carefully managed to properly support the District.

Finally, it may be helpful to look at NHD boundaries in the context of comparison to other similar districts. There are a total of thirteen harbor and port districts in California that were formed and operate under the provisions of the Harbors and Navigation Code (Special Districts Annual Report, 2012-2013, California State Controller). Of these districts, the Noyo Harbor District is one of six that receives income from taxes or special assessments. The other five include- Crescent City Harbor District; Humboldt Bay Harbor, Recreation, and Conservation District; Moss Landing Harbor District; San Mateo County Harbor District; and Ventura Port District. Of these six only two have county-wide district boundaries- the Humboldt Bay Harbor, Recreation, and Conservation District and the San Mateo County Harbor District. It should be noted that San Mateo County Harbor District has been assigned a zero sphere by San Mateo County LAFCo (San Mateo LAFCo District MSR, 2015). The majority of port and harbor districts who receive taxes have District boundaries similar in scope to NHD's existing boundary. They also generally rely on user fees and grants to provide for the majority of their budget.

ANALYSIS

As presented in the introduction, when updating the SOI, the Commission considers and adopts written determinations. The following are the formal determinations for this SOI Update:

1.) Present and Planned Land Use

With 3,506 square miles of land, Mendocino County is the 15th largest county in California with approximately 25 people per a square mile (Census Quickfacts, 2010). The 2010 United States Census reported that Mendocino County had a population of 87, 841. The estimated District population of 10,000 accounts for approximately 11 percent of the County's population. Therefore the District's boundary and existing SOI already capture a significant amount of the County's coastal population. Given the rural nature of the County and both distinct inland and coastal communities, there is insufficient evidence to support the entire county as the District's service area. Additionally, the physical location of services provided is currently within District boundaries. No services are provided outside of the District, although users of District services may originate from outside of District boundaries.

2.) Present and Probable Need for Public Facilities and Services

Although the District has seen a reduction in population, there is an ongoing demand for harbor and port facilities. The District believes that there is an additional demand for more boat slips and expanded infrastructure. There is additional room for expansion of both; however, the District would have to obtain funding to make expansion possible.

3.) Present Capacity of Facilities and Adequacy of Public Services

NHD is well managed and its level of service appears to be adequate. The District's facilities have marginal capacity to provide adequate services and there are multiple infrastructure needs for which NHD does not have sufficient funding. NHD reported that it does not have capacity to provide services to possible future growth. To do so, the District would have to expand in terms of personnel, facilities and boat slips.

4.) Social and Economic Communities of Interest

The NHD encompasses the City of Fort Bragg and unincorporated lands surrounding the City. It provides a variety of facilities, for commercial, recreational and visitor-serving use- available to the District population and to visitors. The District estimates that 45 percent of clients using the marina are from outside the District boundary. Therefore the County of Mendocino as a whole is a community of social and economic interest. Further analysis may be done to calculate facility users who originate from the County at large.

5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs)

The District does not provide water, sewer or fire protection services. No further analysis is needed.

CONCLUSIONS

This update serves to reaffirm the District's SOI boundary to be coterminous with the existing District boundary as there is insufficient evidence to support the entire County as the District's SOI. This conclusion is based on the following considerations:

- 1) The estimated District population of 10,000 accounts for approximately 11 percent of the County's population. Therefore, the District's boundary and existing SOI already capture a substantial amount of the County's coastal population.
- 2) The City of Point Arena - also offers harbor-related services along the southern coast of Mendocino County.
- 3) The physical location of services currently provided is within the District's boundary. No services are provided outside of the District, although users of District services may originate from outside of the District's boundary.
- 4) NHD does not have capacity at this time to provide expanded services to support a larger service area.
- 5) An SOI expansion which better captures the out of district user-base may be warranted in the future, but additional analysis is needed prior to such an action.

See SOI in Figure 1.

REFERENCES

- (Census Quickfacts, 2010) United States Census Bureau. Census Quick Facts- Mendocino County, <http://www.census.gov/quickfacts/table/PST045215/06045>
- (MSR 2014) Mendocino County Local Agency Formation Commission. February 3, 2014. Noyo Harbor District Municipal Service Review. <http://www.mendolafco.org/msr/Noyo%20Harbor%20MSR%20-%20Approved%2002-03-14.pdf>
- (San Mateo LAFCo, 2015) San Mateo County Local Agency Formation Commission. July 15, 2015. San Mateo County Harbor District Municipal Service Review. <http://lafco.smcgov.org/documents/san-mateo-county-harbor-district-final-7-15-2015>
- (Special Districts Annual Report, 2012-2013, California State Controller) California State Controller's Office. "Special Districts Annual Report, 2012-2013. http://www.sco.ca.gov/Files-ARD-Local/LocRep/1112_special_districts.pdf

MENDOCINO Local Agency Formation Commission

Staff Report

DATE: April 4, 2016
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: **Workshop** for the Willow County Water District Sphere of Influence Update

Background

This is a workshop to introduce the Draft SOI Update for the Willow County Water District (Willow CWD or District), which provides treated water to the unincorporated area south of the City of Ukiah, located within the Ukiah Valley.

The District's current SOI extends beyond the District boundary, and the District provides out of district services to approximately 106 parcels within their SOI. The SOI includes lands in both the Ukiah's city limit and rural agricultural areas. There are several areas (approximately 123 parcels in total) where Willow CWD service area boundary overlaps territory that is within Ukiah's city limits. This draft update includes a detailed discussion of these agricultural and overlap territories in relation to LAFCo policy. The document recommends a reduced SOI which excludes the majority of territory identified as agricultural lands and which also minimizes boundary overlap between the City and District.

The following considerations guide the proposed SOI reduction:

1. Those properties receiving service within the existing SOI remain within the proposed updated sphere.
2. Those properties designated as Suburban Residential, Rural Residential, and Remote Residential within the District's SOI are considered appropriate to receive municipal water services consistent with LAFCo policy. They remain within the proposed updated SOI.
3. Those properties which overlap with the City of Ukiah boundary and do not receive services from the District are excluded from the proposed updated sphere.
4. APNs 003-330-69 and -70, which are within the District's boundary, should also be excluded from the District's SOI as they do not receive District service. Both the District and City have agreed that the City serves this area.
5. Territories recognized as agricultural, rangeland, or open space are removed from the SOI with the exceptions of those territories receiving services and the island territories within the District.

Recommendation

Staff recommends the Commission hold a workshop on the Draft SOI Update; provide comments and requested revisions, and direct staff to notice the matter for public hearing at the Commission's May 2, 2016 meeting.

