

MENDOCINO

Local Agency Formation Commission

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

COMMISSIONERS

Tony Orth, Chair

Special District Member

Scott Ignacio, Vice-Chair

City Member

Gerald Ward, Treasurer

Public Member

Matthew Froneberger

Special District Member

Glenn McGourty

County Member

Maureen Mulheren

County Member

Mari Rodin

City Member

Gerardo Gonzales, Alternate

City Alternate Member

John Haschak, Alternate

County Alternate Member

Richard Weinkle, Alternate

Public Alternate Member

Vacant, Alternate

Special District Member

STAFF

Executive Officer

Uma Hinman

Analyst

Larkyn Feiler

Commission Clerk

Kristen Meadows

Counsel

Scott Browne

REGULAR MEETINGS

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

A G E N D A

Regular Meeting of **Monday, June 6, 2022 at 9:00 AM**

Special Notice

On September 16, 2021, Governor Newsom signed AB 361, which modified the Brown Act to allow for teleconferencing participation at local legislative body public meetings during a proclaimed state of emergency. As urgency legislation, this law took effect immediately. Pursuant to Government Code §54953(e)(1)(B), the Commission will conduct its March 7, 2022 meeting by Zoom. Therefore, Commissioners, staff and members of the public will attend this meeting via teleconference, as provided below.

Instructions for Meeting Participation

Join Meeting Live: Please click the following Zoom link below to join the meeting or utilize the telephone option for audio only.

1. Zoom meeting link: <https://mendocinocounty.zoom.us/j/83447245993>

2. Telephone option (audio only):

Dial: **(669) 900-9128** (Please note that this is not a toll-free number)

Meeting ID: **834 4724 5993**

Public Participation is encouraged and public comments are accepted:

1. Live: via the Zoom meeting link or telephone option above

2. Via Email: eo@mendolafco.org by 8:30 a.m. the day of the meeting

3. Via Mail: Mendocino LAFCo, 200 S School Street, Ukiah, CA 95482

Meeting Participation

To provide comments, please use the raise hand function in Zoom.

a) For those accessing from a computer, tablet, or smartphone, the raise hand function may be selected by clicking or tapping it from the reactions options. When joining the Zoom meeting, please enter your name so that you can be identified to speak.

b) For those utilizing the telephone option (audio only), please use the raise hand feature by pressing *9 on your keypad to raise your hand, and *6 to unmute yourself. When it is your turn to speak, you will be called on by the last four digits of your phone number, if available, and asked to identify yourself for the record.

All comments received will be conveyed to the Commission for consideration during the meeting. All meetings are live-streamed, recorded and available through the link below.

The Commission appreciates the public's flexibility and patience during this health crisis.

Live web streaming and recordings of Regular Commission meetings are available via the [Mendocino County YouTube Channel](#).

Links to recordings, approved minutes, and meeting documents are available on the LAFCo website: <https://www.mendolafco.org/commission-meetings>

1. CALL TO ORDER and ROLL CALL

2. AB 361 REMOTE TELECONFERENCING ACTION

Pursuant to AB 361, the Commission will consider the status of the ongoing emergency and facts related to health and safety of meeting attendees due to COVID-19 and consider Resolution No. 2021-22-10 making further findings related to holding this Commission meeting by teleconference pursuant to the provisions of Government Code Section 54953(e).

3. PUBLIC EXPRESSION

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. See public participation information above.

4. CONSENT CALENDAR

The following consent items are expected to be routine and non-controversial, and will be acted on by the Commission in a single action without discussion, unless a request is made by a Commissioner or a member of the public for discussion or separate action.

4a) May 2, 2022 Regular Meeting Summary

4b) May 2022 Claims & Financial Report

5. PUBLIC HEARING ITEMS

5a) County Service Area No. 3 Municipal Service Review and Sphere of Influence Study

The Commission will hold a Public Hearing and consider a Municipal Service Review (MSR) and Sphere of Influence (SOI) establishment study as required by LAFCo law. The final report includes written determinations on the level and scope of services provided by County Service Area No. 3 (CSA 3). RECOMMENDED ACTIONS: 1) Find the County Service Area No. 3 Municipal Service Review and Sphere of Influence Study is exempt from CEQA pursuant to 14 CCR §15061(b)(1) & (2), §15306, §15301(c), and §15269(b) & (c) and approve the Notice of Exemption for filing; and 2) Adopt LAFCo Resolution 2021-22-17, approving the County Service Area No. 3 Municipal Service Review and Sphere of Influence Study and establishing a Service Specific Sphere of Influence for CSA 3 that is limited to the future Sherwood Firewise Community Zone of Benefit for road maintenance of emergency access routes, and designating an Area of Interest for the Ukiah Eastern Hills, Fire Service Gaps, and Water Service Gaps Study Areas.

5b) Final Budget and Work Program for Fiscal Year 2022-23

The Commission will consider and take action on the Final Budget and Work Program for Fiscal Year (FY) 2022-2023. RECOMMENDED ACTIONS: 1) Adopt LAFCo Resolution 2021-22-18 with Exhibits A and B approving the Final Budget and Work Program for Fiscal Year 2022-23, which reflect the priorities for the coming fiscal year, and 2) direct the Executive Officer to transmit the Final Budget and Work Program for FY 2022-23 to the funding agencies and others as specified in Government Code §56381.

6. WORKSHOP ITEMS

None

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION

7a) Letter of Support to the State Water Resources Control Board

The Commission will consider a letter of support to the State Water Resources Control Board for funding and process support to improve efficiencies of water service provision in the Ukiah Valley.

8. INFORMATION AND REPORT ITEMS

The following informational items are reports on current LAFCo activities, communications, studies, legislation, and special projects. General direction to staff for future action may be provided by the Commission. No immediate action will be taken on any of the following items.