Attachments: 1) Willow County Water District Draft SOI Update

MENDOCINO **Local Agency Formation Commission**

Ukiah Valley Conference Center ♦ 200 South School Street ♦ Ukiah, California 95482

WILLOW COUNTY WATER DISTRICT
SPHERE OF INFLUENCE UPDATE

Prepared in accordance with Government Code §56425

Update Dates

Commission Review

Administrative Draft Workshop- April 4, 2016

Draft Hearing- May 2, 2016

Final Adoption- DATE

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INTRODUCTION

OVERVIEW

This update is prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH Act) which states, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county” (GC §56425). A “SOI” is defined under the CKH Act as “.... a plan for the probable physical boundaries and service area of a local (government) agency” (GC §56076).

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update will assess and recommend an appropriate Sphere of Influence (SOI) for the Willow County Water District (Willow CWD or District). The objective is to update Willow CWD’s SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the Willow CWD Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

REVIEW PERIOD

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a twenty year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5-10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

EVALUATION CONSIDERATIONS

When updating the SOI, the Commission considers and adopts written determinations:

Sphere Determinations: Mandatory Written Statements

1. Present and planned land uses in the area, including agricultural and open space

 2. Present and probable need for public facilities and services in the area

 3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide

 4. Existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency

 5. If the agency provides services related to water, sewer, or fire, then the present and probable need for these services by any disadvantaged unincorporated communities within the existing sphere should be considered
-

Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act. This includes considering the merits of the SOI, or any changes, relative to the Commission’s seven interrelated policies, as listed below, with respect to determining the appropriate SOI.

General Guidelines for Determining Spheres of Influence

The following is excerpted from *Mendocino LAFCo’s 2016 Policies and Procedures*, “Chapter 9: Spheres of Influence, MSRs, and Special Studies”:

Section 1. Spheres of Influence

Reduced Spheres

The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission shall, however, consider removal of land from an agency’s sphere of influence if either of the following two conditions apply:

- the land is outside the affected agency’s jurisdictional boundary but has been within the sphere of influence for 10 or more years; or
- the land is inside the affected agency’s jurisdictional boundary but is not expected to be developed for urban uses or require urban-type services within the next 10 years.

Zero Spheres

LAFCo may adopt a “zero” sphere of influence encompassing no territory for an agency. This occurs if LAFCo determines that the public service functions of the agency are either nonexistent, no longer needed, or should be reallocated to some other agency (e.g., mergers, consolidations). The local agency which has been assigned a zero sphere should ultimately be dissolved.

Service Specific Spheres

If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a “service specific” sphere of influence may be designated.

Agriculture and Open Space Lands

Territory not in need of urban services, including open space, agriculture, recreational, rural lands, or residential rural areas shall not be assigned to an agency’s sphere of influence unless the area’s exclusion would impede the planned, orderly and efficient development of the area. In addition, LAFCo may adopt a sphere of influence that excludes territory currently within that agency’s boundaries. This may occur when LAFCo determines that the territory consists of agricultural lands, open space lands, or agricultural preserves whose preservation would be jeopardized by inclusion within an agency’s sphere. Exclusion of these areas from an agency’s sphere of influence indicates that detachment is appropriate.

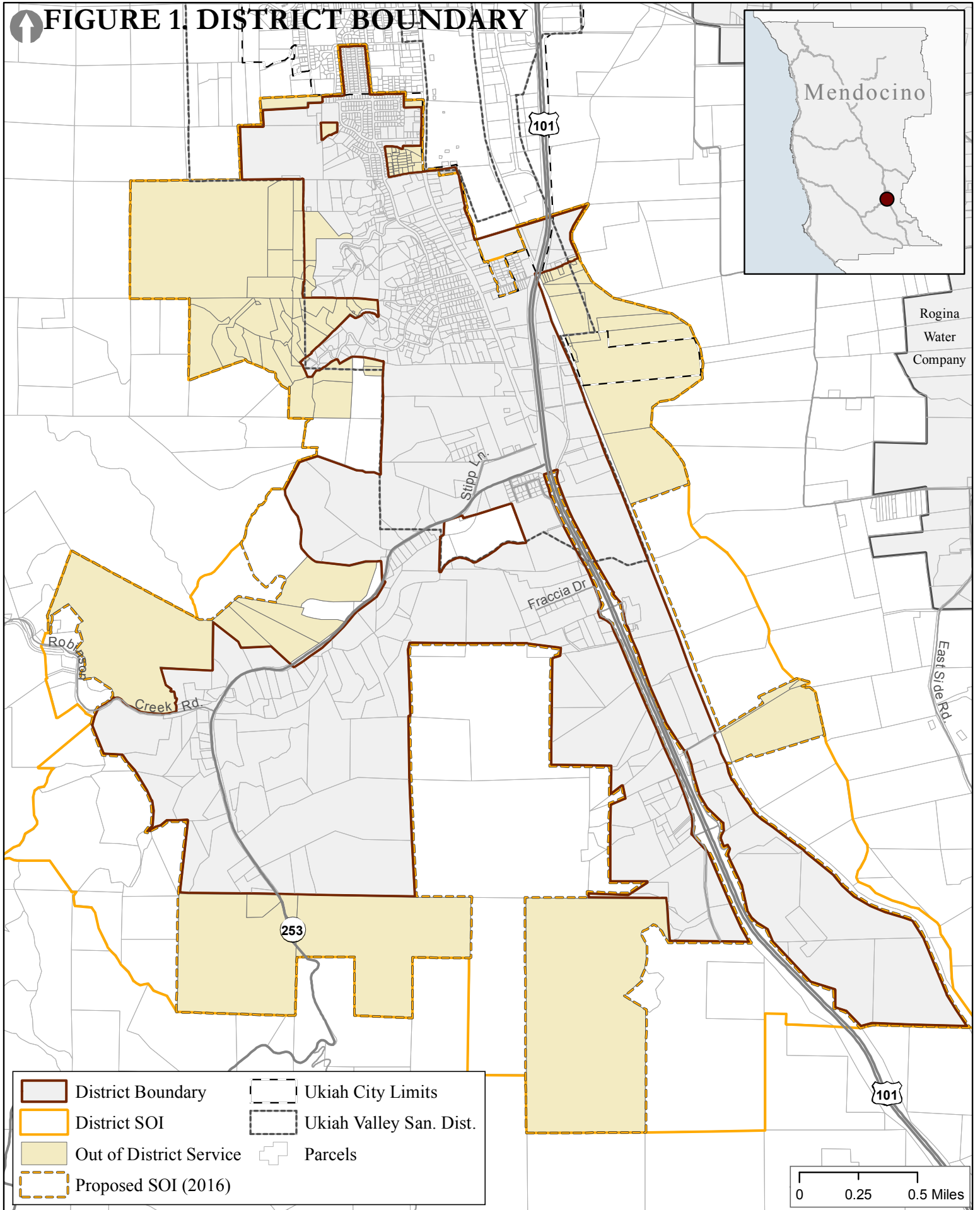
Annexations are not Mandatory

Before territory can be annexed to a city or district, it must be within the agency’s sphere of influence (G.G. §56375.5). However, territory within an agency’s sphere will not necessarily be annexed. A sphere is only one of several factors that are considered by LAFCo when evaluating changes of organization or reorganization.

Islands or Corridors

Sphere of influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.

FIGURE 1. DISTRICT BOUNDARY



- District Boundary
- District SOI
- Out of District Service
- Proposed SOI (2016)
- Ukiah City Limits
- Ukiah Valley San. Dist.
- Parcels

0 0.25 0.5 Miles

Willow County Water District

Prepared for **PLANWEST PARTNERS, INC.**
 Mendocino LAFCo by: Date: 3/25/2016

OVERVIEW

CURRENT AGENCY OPERATIONS

The Willow County Water District (Willow CWD or District) provides water service to approximately 990 residential and 60 commercial connections in the unincorporated area south of the City of Ukiah, located within the Ukiah Valley (MSR 2013). Figure 1 shows the Willow CWD boundaries.

The Willow CWD provides treated water to domestic and irrigation connections. Several sources are utilized including wells, surface water, and Lake Mendocino water. The District has agreements with other water agencies to provide staffing and management services for these agencies, including: Calpella CWD, Hopland PUD, Millview CWD, Redwood Valley CWD, and River Estates Mutual Water Company.

BACKGROUND

The Willow CWD, formed as an independent special district on July 20, 1950 pursuant to County Water District Law (Division 12, Section 30000-33901 of the California Water Code). The District is governed by a five member board of directors who are elected at-large for four year terms by constituents within the District.

MUNICIPAL SERVICE REVIEW

A municipal service review (MSR) for the District was conducted as a part of a larger study of the Ukiah Valley in 2013, known as the *Ukiah Valley Special Districts Final Municipal Service Review*. The Willow CWD's section of this report was adopted May 6th, 2013. A Municipal Service Review is a part of and a prerequisite for a SOI Update; as such, much of the information contained herein comes directly from the Willow CWD portion of the 2013 MSR.

SPHERE OF INFLUENCE

The District reports its current SOI extends beyond its service boundary as shown in Figure 1. This update considers the area the District serves in the updated SOI. The current SOI also includes lands in the City of Ukiah's city limit and unserved rural agricultural areas. As such, these areas warrant analysis in relation to LAFCo policy. Please note the following description and numbering corresponds with Figure 2, District Service Areas.

- 1) ***District/City Boundary Overlap:*** There are several areas (approximately 123 parcels in total) where the Willow CWD overlaps territory that is within Ukiah's city limits. These served areas include:
 - a) The neighborhood of South Dora, Rose, and Yokayo Streets, located south of Wabash Avenue and north of Beacon Lane. Consisting of 85 customers, this area was annexed to the City; however, in order to maintain revenue stability the Willow CWD continues to provide service (MSR 2013). This area is within both the District's boundary and SOI, as well within the City limits.
 - b) Territory surrounding the Ukiah Municipal Airport. The Airport is owned and operated by the City of Ukiah and is within the City limits. The airport facility is along the northeast

WILLOW COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE
MENDOCINO LAFCo

border of Willow CWD's boundary, generally along State Street. Several parcels that are now considered a part of the airport are within District boundaries, as described below.

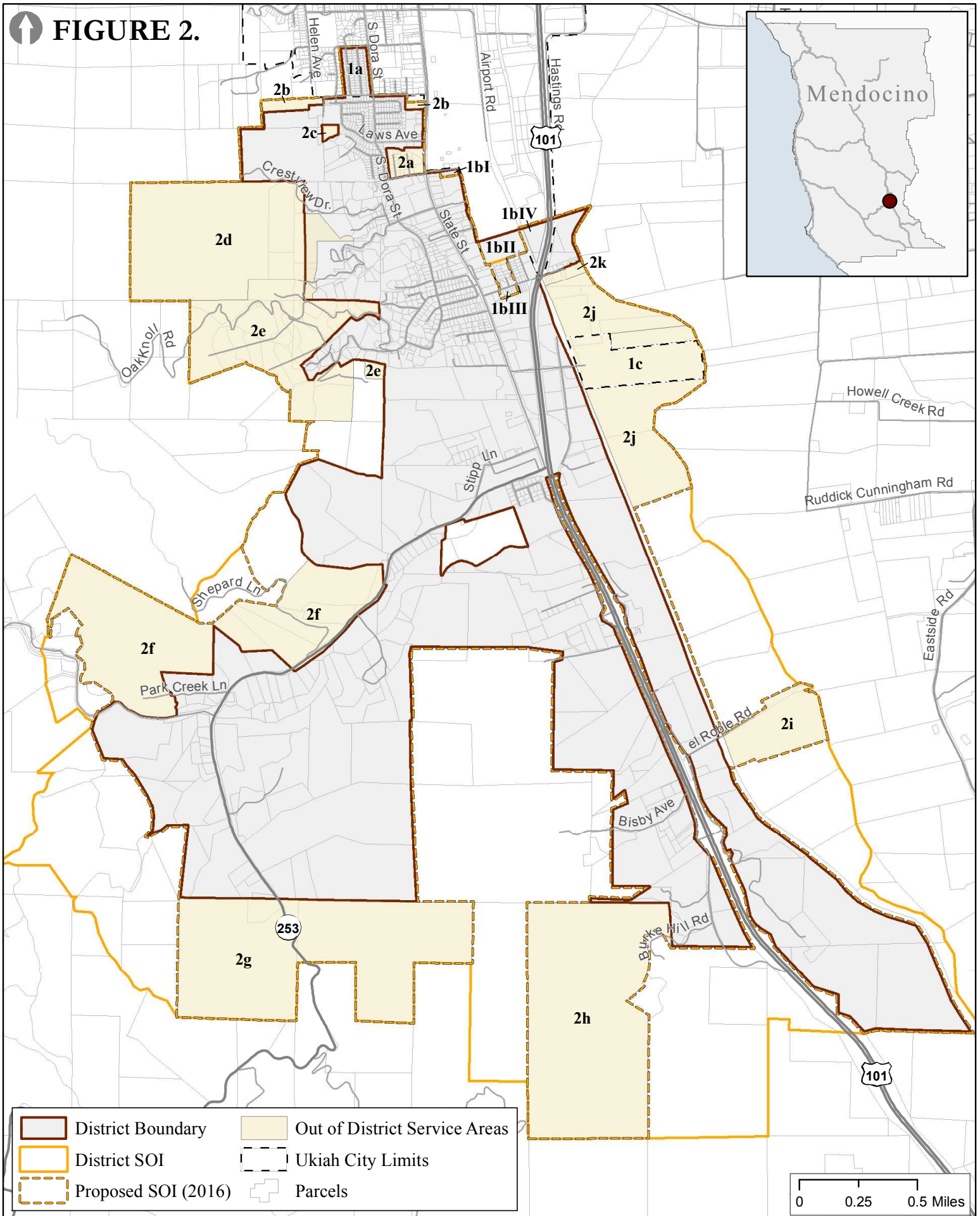
- I. APNs 003-330-69 and -70. These two parcels are within the Willow CWD boundary and outside of the existing City limits. The City and the District have an agreement that these parcels are served by the City, and they are therefore not within the existing District SOI. The parcels are designated as Commercial and currently house airport infrastructure.
 - II. APN 180-120-03. This parcel is at the southern end of the airport and is within both the District boundary and City limits. The City and the District also have an agreement that this parcel is served by the City, and it is therefore not within the existing District SOI. The parcel is currently in use as a part of the airport runway infrastructure.
 - III. Approximately 28 small parcels at the southernmost tip of the airport, west of Pomo lane along the north and south sides of Norgard Street. These parcels are within the District's boundary and SOI, as well as the Ukiah City limits. They are currently an empty field at the end of the airport runway. The District indicates they are not providing service to this area. APNs 184-061-03, -04, -05, -07, -08, -09, -12, -13, -14, -15, -16, -17; 184-062-01, -03, -07, -09, -10, -12, -13, -14, -16; 184-070-02, -03, -04, -05, -06, -07 -08.
 - IV. APNs 180-120-04 and 184-080-01. This territory is on the southeastern border of the airport, between Highway 101 and the airport runway. This area is within the District's boundary and SOI, and well as the Ukiah City limits. The District reports it provides water services to this territory, which is currently under a Williamson Act contract and in agricultural production as a grape vineyard.
- c) The City of Ukiah Wastewater Treatment Plant. APNs 184-100-05, -07, -08, -09, -10, and -11. These parcels contain the City's wastewater treatment plant and the Mendocino County Animal Control facility (APN 184-100-07). The area is outside of the Willow CWD boundary, but within its SOI. All parcels except APN 184-100-04 are within the Ukiah City limits. The District reports that it provides service to the entire area.
- 2) **Out of District Service:** The Willow CWD provides out of district services to multiple properties (approximately 106 parcels, including the 6 reported above in *City Overlap* part 3) located outside their district boundary but within their existing SOI. The District reports that these connections all occurred prior to 2001. Although the District provides what it considers as agricultural water to several of these properties, all water provided by the District is treated, potable water. These served areas are described below (See Figure 2, District Service Areas).
- a) A residential area between South Dora Street and State Street, located north of Jefferson Lane. This area consists of 33 parcels, designated for use as Suburban Residential, Mixed Use, and Commercial. The area is substantially surrounded by District territory, and is not within the Ukiah City limits. The area is also within the Ukiah Valley Sanitation District (UVSD) service boundary.
 - b) Two adjacent parcels along the northern District boundary-APNs 003-260-48 and 003-390-48. Located adjacent to the District's northwestern boundary, APN 003-260-48 is