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

8b) Correspondence (Copies provided upon request)

8c) CALAFCO Business and Legislative Report

8d) Executive Officer's Report (Verbal)

8e) Committee Reports (Executive Committee, Policies & Procedures, Work Plan Ad Hoc) (Verbal)

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

- Certificate of Commendation for Commission Bazzani

ADJOURNMENT

The next Regular Commission Meeting is tentatively scheduled for Monday, **July 11, 2022** at 9:00 AM.
Meeting may be held remotely due to current State and local mandates related to the COVID-19 pandemic.

Notice: This agenda has been posted at least 72 hours prior to the meeting and in accordance with the temporary Brown Act Guidelines instated by State Executive Order N-29-20 and AB 361.

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: Because the meeting is being held by teleconference, if you are hearing impaired or otherwise would have difficulty participating, please contact the LAFCo office as soon as possible so that special arrangements can be made for participation, if reasonably feasible.

Fair Political Practice Commission (FPPC) Notice: State Law requires that a participant in LAFCo proceedings who has a financial interest in a Commission decision and who has made a campaign contribution to any Commissioner in the past year must disclose the contribution. If you are affected, please notify the Commission before the hearing.

**Resolution No. 2021-22-16
of the Mendocino Local Agency Formation Commission**

Making Continued Findings Pursuant to Assembly Bill 361 to Conduct Remote Public Meetings for the Commission and its Standing Committees During a Proclaimed State of Emergency Due to the COVID-19 Pandemic

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, is committed to preserving and nurturing public access and participation in meetings of the Commission; and

WHEREAS, all the meetings of the Commission are open and public, as required by the Ralph M. Brown Act (“Brown Act”) (California Government Code 54950 -54963), so that any member of the public may attend, participate, and watch the Commission conduct business; and

WHEREAS, the Brown Act, Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the boundaries of Mendocino County, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, if the legislative body meeting in person would present imminent risks to the health and safety of attendees, Commissioners and staff; and

WHEREAS, the Commission previously adopted a Resolution, Number 2021-22-06 on November 1, 2021, finding that the requisite conditions continue to exist for the legislative bodies of Mendocino Local Agency Formation Commission to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the Commission must reconsider the circumstances of the state of emergency that exists in the County, and the Commission has done so; and

WHEREAS, such conditions now exist in the County of Mendocino, specifically, the State of Emergency proclaimed by Governor Newsom on March 4, 2020, due to the COVID 19 pandemic; and

WHEREAS, the California Department of Public Health and the Mendocino County Public Health Department continues to recommend requiring face coverings in all public indoor settings attributable to the rise in SARS-CoV-2 Delta Variant and the Commission cannot be certain that all persons in attendance at meetings will follow the guidelines or be fully vaccinated; and

WHEREAS, the Commission does hereby find that the rise in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of persons within the County that are likely to be beyond the control of the Commission or its staff, and desires to proclaim a local emergency exists and ratify the proclamation of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Commission does hereby find that the legislative bodies of the Mendocino Local Agency Formation Commission shall continue to conduct their meetings without compliance with Government Code Section 54953(b)(3), as authorized by Section 54953(e), and that such legislative bodies shall comply with the requirements to provide the public with access to meetings as prescribed in Section 54953(e)(2); and

WHEREAS, the Commission provides written agenda that fully describes the process for the public to fully participate in the Commission's virtual meetings to include viewing, listening and commenting in real time on all agenda items; and

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

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Commission hereby proclaims that a local emergency now exists throughout the Commission's jurisdictional boundaries, and the rise in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of all persons participating in the Commission's meetings that are likely to be beyond the control of the Commission or its staff, equipment, and facilities of the Commission.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Commission hereby ratifies the Governor of the State of California's Proclamation of State of Emergency for COVID 19, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The Executive Officer and the Mendocino Local Agency Formation Commission are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the next regular meeting of the Commission when the Commission shall consider renewing its findings by subsequent resolution, in accordance with AB 361 and in accordance with Government Code section 54953(e)(3).

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 6th day of June, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CHARLES A. ORTH, Commission
Chair

ATTEST:

UMA HINMAN, Executive Officer

DRAFT

MENDOCINO

Local Agency Formation Commission

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COMMISSIONERS

Tony Orth, Chair

Brooktrails Township CSD

Scott Ignacio, Vice Chair

Point Arena City Council

Gerald Ward, Treasurer

Public Member

Matthew Froneberger

Special District Member

Glenn McGourty

County Board of Supervisors

Maureen Mulheren

County Board of Supervisors

Mari Rodin

City Member

Vacant

Ukiah Valley Fire District

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Richard Weinkle, Alternate

Public Member

STAFF

Executive Officer

Uma Hinman

Analyst

Larkyn Feiler

Commission Clerk

Kristen Meadows

Counsel

Scott Browne

REGULAR MEETINGS

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

Agenda Item No. 4a

DRAFT MINUTES

Local Agency Formation Commission of Mendocino County Regular Meeting of Monday, May 2, 2022

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

1. CALL TO ORDER and ROLL CALL (Video Time 0:36)

Chair Orth called the meeting to order at 9:00 a.m.

Regular Commissioners Present: Tony Orth, Scott Ignacio, Gerald Ward, Glenn McGourty, Matthew Froneberger, and Maureen Mulheren

Regular Commissioners Absent: Mari Rodin

Alternate Commissioners Present: Gerardo Gonzalez (immediately seated for Commissioner Rodin)

Alternate Commissioners Absent: John Haschak and Richard Weinkle

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

2. AB 361 REMOTE TELECONFERENCING ACTION (Video Time 1:39)

The Commission adopted Resolution No. 2021-22-14 making continued findings pursuant to Assembly Bill 361 to conduct public meetings remotely due to the COVID-19 pandemic.

Commissioner Ward asked when meetings in the Board Chambers will resume. EO Hinman answered that consideration of other agency use of the Chambers is on hold until Summer.

Motion by Commissioner Ignacio to adopt Resolution No. 2021-22-14.

Second by Commissioner Froneberger.

Approved by roll call vote: unanimous.

Ayes: (7) Froneberger, Gonzalez, Ignacio, McGourty, Mulheren, Ward, Orth

3. PUBLIC EXPRESSION None

4. CONSENT CALENDAR (Video Time 5:50)

4a) April 4, 2022 Regular Meeting Summary

There were no comments from the Commission regarding the Meeting Summary.

4b) April 2022 Claims & Financial Report

Treasurer Ward thanked Staff for the Reconciliation report included in the AP packet.

April 2022 Claims totaling:	\$19,875.28
Hinman & Associates Consulting	15,214.64
P. Scott Browne	900.00
County of Mendocino (A-87)	2,462.00
Comcast	93.67
Newspapers	610.02
Streamline	50.00
Ukiah Valley Conference Center	544.95

4c) Fiscal Year 2020-21 Audit

Chair Orth commended staff for work on the Audit.

Motion by Commissioner Mulheren to approve the Consent Calendar.

Second by Commissioner McGourty.

Approved by roll call vote: unanimous.

Ayes: (7) Ward, Froneberger, Mulheren, McGourty, Ignacio, Gonzalez, Orth

5. PUBLIC HEARING ITEMS (Video Time: 8:06)

5a) Proposed Budget and Work Plan for Fiscal Year 2022-23

EO Hinman presented the staff report. Then she presented the proposed budget that includes a Work Plan Contingency that will function as a reserve for work plan tasks. The funds will serve as a buffer to accommodate unanticipated expenses associated with the preparation of MSR/SOI studies. The table below summarizes the Proposed Budget, Reserves and Work Plan Contingency:

Table 1. Summary of Proposed FY 2022-23 Reserves and Work Plan Contingency		
	Projected FY 2022-23 (\$)	Proposed FY 2021-22 (\$)
Budget	200,675	263,800
Revenue/Funds		
Apportionment fees	265,000	265,000
Misc. Revenue (interest)	100	100
Difference	64,425	1,300
Reserves		
Balance at beginning of FY	81,040	106,750
<i>Target Reserves balance per policy</i>	106,750	115,950
Estimated Unreserved Equity	38,715	(7,900)
Proposed Work Plan Contingency	38,715	30,815

The Work Plan for the next FY will focus on the continued development of the City of Ukiah (City) and the Ukiah Valley Sanitation District (UVSD) studies for the first half, and the second half will focus on the inland and coastal water districts in response to the local drought conditions.

The final Budget and Work Plan Public Hearing is scheduled for June 6, 2022.

Comments and Questions from the Commission

Commissioner Mulheren asked if there is a contingency plan for budget shortfalls. Chair Orth highlighted Staff’s development of the Work Plan Contingency addresses the potential issue. EO Hinman added that the new service rates, proposed to go into effect July 1, 2022, include a portion of overhead and long-term planning costs and should help offset any potential increase in workload related expenses are.

Commissioner Ward asked how the Work Plan’s \$70,000 will be allocated? EO Hinman referenced Table 3 in the agenda packet.

The total Work Plan Budget of \$70,000 is not limited to the following designations. These budget allocations may shift to other agencies as needed during the year.	City of Ukiah	\$15,000
	Ukiah Valley Sanitation District	\$10,000
	Coastal Water Districts (6)	\$20,000
	Inland Water Districts (8)	\$25,000
Total		\$70,000

Commissioner Ward noted that his calculation of projected fiscal year end savings may result in an additional \$42,000 that he suggested be used to include the City of Point Arena to the next fiscal year Work Plan. He also noted that potential changes in organization for some of the agencies would eliminate the need for their studies.

Commissioner Froneberger commented that the chances of Inland Water District consolidation are slim. He expressed support for Staff's proposed Work Plan agencies and budget.

EO Hinman clarified that cash rollover allocated for Work Plan tasks in the current FY budget into the next is anticipated to be utilized for the City and UVSD studies and may not be available for reallocation. She noted that Staff is proposing to review 16 agencies in the next FY. The proposed workload and staff capacity will likely not allow for the addition of any other studies. She emphasized the necessity for the water agency studies regardless of consolidation.

Commissioner Ward commented on the trend in higher apportionment fees in relation to Work Plan progress. Commissioner McGourty echoed Commissioner Ward's comments and concerns regarding the progress of the Work Plan studies, specifically the City of Ukiah and UVSD.

EO Hinman reminded the Commission of the comprehensive update on the status of both agencies provided at the April Regular Meeting and invited them to review the detailed documents and timeline included in the April agenda packet available on the LAFCo website.

Motion by Commissioner Ignacio to adopt Resolution 2021-22-15 approving the Proposed Budget and Work Program for Fiscal Year 2022-2023 and directing the Executive Officer to distribute the Draft Budget and Work Program to the 54 funding agencies for review and comment, and to schedule a public hearing, pursuant to Government Code Section 56381, for consideration and adoption of a Final Budget and Work Program for FY 2022-2023 at the June 6, 2022 Regular LAFCo Meeting.

Second by Commissioner Froneberger.

Approved by roll call vote:

Ayes: (6) Mulheren, McGourty, Gonzalez, Froneberger, Ignacio, Orth

Noes: (1) Ward

6. WORKSHOP ITEMS None

7. MATTERS FOR DISCUSSION AND POSSIBLE ACTION (Video Time: 40:32)

7a) SWRCB Presentation and Request for Support of Water Services Reorganization Efforts in Ukiah Valley

Michelle Frederick, of the State Water Board's Safe and Affordable Funding for Equity and Resilience (SAFER) Program provided an informational report on consolidation programs and coordination efforts in the County. As a former employee of the local Drinking Water Division, she has years of knowledge Mendocino County water services. EO Hinman reminded the Commission of its recommendation in the last round of municipal service reviews for water districts to consolidate water service providers for more efficient and reliable service provision. The SWRCB, City of Ukiah and Ukiah Valley water districts' staff have requested a letter of support from LAFCo for the agencies' efforts in developing consolidation plans, future application to LAFCo, and to pursue grant funding for the studies and process.