WILLOW COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE
MENDOCINO LAFCO

designated as Rural Residential. Located adjacent to the District's northeastern boundary, APN 003-390-48 is designated as Commercial and is in use as a car wash. Both of these parcels are also within the UVSD service boundary.

- c) Northern island area-APN 003-410-25. This parcel is in the northern portion of the District and is entirely surrounded by District territory, though the parcel itself is not considered to be within the District boundary. Designated as Suburban Residential, this area is in use as a parking lot. The area is also within the UVSD service boundary.
- d) Crestview Drive area. This area is along the District's northwestern boundary and is designated as Rangeland. The area is forested and developed with low-density residential uses. APNs 157-150-03, -06, -07, and 180-240-01 are fully outside the District's boundary, while APNs 180-160-05, -06, and 182-023-01 are partially located within the District. These split parcels are also partially within the UVSD service boundary.
- e) Oak Knoll Road area. Located just south of the Crestview Drive area, these parcels are designated for Remote Residential use and contain scattered residences along Fircrest Drive and Oak Knoll Road. Several of the parcels are also within the UVSD's service boundary.
- f) Boonville Road/Shepard Lane area. APN's 046-271-10, 185-260-18, -24, and -25 are all designated remote residential and receive service. APN 185-110-22 also receives service in this area and is designated as Rangeland. It appears to support a residence on the property.
- g) Boonville Road area south of the District's boundary. APNs 046-290-03, -44, -45, and 046-300-01 are all adjacent to the District's southern border near Boonville Road. With the exception of APN 046-290-03 (designated as Remote Residential) these parcels are designated as Rangeland and contain scattered residences.
- h) Burkehill Road area south of the District's boundary. APN 046-300-60 receives service from the District. This parcel is designated as Range Land and is currently under a Williamson Act contract with the County of Mendocino for which a notice of non-renewal has been filed (Mendocino County Assessor's Office, Personal communication, March 17, 2016).
- i) El Roble Road area-APNs 186-030-01, 184-240-04, and -05. This area located east of the District along El Roble Road is designated for Agriculture and Public Service use. The agriculturally-designated parcel is currently in production as an orchard.
- j) Two agricultural areas surrounding the Wastewater Treatment Plant-APNs, 184-080-28, 184-090-01, -06, -07, 184-100-04, and 184-150-01. These parcels are adjacent to the District's eastern boundary and are located north and south of the above mentioned City of Ukiah Wastewater Treatment Plant. All of the parcels are designated for agricultural use and, with the exception of APN 184-090-06 and 184-160-01, are currently under a Williamson Act contract with the County of Mendocino. All lands in this area are in agricultural production. APNs 184-090-06 and 184-090-01 are also within UVSD's service boundary.
- k) North of the aforementioned agricultural area described under item "j" and adjacent to the Willow CWD-APNs 184-080-08, -09, -10, -11, -13, -20, and -27. These parcels are also designated for agricultural use, but are presently developed with residential uses. All parcels except APN 184-080-13 are within UVSD boundaries.

FIGURE 2.



Willow County Water District

District Service Areas

Sources: Boundaries: Mendocino County; Roads: US Census TIGER.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo evaluates disadvantaged unincorporated communities (DUCs) as part of an SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. The Willow CWD provides water services, and is therefore only responsible for assuring that this service is adequately provided to communities.

No specific MHI estimates are available for the area which Willow CWD encompasses. The community of Hopland approximately five miles to the south meets the definition of a disadvantaged unincorporated community. The community of Hopland has an MHI of \$44,700, which is 77% of the statewide MHI of \$57,708 (MSR 2013). The Hopland community receives municipal services from the Hopland Public Utility District, which provides water and sewer, and the Hopland Volunteer Fire District, which provides fire protection.

The northern extent of the District's border is the City of Ukiah. Ukiah has an estimated MHI of \$42,609 (Census FactFinder, 2010), which is 73 percent of the California MHI, thereby qualifying it as disadvantaged. Ukiah is incorporated, and therefore does not qualify as a DUC. However, it stands to reason that sections of unincorporated territory surrounding the City may also qualify as disadvantaged, though no area has been identified as such at this time. Should the District pursue annexation, DUC communities within the District's vicinity may be examined further.