Ms. Frederick began by explaining the fragmented infrastructure of water systems in California and the Board's reorganization efforts. A needs analysis revealed that of the 7,300 statewide public water systems, 77% of community water systems serve less than 1000 connections and 90% of violations are from systems serving less than 500 connections. Therefore, the Board's concentration is on efficiency and drought resilience through regional partnerships and consolidations. The SAFER program's website offers tools and information including boundaries, well density, system risk status, and census data. Current consolidation efforts include letters to water agencies recommending consolidation, workshops, an increase in large regional consolidation projects and consolidation grant incentives. The Water Board is offering new funding opportunities for Receiving Water Systems – systems that take in smaller water systems. A full consolidation can receive up to a \$5 million incentive grant and up to \$10 million zero interest loan for an individual project which are in addition to Board coverage of consolidation costs. These opportunities are generational due to increased available funding – \$1.1 Billion in various SAFER Program opportunities. For the Ukiah Valley conversations, the Board is asking for a letter of support as an indication of general acceptance of consolidation efforts and willingness to work together.

Commissioner Froneberger suggested that most water system violations are reporting and or laboratory issues rather than water quality issues. Ms. Frederick confirmed that most of the violations revealed in the analysis were water quality issues.

Commissioner McGourty asked if there has been any communication with Rogina Water Company regarding its water supply challenges and aging infrastructure. Ms. Frederick responded that she personally had not had conversation with the district but was aware of conversations between the Water Board's District Office and the water agency about aging infrastructure and succession planning. She has had conversations with the City of Ukiah as to whether they would be included in the consolidation planning process.

Commissioner McGourty also asked about the governing structure of a consolidation. Ms. Frederick answered that most consolidations are run by one organization for maximum efficiency.

Sean White, City of Ukiah Director of Water/Sewer Utilities, commented that Rogina Water Company is a private agency not available for sale and will not be participating in the consolidation efforts.

Commissioner Ward asked about the consensus among the local water agencies regarding consolidation. Ms. Frederick responded that she is more optimistic now due to the City's initiation of the conversation and the increased support from the agencies.

Commissioner Ward asked if the available funding includes federal funds. Ms. Frederick confirmed that Commissioner Ward was referring to Redwood Valley, and then answered that the community would have to be designated and a Disadvantage Community to allow the Water Board to consider the use of federal funds in the form of restructuring and asked to continue the conversation offline.

Commissioner Mulhern commented that changes in leadership can challenge agencies and expressed appreciation for the conversation with the Water Board, the City and the local water agencies.

Darcy Antle, Mendocino County Interim CEO, expressed interest in joining the offline conversation about the Redwood Valley water situation.

Commissioner Ignacio asked that the PowerPoint presentation be made available to the Commission for further review and for publication on the LAFCo website.

Commissioner McGourty commented on resiliency, and the significant amount of groundwater available in the Ukiah Valley and working together.

Chair Orth reminded the commission that the Item was a request to consider providing a letter of support.

Commissioner Froneberger expressed support of consolidation but cautioned against rushing a decision on consolidation. He stressed the need for public transparency as it has not happened in the past. Although LAFCo's typically support consolidations per its mandates, he does not believe it is proper for LAFCo to support a specific consolidation. He encouraged recognition of the hard work that has been done in laying the groundwork for a JPA.

Elizabeth Salomone, General Manager of the Russian River Flood Control District, encouraged public education, transparency, and consideration of other agencies effected by consolidation.

Mr. White clarified that the goal of the presentation and requested letter is for a vote of confidence from LAFCo in the consolidation efforts to help encourage leadership to agree with the viability of consolidation. He commented that time is of the essence due to the significant cost of consolidation and the current availability of funds through the State Water Board.

Commissioners Ward, Orth, McGourty, and Gonzalez expressed support for consolidation with public transparency. Chair Orth suggested hosting a public water forum in September at the height of fire season and when stress from the drought will be on the minds of the public.

Ms. Salomone asked EO Hinman if the previous LAFCo recommendations for consolidation included the City. EO Hinman answered that it did not, rather, it focused on the water districts surrounding the City and included the Hopland Public Utility District. Ms. Salomone then asked the Commission to share the determination contributing to its support of consolidation.

Motion by Commissioner Gonzalez to direct staff to prepare a letter of support to the SWRCB, City of Ukiah, and Ukiah Valley water districts for potential reorganization of water service providers in the Ukiah Valley.

Second by Commissioner Mulheren.

Approved by roll call vote:

Ayes: (6) Ward, Mulheren, Gonzalez, Ignacio, McGourty, Orth

Noes: (1) Froneberger

Following the vote Commissioners Orth, McGourty, and Froneberger thanked the State Water Board for its engagement with Mendocino County.

7b) Report on Work Program Status and Commission Assignments (Video Time: 1:27:47)

EO Hinman shared an informational report in response to questions from the Commissioners regarding assigned tasks.

She reminded the Commission that the budget allows for 0.7 full-time equivalent employee hours shared between the EO, Analyst, and Clerk. The following principles adopted by the Commission in 2012 guide prioritization of staff's workload:

1. Public Inquiries – Staff responds to 3-5 inquires a week.
2. Application Processing – Two applications were completed this fiscal year: City of Ukiah Annexation to the Ukiah Valley FPD, Fort Bragg Out of Agency Services Agreement. Applications in progress: Annexation of City owned properties, and Elk CSD activation of latent wastewater powers. In addition, staff spends time working on applications that are pending formal submission.
3. Work Plan Implementation

EO Hinman shared a summary status of the current work plan tasks. The studies for Covelo CSD and the Ukiah Valley FPD are complete and the study for CSA 3 is 90% complete. A detailed report on the status of the UVSD and the City of Ukiah was presented at the last meeting.

In addition, the following policies have been assigned for updates/development:

1. SOI Policy Update. Staff recommends placing this task on hold due to the timing of other projects in process.
2. Emergency out of Agency Water Transfer Policy. The task was assigned in response to the drought emergency. However, with the installation of Fort Bragg's desalination plant, it has lost its urgent necessity. However, Staff continues to participate in drought coordination efforts. She noted Governor Newsom's March 2022 Executive Order suspending the prohibition of hauling water out of a basin. The decision could affect LAFCo's ability to address out of agency provisions of services.
3. Electronic Signature Policy. Following its adoption in 2021, staff investigated the ability to electronically sign checks and has been unable to identify a secure method allowing for the two signatures required by policy. Staff will continue to research e-signature options and will work with Treasurer Ward and the banks to find a solution.

Other Assignment(s):

- SALC Grant Project – completed April 30, 2022.
- Office Operations

Commissioner Ward suggested working with the Work Plan Ad Hoc Committee regarding Staff's workload.

Chair Orth noted that he has been signing resolutions electronically.

Commissioner McGourty asked if emergency passages for Brooktrails are still being explored. EO Hinman responded that the pilot project will be addressed in the CSA 3 MSR/SOI. The Public Hearing is scheduled June 6, 2022.

INFORMATION AND REPORT ITEMS

8a) Informational Presentation on the City of Ukiah 2040 General Plan Update (Video Time: 1:43:37)

(Craig Schlatter, City of Ukiah Community Development Director)

Craig Schlatter, Community Development Director for the City of Ukiah, provided an overview and update on the City of Ukiah's General Plan (GP) Update process, community engagement efforts, and methodologies.

The General Plan Update process began in the spring of 2019. Of the 6 phases, Mr. Schlatter and his team are currently in phase 3 of the process, Alternative Choices. The General Plan Update Environmental Impact Report (EIR) is projected to be ready for certification and adoption at the end of 2022.

A workshop for the Land Use Alternatives Process, the most important part of the GP, was hosted on April 12, 2022. The Planning Commission and City Council were asked to choose one of three preferred alternatives to serve as the basis for the Land Use element, the details of which were included in the Land Use Memo, released in February 2022 in preparation for the workshop. The Planning Commission unanimously chose option 3 which will apply to the current City and annexation areas within the proposed SOI.

Annexation areas:

- City Owned Properties, 437 acres
- Brush Street/Masonite area, 473 acres
- Ukiah Western Hills, 707 acres

The driving force behind the planning methodology for Land Use are the following Policy Directives and Resolution.

Policy Directives

- Update the GP
- Update the SOI
- Improve efficiencies/public service and protect Natural Resources

Resolution 2020-06:

“The city will pursue, supply for and support the annexation of unincorporated areas to the City to avoid negative consequences of continued urban sprawl and to ensure the efficient provision of municipal services to unincorporated areas without placing undue financial burden on the City or its residents.”

In closing Mr. Schlatter announced that staff will be recommending, for the first time in the City’s history, an Agricultural Element to protect land use and promote synergy in the City’s proposed SOI.

More information can be found on the GP website: ukiah2040.com

Commissioners McGourty and Orth thanked Mr. Schlatter for his presentation and expressed interest and appreciation for the addition of the agricultural element.

Commissioner McGourty asked about Talmage as a potential area of annexation and the provision of services. Sage Sangiacomo, City Manager, responded that the area was not included in the planning documents for the City and County. Commissioner McGourty suggested consideration of expansion due to the existing community, its level of density and lack of infrastructure and services. Mr. Sangiacomo commented that the hesitation to incorporate areas east of the river was to preserve ag land and resources.

EO Hinman thanked Mr. Schlatter for his presentation and noted the importance of keeping the Commission informed of the efforts in progress, especially in relation to MSR/SOI Updates.

8b) Work Plan, Current and Future Proposals (Video Time: 2:11:18)

EO Hinman provided an update on the two active proposals: the Annexation of City Owned Properties and the Elk CSD Activation of Latent Powers for Wastewater Services. Both applications are incomplete in part pending adopted tax share agreements.

Chair Orth asked Commissioner Mulheren if she is still serving on the Tax Share Ad Hoc Committee. Commissioner Mulheren confirmed that she is and a meeting is scheduled for next week.

Commissioner Ward asked EO Hinman regarding the reason for delays of the Millview County Water District application to annex the Masonite area and who would determine the best agency to provide services. EO Hinman answered that is part of the coordination efforts and conversation occurring between the City and the agencies. Mr. Sangiacomo commented that the discussions are significant and include water agency consolidation among other considerations. It is his hope, that as conversations continue, that there will be a coordinated provision of services rather than choosing one agency over another. He recognizes the appearance of delay; however, the delay is replaced by collaboration efforts to provide a better solution. Commissioner Ward asked if the conversation is about control of

the well. Mr. Sangiacomo answered that the conversation is about the best provision of services not control of resources.

Commissioner McGourty commented that the Groundwater Sustainability Agency will be empowered to issue permits for wells through the drought emergency and will play a role in any changes to groundwater pumping.

Chair Orth asked Commissioner McGourty if the agency has considered developing commercial wells in at-risk outlying areas. Commissioner McGourty responded that the Ad Hoc Committee for Wells and Commercial Water Hauling is exploring the issue.

8c) Correspondence None

8d) CALAFCO Business and Legislation Report (Video Time: 2:22:08)

EO Hinman reported on two CALAFCO initiatives in progress:

- SB 938 for standardization of protest provisions has made its way to Senate Floor.
- CALAFCO is supporting San Diego's efforts to seek legislative changes to Government Code 56133 regarding extensions of services and clarification of LAFCo requirements.

8e) Executive Officer's Report (Video Time: 2:24:11)

EO Hinman reminded the Commission of a few items.

- With the resignation of former Commissioner Bazzani and the expiration of Commissioner Froneberger's term, staff has initiated the selection process for both the Alternate and Regular Special District seats. The deadline for nominations is August 1, 2022.
- Two public hearings are scheduled for June 6.
 - CSA 3 MSR/SOI
 - Final Budget for FY 2022-23

8f) Committee Reports (Executive Committee/Policies & Procedures) None

8g) Commissioners Reports, Comments or Questions None

ADJOURNMENT (Video Time: 2:26:25)

There being no further business, the meeting adjourned at 10:58 a.m. The next regular meeting of the Commission will be held on Monday, June 6, 2022 at 9:00 a.m. and will be conducted remotely due to the continued state of emergency, guidelines adopted by the Mendocino County Public Health Officer, and Executive Orders regarding the COVID-19 pandemic.