POPULATION AND LAND USE

Population and Growth

The community served by the Willow CWD is situated at the City of Ukiah's southern boundary. The Willow CWD shares a common boundary with the City in some areas, and the boundaries overlap in other areas. According to the Ukiah Valley Municipal Service Review, the 2012 Willow CWD population was estimated at 3,910 residents. A 2020 District population of 4,222 residents is estimated based on a conservative 1.0 percent annual growth rate and 4,418 residents based on higher growth estimate of 1.63 percent (MSR 2013).

Land Use and Development

Similar to many other special districts in Mendocino County, the Willow CWD boundary and existing SOI include agriculturally-designated lands and land under Williamson Act contract. Around 30 percent of the land within the District is designated as some sort of resource land and approximately 60 percent is designated as suburban, remote, or rural residential¹ (See Figure 3 in Appendix A). Some of the resource parcels within District boundaries are subject to a contract under the Williamson Act² (See Figure 4 in Appendix A). Other designations within the District include Commercial and Industrial.

Within the existing SOI the majority of territory is designated as either Rangeland or Agricultural. Again, many of these parcels also have Williamson Act contracts associated with them (See Figure 4

¹ All Land use designation information from Mendocino County GIS Parcel Information Layer. October, 2014.

in Appendix A). Other designations in the existing SOI include Rural and Remote Residential, and Public Service.

CAPACITY AND SERVICE

Water

The Willow CWD provides treated water to both domestic and irrigation water connections. Domestic production ranges up to 1,200 acre feet per year (AFY) and irrigation water may be up to 100 acre feet (AF). Production declined from 2006 to 2009, which coincided with a severe drought in the area. During that period, Lake Mendocino water levels receded to record lows, and mandatory rationing—a 50-percent reduction in water use—was instituted by the Mendocino County Board of Supervisors. Water usage in 2004, a year of near-average precipitation and a year with no extraordinary water conservation efforts, is considered more typical of an average year. Domestic production was 1,137 AF and agricultural production was 73 AF in 2004, for a total of 1,210 AF. The average production over the ten-year period was 1,094 AF, with 94 percent for domestic use and 6 percent for irrigation (MSR 2013).

Demand in 2010 was 1,301 AF and is expected to increase to 1,904 AF in 2030 if required conservation measures are not put in place. Total supply from all sources is estimated at 2,681 AF in a normal year and 2,308 AF in an extended dry year. On that basis, the Willow CWD has sufficient capacity to meet anticipated demand (MSR 2013).

Supply and Storage

The Willow CWD has surface water rights for 1,440 AFY from November to June and 726 AFY year round through diversion of underflow of the Russian River. The Willow CWD also contracts with RRFC for 515 AFY. The Willow CWD has five wells, of which three are used only during dry months. The total capacity of the two well fields is 2,700 gallons per minute. In addition, there are nine storage tanks with a capacity of 1,348,000 gallons. The Willow CWD recently replaced one of its 100,000-gallon storage tanks with a 350,000-gallon tank. As such, Willow CWD now has a storage capacity of 1.598 million gallons (MSR 2013).

Relevant Local Agencies and Communities of Interest

The District has adjacent and overlapping borders with the City of Ukiah (See Figure 1). The Ukiah Valley Fire District, which provides fire protection services, encompasses the Willow CWD. Wastewater services are provided by the Ukiah Valley Sanitation District, though their service area only covers the northern half of the Willow CWD. Willow CWD also lies within the Russian River Flood Control and Water Conservation Improvement District Boundary (RRFC). The RRFC contracts with the Willow CWD to supply surface water to the Willow CWD.

RELEVANT PLANNING AND SERVICE FACTORS

Local planning policies and land-use designations inform LAFCo SOI decisions. Below are relevant policies and service factors that are used as a guide.

County of Mendocino General Plan- Development Element (DE)

General Plan Water Supply and Sewer (Wastewater Treatment) Services Policies:

Policy DE-186: Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-187: The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-187.1: Work aggressively with water and sewer service providers to overcome current and projected system and supply deficiencies necessary to serve planned community growth.

Action Item DE-187.2: Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-187.3: Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water/sewer systems.

Policy DE-188: Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-189: Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with land use and resource objectives of the General Plan, except where the extension is needed to address a clear public health hazard.

Policy DE-190: Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-191: Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

DISCUSSION

SPHERE OF INFLUENCE

This update considers the existing SOI as depicted in Figure 1 and proposes an updated SOI consistent with the area the District presently serves within the updated SOI.

District/City Overlap

Among the purposes of the commission are efficiently providing government services and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances (GC §56301). As discussed above, the District service area (including some out of district services) overlaps with the City of Ukiah's boundary. Territory overlap between the two agencies providing the same service should be minimized to facilitate efficient services and orderly formation.

WILLOW COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE
MENDOCINO LAFCO

Those overlap territories not receiving services from the District should be removed from the District's SOI. These include those territories identified in items "1bI", "1bII", and "1bIII" discussed above in the "Sphere of Influence" section (See Figure 2). Those territories within both the District's boundary and the City's boundary which receive services from the District should continue to be within the District's SOI. This includes the 85 customers discussed in item "1a" and the agricultural territories in "1bIV". Additionally, those territories within the City's boundary that are receiving service from the District should remain within the District's SOI; this includes those properties discussed in item "1C". No other boundary overlaps are identified at this time.

Out of District Service

Retaining those parcels designated as Suburban Residential, Rural Residential, and Remote Residential within the District's SOI is consistent with LAFCo policy. All out of district properties receiving service from the District on or before January 1, 2001 are exempt from LAFCo out-of-district-service approval (GC §56133(e)(4)). This includes all areas receiving service identified in the SOI.

Lands designated for agricultural or open space uses are typically not included in spheres for purposes of discouraging urban sprawl and preserving open space and prime agricultural lands. Nonetheless, similar to many other special districts in Mendocino County, the District's boundary and existing SOI include agriculturally-designated lands and land under Williamson Act contract (See Appendix A, Figure 4). This update proposes to exclude from the District SOI the majority of territory identified as agricultural land pursuant to GC §56016, consistent with LAFCo's objective to preserve agricultural and open-space land (See Appendix A Figures 3 & 4). However, this proposed reduced SOI maintains those areas already receiving service which have agricultural land uses because these services benefit the agricultural land uses occurring on the properties.

With respect to the areas under Williamson Act contract, those properties currently served will also remain in the SOI. These Williamson Act contracts will not experience a sphere change and therefore are not subject to GC §56426.6. In addition, the change of sphere designation to exclude non-served contracted lands would not impact their non-serviced status, would facilitate efficient land use patterns, and would not adversely impact the existing Williamson Act contracts in accordance with GC §56426.6.