Live web streaming and recordings of Commission meetings are available via the County of Mendocino's YouTube Channel. [May 2, 2022, YouTube meeting recording](#). Links to recordings and approved minutes are also available on the [LAFCo website](#).

MENDOCINO Local Agency Formation Commission Staff Report

DATE: June 6, 2022
 TO: Mendocino Local Agency Formation Commission
 FROM: Uma Hinman, Executive Officer
 SUBJECT: **Claims and Financial Report for May 2022**

RECOMMENDED ACTION

Approve the May 2022 claims and financial report.

Hinman & Associates Consulting, Inc.	5300 Basics Services	\$ 9,725.00	\$ 21,700.67
	5601 Office Supplies (QB)	\$ 217.17	
	6200 Bookkeeping	\$ 220.00	
	7000 Work Plan (Ukiah City, UVSD, CSA 3)	\$ 10,673.50	
	8025 City of Ukiah Annex City Properties	\$ 257.50	
	8028 Elk CSD Latent Powers Activation	\$ 607.50	
P. Scott Browne	6300 Legal Counsel - April/May	\$ 900.00	\$ 2,272.50
	6300 Legal Counsel - Overages	\$ 1,372.50	
County of Mendocino	6000 March & April Televising	\$ 361.23	\$ 361.23
Comcast	5700 Internet	\$ 93.67	\$ 93.67
Streamline	5700 Website Hosting	\$ 50.00	\$ 50.00
Ukiah Valley Conf. Center	5502 Office Space	\$ 530.00	\$ 755.21
	5600 Postage	\$ 225.21	
	Total:		\$ 25,233.28

Deposits: County of Mendocino – \$60,000

Attachments:

- Budget Tracking Spreadsheet
- Work Plan Tracking
- Invoices: Hinman & Associates Consulting, P. Scott Browne

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

Mendocino Local Agency Formation Commission
 FY 2021-22 Budget and Application Tracking

Acct #	Task	FY 21-22 Adopted Budget	1st Qtr Subtotals	2nd Qtr Subtotal	3rd Qtr Subtotal	April	May	June	Year to Date	Remaining Budget	% of Budget Expended
EXPENSES											
5300	Basic Services - EO/Analyst/Clerk	\$108,000	\$25,936.00	\$22,359.00	\$31,780.00	\$9,685.00	\$9,725.00		\$101,947.00	\$6,053.00	94%
	Unfunded Mandates (Public Records Requests)	\$0	\$952.00	\$0.00	\$557.50	\$952.50					
5500	Rent	\$5,775	\$1,392.00	\$1,414.00	\$1,562.92	\$530.00	\$530.00		\$5,428.92	\$346.08	94%
5600	Office Expenses	\$3,300	\$797.26	\$430.89	\$881.81	\$94.95	\$442.38		\$2,647.29	\$652.71	80%
5700	Internet & Website Costs	\$2,500	\$622.97	\$420.12	\$446.41	\$183.31	\$143.67		\$1,816.48	\$683.52	73%
5900	Publication & Legal Notices	\$2,000	\$275.71	\$0.00	\$0.00	\$610.02			\$885.73	\$1,114.27	44%
6000	Televising Meetings	\$2,000	\$180.69	\$896.91	\$306.80		\$361.23		\$1,745.63	\$254.37	87%
6100	Audit Services	\$3,500	\$1,760.00	\$0.00	\$1,760.00				\$3,520.00	\$-20.00	101%
6200	Bookkeeping	\$4,500	\$690.00	\$930.00	\$1,705.00	\$735.00	\$220.00		\$4,280.00	\$220.00	95%
6300	Legal Counsel (S Browne)	\$19,000	\$3,565.50	\$2,430.00	\$2,700.00	\$900.00	\$2,272.50		\$11,868.00	\$7,132.00	62%
6400	A-87 Costs County Services	\$2,100	\$0.00	\$0.00	\$0.00	\$2,462.00			\$2,462.00	\$-362.00	117%
6500	Insurance - General Liability	\$2,450	\$2,600.87	\$0.00	\$0.00				\$2,600.87	\$-150.87	106%
6600	Memberships (CALAFCO/CSDA)	\$3,525	\$2,220.00	\$1,250.00	\$0.00				\$3,470.00	\$55.00	98%
6670	GIS Contract with County	\$2,500	\$0.00	\$620.12	\$0.00				\$620.12	\$1,879.88	25%
6740	In-County Travel & Stipends	\$4,000	\$126.45	\$150.00	\$150.00				\$426.45	\$3,573.55	11%
6750	Travel & Lodging Expenses	\$6,250	\$0.00	\$0.00	\$0.00				\$0.00	\$6,250.00	0%
6800	Conferences (Registrations)	\$4,100	\$0.00	\$0.00	\$0.00				\$0.00	\$4,100.00	0%
7000	Work Plan (MSRs and SOIs)	\$51,500	\$0.00	\$5,152.00	\$8,996.25	\$2,297.50	\$10,673.50		\$35,977.25	\$15,522.75	70%
Monthly/ Year to Date Totals		\$227,000.00	\$49,977.45	\$36,053.04	\$50,846.69	\$18,450.28	\$24,368.28	\$0.00	\$179,695.74	\$47,304.26	79%