There are two island areas within the District boundary which are not a part of the Willow CWD, but which are wholly surrounded by District territory. The northern island area-APN 003-410-25 receives service and is designated as Suburban Residential. The southern island area- APNs 185-050-03, -04, and -05 are all agriculturally designated and do not water receive service from the District. Typically, to promote orderly boundaries and the efficient delivery of services, the creation of islands or substantially surrounded territory are discouraged, particularly within an annexation process. Maintaining both of these islands within the SOI for the Willow CWD supports the orderly formation and development of the District's boundary.

Should annexation be proposed in the future, the potential for agricultural land conversion should be evaluated based on LAFCo policies. Pursuant to GC §56668(e), any proposed annexation shall demonstrate the effect of the proposal on maintaining the physical and economic integrity of agricultural lands. In accordance with GC §56377, development shall be guided away from existing prime agricultural lands towards areas containing nonprime agricultural lands, unless that action

would not promote the planned, orderly, efficient development of an area. Additionally, local policies and standards adopted by Mendocino LAFCo for agricultural lands should be considered.

SHARED SERVICES

The District has agreements with other water agencies to provide staffing and management services for these agencies, including: Calpella CWD, Hopland PUD, Millview CWD, Redwood Valley CWD, and River Estates Mutual Water Company. The shared staffing and management contracts are viewed as a step towards a functional consolidation between these agencies. Given the coordination of services between these districts, there may be opportunity to consider a structural consolidation in the future.

WATER SUPPLY

Water availability has long been an issue in the Ukiah Valley and is likely to constrain future development in the area (UVAP 2010, 6-3). Though not under a water moratorium, Willow CWD is a part of the regional community, utilizes the same water supply, and faces similar service challenges.

Challenges cited in the Ukiah Valley Area Plan include decreased water diversion from the Eel River, as well as difficulties and lengthy time inherent in developing new supplies in the face of increasing demand. Various unknowns complicating growth planning include the water rights of water purveyors, the definition of Russian River underflow versus groundwater, continued refinement of water agreements, and changes in imports from the Eel River through the Potter Valley Project”(UVAP 2011, 6-3). Opportunities to help alleviate the Ukiah Valley water supply issues may be considered further at the regional level by LAFCo.

ANALYSIS

As presented in the introduction, when updating the SOI, the Commission considers and adopts written determinations. The following are the formal determinations for this SOI Update:

1.) Present and Planned Land Use

The existing SOI includes agriculturally-designated lands and land under Williamson Act contract. This update proposes to exclude the majority of territory identified as agricultural lands pursuant to GC §56016 and LAFCo’s objective to preserve agricultural and open-space land. However this proposed reduced SOI maintains those areas already receiving water service which have agricultural land uses because these services benefit the agricultural uses occurring on the properties.

The change of sphere designation to exclude non-served Williamson Act contracted lands does not impact their unserved status, facilitates efficient patterns of land use, and is not likely to adversely impact the existing Williamson Act contracts in accordance with GC §56426.6.

2.) Present and Probable Need for Public Facilities and Services

The Willow CWD provides out of district services to approximately 106 parcels within their existing SOI. The District reports that they are considering annexation of some or all of the properties receiving services within the existing SOI. Those properties receiving service outside of District boundaries represent a need for service external to District boundaries. A 2020 District population of 4,222 is estimated based on a conservative 1.0 percent annual growth rate and 4,418 based on higher growth estimate of 1.63 percent. Given this estimated growth, additional demand for services within the District and SOI are anticipated.

3.) Present Capacity of Facilities and Adequacy of Public Services

Demand for water services from the District is expected to increase to 1,904 AF by 2030 if required conservation measures are not put in place. Total supply from all sources is estimated at 2,681 AF in a normal year and 2,308 AF in an extended dry year. On this basis, the District has sufficient capacity to meet anticipated demand within the District and reduced SOI.

4.) Social and Economic Communities of Interest

The larger Ukiah Valley is a community of interest for purposes of coordinating common water supply and management needs. Multiple agencies provide water services in a community which shares geography and in most cases, the same water source. The District has a common interest with other local water purveyors to manage the water supply systems and watersheds of the Ukiah Valley.

5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs)

The City of Ukiah has been identified as disadvantaged but is incorporated and therefore does not qualify as a DUC. It stands to reason that sections of unincorporated territory surrounding the City may also qualify as disadvantaged, though no area has been identified as such at this time. Should the District pursue annexation, DUC communities within the District's vicinity may be examined further.

CONCLUSIONS

This update considers the existing SOI relative to services provided and its consistency with LAFCo policies. The existing SOI should be reduced to exclude the majority of territory identified as agricultural lands pursuant to GC §56016 and consistent with LAFCo's objective to preserve agricultural and open-space land. The following considerations guide the proposed SOI reduction:

1. Those properties receiving service within the existing SOI remain within the proposed updated sphere.
2. Those properties designated as Suburban Residential, Rural Residential and Remote Residential within the District's SOI are considered appropriate to receive municipal water services consistent with LAFCo policy. They remain within the proposed updated SOI.
3. Those properties which overlap with the City of Ukiah boundary and do not receive services from the District are excluded from the proposed updated sphere.
4. APNs 003-330-69 and -70, which are within the District's boundary, should also be excluded from the District's proposed updated SOI as they do not receive District service. Both the District and City have agreed that the City serves this area.
5. Territories recognized as agricultural, rangeland, or open space are removed from the SOI with the exceptions of those territories receiving services and the island territories listed in the above *Discussion* section.

See proposed 2016 SOI in Figure 1.