APPLICATIONS		DEPOSIT (total by application)	1st Qtr Subtotals	2nd Qtr Subtotal	3rd Qtr Subtotal	April	May	June	Project Total to Date	Remaining Budget	Notes
D-2014-8010	City of Ukiah Detachment of UVSD lands	\$19,032.75	\$0.00	\$0.00	\$0.00				\$14,518.25	\$4,514.50	
P-2020-01 (8022)	City of Ukiah North Annexation Pre-Application	\$1,500.00	\$0.00	\$0.00	\$0.00				\$1,122.00	\$378.00	
P-2020-04 (8024)	Millview CWD Annexation Pre-Application	\$3,500.00	\$0.00	\$748.00	\$140.00				\$3,609.50	\$-109.50	
A-2021-01 (8025)	City of Ukiah Annexation of City-Owned Properties	\$5,000.00	\$34.00	\$0.00	\$1,100.00	\$310.00	\$257.50		\$3,482.50	\$1,517.50	
A-2021-02 (8026)	UVFD Annexation of City of Ukiah	\$24,570.86	\$5,335.00	\$19,120.36	\$0.00				\$24,863.36	\$0.00	
O-2021-03 (8027)	Fort Bragg Extension of Water Service to Minnesota Ave	\$500.00	\$500.00	\$0.00	\$0.00				\$500.00	\$0.00	
L-2022-01 (8028)	Elk CSD Activation of Latent Powers	\$2,500.00	\$0.00	\$0.00	\$0.00	\$1,065.00	\$607.50		\$1,672.50	\$827.50	
8601	Sustainable Ag Lands Committee Grant Project	\$5,100.00	\$850.00	\$75.00	\$1,725.00				\$3,225.00	\$1,875.00	
Application Totals		\$61,703.61	\$6,719.00	\$19,943.36	\$2,965.00	\$1,375.00	\$865.00	\$0.00		\$7,128.00	
EXPENSES AND APPLICATION TOTALS		\$288,703.61	\$56,696.45	\$55,996.40	\$53,811.69	\$19,825.28	\$25,233.28	\$0.00			

DEPOSITS/TRANSFERS

5/20/2022 County of Mendocino (Apportionment Fees) \$ 60,000.00

ACCOUNT BALANCES

County of Mendocino Account Balance	\$ 5,537	Estimated MUNIS Balance as of	5/31/2022
Operations (Checking) Account Balance	\$ 71,893	Bank Statement as of	5/31/2022
Legal Reserve Balance	\$ 50,000	Bank Statement as of	5/31/2022
Operations Reserve Balance	\$ 65,955	Bank Statement as of	5/31/2022
Total	\$ 193,385		

Mendocino LAFCo
FY 2021-22 Estimated Work Plan Implementation Schedule and Cost Tracking
 May 2022

Subject to Change: The estimated schedule and costs for the Fiscal Year 2021-22 Work Plan are subject to change based on agency responsiveness, timely provision of requested information, complexity of issues, level of public and affected agency controversy, and changing needs and priorities.

CEQA: Based on LAFCo practice, the work plan assumes minimal costs for CEQA compliance related to preparing a Notice of Exemption, unless an agency proposes a non-coterminous SOI and pays for any necessary studies and preparation of a Negative Declaration or Environmental Impact Report.

Rolling Work Plan: It is difficult to completely contain staff activities in a single fiscal year; therefore, completion of a study may roll over to the next fiscal year. This estimated work plan implementation schedule and cost tracking table is intended to enhance communication and transparency.

Agency	Coordination/ Request for Information	Admin Draft	Public Workshop	Public Hearing	Final Study	Cost Estimate ¹	FY 2021-22 Budget	FY 2021-22 Expenses	Cost to Date ²
Ukiah Valley Sanitation District	Ongoing	In Progress	TBD	TBD	TBD	\$40,000	\$20,000	\$13,777	\$17,518
City of Ukiah	Ongoing	In Progress	TBD	TBD	TBD	\$25,000	\$12,500	\$2,989	\$5,358
County Service Area 3	Complete	Complete	4/4/22	6/6/22	Tentative 6/30/22	\$10,000	\$6,000	\$11,891	\$15,989
Ukiah Valley Fire District	Complete	Complete	9/13/21	10/4/21	10/8/21	\$7,000	\$6,000	\$5,991	\$9,068
Covelo CSD	Complete	Complete	7/12/21	9/13/21	9/24/21	\$8,000	\$3,000	\$1,329	\$8,769
Estimated Total						\$90,000	\$51,500	\$35,977	\$56,702

¹ Column indicates the initial cost estimated for each study and accounts for in process studies rolled over from prior fiscal years.

² Column indicates a running total for actual expenses incurred to date for each study in process and is not limited to a specific fiscal year.



Hinman & Associates Consulting

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

Date May 31, 2022
To Mendocino LAFCo
Project Executive Officer Services
Work Period April 25 - May 31, 2022

Invoice No. 667
Invoice Total \$ 21,700.67

Account Description	Staff/Hours			Assist Planner \$45	Other (At Cost)	Totals
	Executive Officer \$100	Analyst \$70	Clerk \$40			
5300 Basic Services Public Records Act Requests	64.50	14.50	56.50			\$ 9,725.00
5601 Office Supplies Quickbooks Online Fee Staples (Printer Ink)					\$ 80.00 \$ 137.17	\$ 217.17
6200 Bookkeeping	1.00		3.00			\$ 220.00
7000 Work Plan (MSR/SOI/Special Studies) City of Ukiah	1.75					\$ 175.00
Ukiah Valley Sanitation District	62.00	6.25			\$ 1,963.50	\$ 8,601.00
CSA 3	2.00	24.25				\$ 1,897.50
8010 City of Ukiah Detachment Application						\$ -
8025 City of Ukiah Annex City Properties	1.00	2.25				\$ 257.50
8027 ECSD Activation of Latent Powers	1.00	7.25				\$ 607.50
8601 SALC Project (grant reimbursed)						\$ -
Totals	\$ 13,325.00	\$ 3,815.00	\$ 2,380.00	\$ -	\$ 2,180.67	\$ 21,700.67

5300 Basic Services

Administrative tasks and Clerk duties. File research and maintenance. April and May claims. Communications with Commissioners, public inquiries, etc. Agenda packet development for May 2nd and June 6 Commission meetings. Respond to public information requests (requests for extension of services, district formations, etc). Coordination meetings with City of Fort Bragg staff regarding public services requests; research files. FY 2022-23 final budget and work program public noticing and distribution to affected agencies. Develop and distribute special district nomination packets on behalf of the special district selection committee. Coordinated with City of Ukiah, Ukiah Valley Sanitation District staff on out of agency services and planning for service extensions.