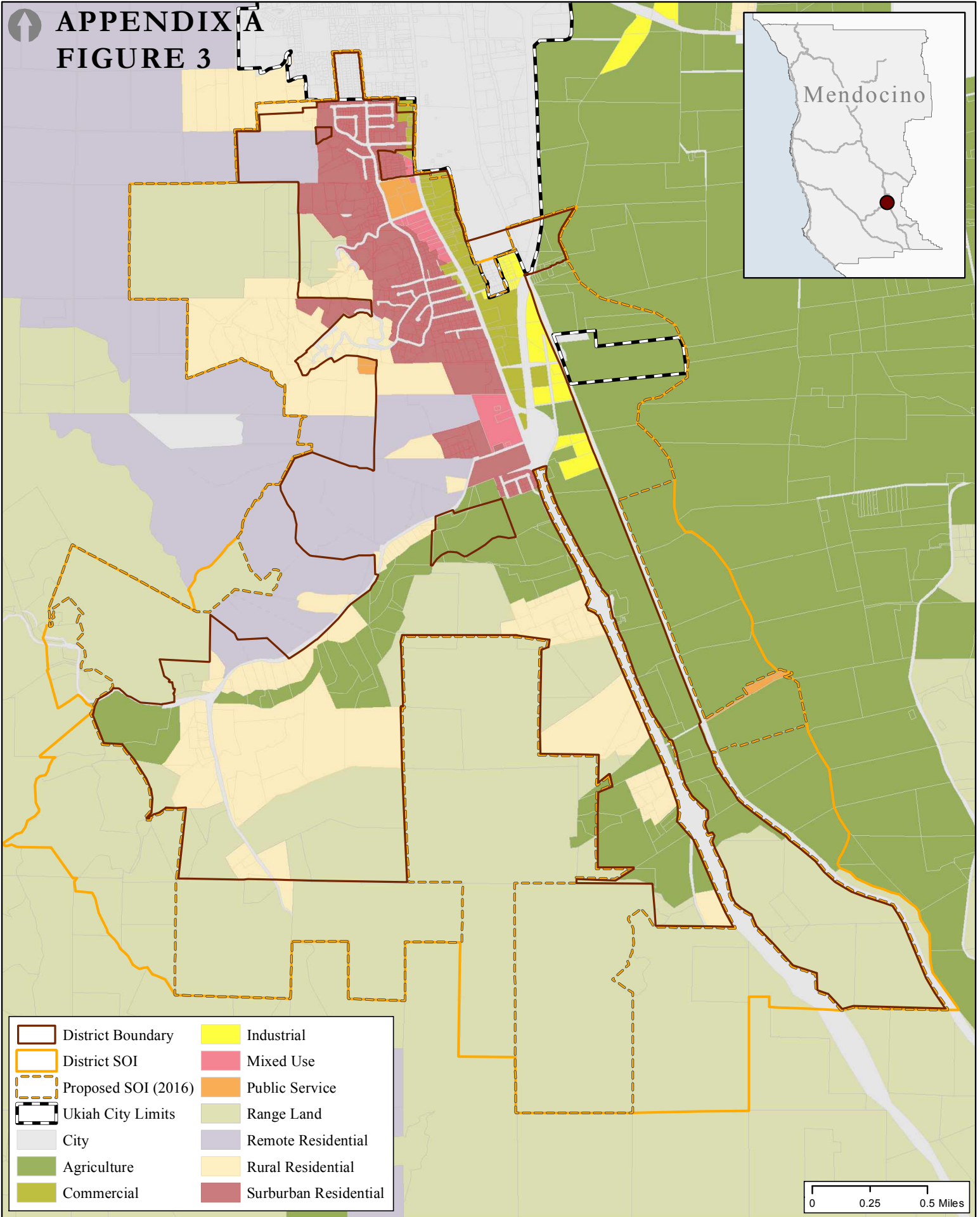
Further consideration may be given to the water supply issues in the Ukiah Valley and the potential for consolidation of multiple agencies providing water services within this area.

REFERENCES

- (Census American FactFinder, 2010) United States Census Bureau. Community Facts- City of Ukiah, California.
http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml?src=bkmk
- (UVAP 2011) Mendocino County. Ukiah Valley Area Plan, August 2011.
<http://www.co.mendocino.ca.us/planning/UVAP.htm>
- Ukiah Valley Municipal Service Review, 2013. LAFCO of Mendocino County. May 6, 2013. E Mulberg & Associates

DRAFT

APPENDIX A
FIGURE 3



District Boundary	Industrial
District SOI	Mixed Use
Proposed SOI (2016)	Public Service
Ukiah City Limits	Range Land
City	Remote Residential
Agriculture	Rural Residential
Commercial	Suburban Residential

0 0.25 0.5 Miles

Willow County Water District

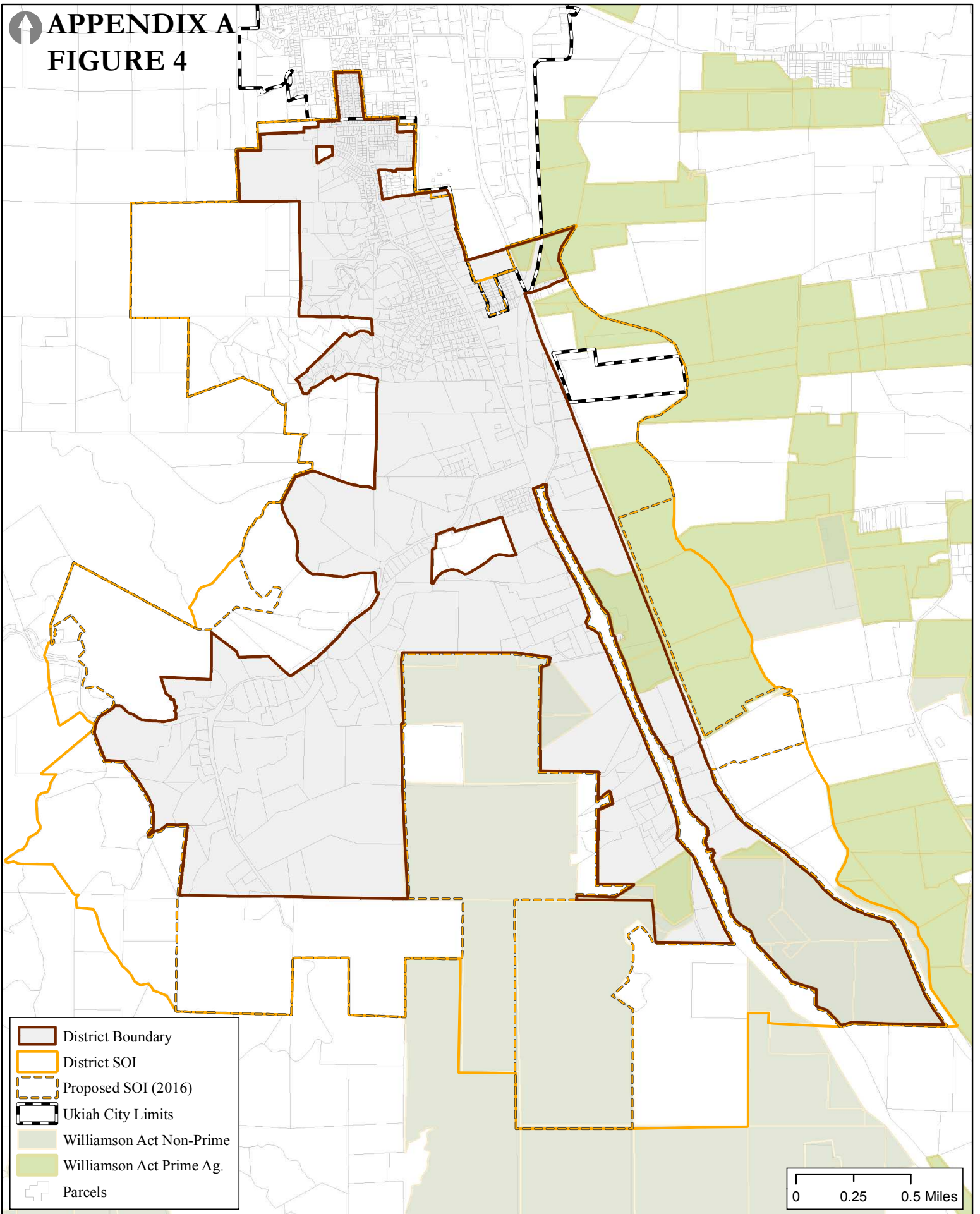
Land Use Designations

Sources: Boundaries: Mendocino County; Roads: US Census TIGER.

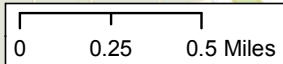
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Prepared for **PLANWEST PARTNERS, INC.**
Mendocino
LAFCo by: Date: 3/16/2016

APPENDIX A
 FIGURE 4



	District Boundary
	District SOI
	Proposed SOI (2016)
	Ukiah City Limits
	Williamson Act Non-Prime
	Williamson Act Prime Ag.
	Parcels



Willow County Water District
 Williamson Act Agriculture Lands

Prepared for **PLANWEST PARTNERS, INC.**
 Mendocino
 LAFCo by: Date: 3/25/2016

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: April 4, 2016
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: MSR Completion Update

Background

At the November 2015 Executive Committee Meeting, staff was given direction to address the majority of the MSRs in LAFCo records and create adopted documents for posting on the Mendocino LAFCo website. At the January 4th 2016 meeting, staff provided a table which presented an overview of all agencies and their current MSR status. Subsequent to the January meeting, staff has made significant progress addressing the MSR documents and has updated the table (see attached).

Recommendation

This item has been agenized for information only. Staff recommends the Commission review and discuss the report and provide additional direction, as necessary.

Attachments: 1) MSR Overview Table

Mendocino LAFCo MSR Overview as of March 28, 2016

Type	Agency	MSR Preparer	Date of Comm. Final Adoption	Adopted Document Present in LAFCo Records	Notes
FIRE	Redwood Coast Fire Protection District	2006: McMichael	Oct 2006	Present	Available on website
CITY	City of Fort Bragg	2008: McMichael	Aug 2008	Present	Available on website
PARK	Mendocino Coast Recreation and Park District	2008: ukn	Aug 2008	Present	Available on website
CSD	Mendocino City Community Services District	2008: McMichael	Nov 2008	Present	Available on website
CSD	Brooktrails Township Community Services District	2010: McMichael	Oct 2010	Present	Available on website
CSD	Covelo Community Services District	2010: McMichael	Sept 2010	Present	Available on website
FIRE	Fort Bragg Rural Fire Protection District	2011: Barraco	Sept 2011	Present	Available on website
CITY	City of Ukiah	Mulberg	Sept 2012	Present	Available on website
UVD	Hopland Public Utility District	Mulberg	Mar 2013	Present	Available on website
UVD	Calpella County Water District	Mulberg	May 2013	Present	Available on website
UVD	Millview County Water District	Mulberg	May 2013	Present	Available on website
UVD	Potter Valley Irrigation District	Mulberg	May 2013	Present	Available on website
UVD	Russian River Flood Control and WCID	Mulberg	May 2013	Present	Available on website
UVD	Ukiah Valley Fire Protection District	Mulberg	May 2013	Present	Available on website
UVD	Willow County Water District	Mulberg	May 2013	Present	Available on website
UVD	Redwood Valley County Water District	Mulberg	May 2013	Present	Available on website
WAT	Caspar South Water District	Baracco	Adopt for 12 mo: Dec '14	Present	Available on website
CONS	Mendocino County Resource Conservation District	Baracco	Aug 2014	Present	Available on website
HEALTH	Mendocino Coast Health Care District	Baracco	Aug 2014	Present	Available on website
CSD	Anderson Valley Community Services District	Baracco	Feb 2014	Present	Available on website
HARBOR	Noyo Harbor District	Baracco	Feb 2014	Present	Available on website
UVD	Ukiah Valley Sanitation District	Baracco	Mar 2014	No	Adopted version in progress by staff
WAT	Irish Beach Water District	Baracco	Nov 2014	Present	Available on website
CSD	Gualala Community Services District	Baracco	Oct 2014	Present	Available on website
WAT	Elk County Water District	Baracco	Oct 2014	Present	Available on website
WAT	Laytonville County Water District	Baracco	Oct 2014	No	Adopted version in progress by staff

Mendocino LAFCo MSR Overview as of December 28, 2015

WAT	Pacific Reefs Water District	Baracco	Oct 2014	Present	Available on website
WAT	Round Valley County Water District	Baracco	Oct 2014	Present	Available on website
WAT	Westport County Water District	Baracco	Oct 2014	Present	Available on website
CITY	City of Point Arena	Baracco	Feb 2015	Present	Available on website
CITY	City of Willits	Baracco	Feb 2015	No	Adopted version in progress by staff
FIRE	Covelo Fire Protection District	Baracco	Mar 2015	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	Hopland Fire Protection District	Baracco	Mar 2015	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	Leggett Valley Fire Protection District	Baracco	Mar 2015	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	Little Lake Fire Protection District	Baracco	Mar 2015	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	Long Valley Fire Protection District	Baracco	Mar 2015	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	Albion-Little River Fire Protection District	Baracco	Nov 2015	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	Mendocino Fire Protection District	Baracco	Nov 2015	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	Potter Valley Community Services District	Baracco	Nov 2015	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	Redwood Valley-Calpella Fire Protection District	Baracco	Nov 2015	Present	Will be posted to the website subsequent to final Commission adoption
CEM	Anderson Valley Cemetery District	Baracco	None Adopted	None Adopted	None Adopted
CEM	Cemetery District of the Redwoods	Baracco	None Adopted	None Adopted	None Adopted
CEM	Covelo Public Cemetery District	Baracco	None Adopted	None Adopted	None Adopted
CEM	Hopland Cemetery District	Baracco	None Adopted	None Adopted	None Adopted
CEM	Mendocino-Little River Cemetery District	Baracco	None Adopted	None Adopted	None Adopted
CEM	Potter Valley Cemetery District	Baracco	None Adopted	None Adopted	None Adopted
CEM	Russian River Cemetery District	Baracco	None Adopted	None Adopted	None Adopted
CEM	Westport-Ten Mile Cemetery District	Baracco	None Adopted	None Adopted	None Adopted
FIRE	Elk Community Services District	Baracco	Mar 2016	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	Comptche Community Services District	Baracco	Mar 2016	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	Piercy Fire Protection District	Baracco	Mar 2016	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	South Coast Fire Protection District	Baracco	Mar 2016	Present	Will be posted to the website subsequent to final Commission adoption
FIRE	Westport Volunteer Fire Department	Baracco	Mar 2016	Present	Will be posted to the website subsequent to final Commission adoption