6200 Bookkeeping

Prepared and coordinated with Treasurer regarding claims. Entered claims into Quickbooks and prepared checks. Reconciled Quickbooks. Followed up on outstanding checks.

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

CSA 3: Follow up on Workshop items, outreach to public commentors, coordination with County staff, and preparation of Public Hearing Draft of the CSA 3 MSR/SOI.

City of Ukiah and UVSD: Coordinate with UVSD and City staff through regular meetings. Development of the Administrative Draft MSR/SOI Updates for both agencies.

8025 City of Ukiah Annexation of City-owned Properties

Coordination meetings with City staff regarding County-identified mapping issues. Coordination with County Assessor and GIS staff regarding comments received on application referral and tax share negotiation process. Application is incomplete pending tax share agreement.

8027 Elk Community Services District Activation of Latent Powers

Coordination with ECSD board member and staff review of application submittals. Preparation of incomplete letter and review meeting with ECSD board member to go over items for clarification and need.

From: Intuit QuickBooks Team <intuit@notifications.intuit.com>
Sent: Thursday, May 19, 2022 6:17 AM
To: eo@mendolafco.org
Subject: We received your QuickBooks subscription payment!



Payment success

Executive Officer, thank you for your payment.

Invoice number:
10001159641325
Invoice date: 05/19/2022
Total: \$80.00
Payment method: VISA ending in

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

[View billing history](#)

Account details

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

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

WORKING

Staples Connect

1225 Airport Park Blvd
Ukiah, CA 95482
707-463-7110

Sale

Store: 800 Register: 1
Date: 5/27/22 Time: 2:52 PM
Transaction: 10813 Cashier: 2027227

REWARDS NUMBER 3494233665

Qty	Item	Price	Amount
1	HP 952 XL BLK/STD 889894824653	125.99	125.99

Subtotal 125.99
CALIFORNIA 8.875% 11.18

Total 137.17

VISA CREDIT USD\$137.17
Card No. : XXXXXXXXXXXX0384 [C]
Chip Read
Auth No. : 027804
AID. : A0000000031010

Staples Connect,
the working and learning store.
Discover every tool to take on tomorrow
including products, services
and inspiration that help you
unlock what is possible.

Shop Smarter. Get Rewarded.
Staples Rewards members get up to
5% back in Rewards.
Exclusions Apply. See an associate for
full program details or to enroll.

THANK YOU FOR SHOPPING AT
STAPLES CONNECT!



⑆T41337011311KYW4AWMIJ⑆

Customer Copy
CUT HERE

Mendocino LAFCo
Printer Ink

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

May 15, 2022

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

Invoice Number: 1116
Invoice Period: 04-16-2022 - 05-15-2022

Payment due by the 15th of next month.

RE: Mendocino LAFCo - General
Mendocino LAFCo - General

Mendocino LAFCo - General

Time Details

Date	Staff Member	Description	Hours	
05-02-2022	MB	Prepare for Meeting; Meeting of Commission;	1.50	
			Total	0.00

Total for this Invoice 0.00
Total Amount to Pay 900.00

Project Statement of Account

As of 05-15-2022

Project	Balance Due
Mendocino LAFCo - General	900.00
Total Amount to Pay	900.00

Mendocino LAFCo - General

Transactions

Date	Transaction	Applied	Invoice	Amount
05-15-2022	Previous Balance			900.00
05-15-2022	Invoice 1116			0.00
			Balance	900.00

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

May 15, 2022

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

Invoice Number: 1117
Invoice Period: 04-16-2022 - 05-15-2022

Payment due by the 15th of next month.

RE: Mendocino LAFCo - General A

Expenses

Date	Staff Member	Expense	Amount
04-16-2022	WJC	Misc. Overage hours over last 3 months billing cycles, per agreement.	1,372.50
Total Expenses			1,372.50
Total for this Invoice			1,372.50
Total Amount to Pay			1,372.50

We appreciate your business.

Page 1 of 2

Project Statement of Account

As of 05-15-2022

Project	Balance Due
Mendocino LAFCo - General A	1,372.50
Total Amount to Pay	1,372.50

Mendocino LAFCo - General A

Transactions

Date	Transaction	Applied	Invoice	Amount
05-15-2022	Invoice 1117			1,372.50
			Balance	1,372.50

MENDOCINO

Local Agency Formation Commission

Staff Report

MEETING June 6, 2022
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Public Hearing to Consider Adoption of a Resolution Approving the County Service Area No. 3 Municipal Service Review and Sphere of Influence Study**

RECOMMENDATION

- 1) Find the County Service Area No. 3 Municipal Service Review and Sphere of Influence Study is exempt from CEQA pursuant to 14 CCR §15061(b)(1) & (2), §15306, §15301(c), and §15269(b) & (c) and approve the Notice of Exemption for filing; and
- 2) Adopt LAFCo Resolution 2021-22-17, approving the County Service Area No. 3 Municipal Service Review and Sphere of Influence Study and establishing a Service Specific Sphere of Influence for CSA 3 that is limited to the future Sherwood Firewise Community Zone of Benefit for road maintenance of emergency access routes, and designating an Area of Interest for the Ukiah Eastern Hills, Fire Service Gaps, and Water Service Gaps Study Areas.

BACKGROUND

This is a Public Hearing to consider public testimony and proposed adoption of the County Service Area No. 3 (CSA 3 or District) Municipal Service Review (MSR) and Sphere of Influence (SOI) Study.

The Commission held a Workshop on April 4, 2022 to hear public comments and provide direction on revisions to the draft study in preparation for this Public Hearing item.

The following is a list of requested revisions and follow-up from the Commission during the workshop which have been addressed in the attached Public Hearing MSR/SOI Study, or below as appropriate.

1. Confirm how CSA 3 will participate in the allocation of LAFCo apportionment fees.
As a County-dependent district, CSA 3 falls under the existing 1/3rd County apportionment allocation.
2. Add two additional maps in the study to depict and designate areas of interest for the service gap areas in between existing fire and water district boundaries to identify where the CSA 3 function could support existing local agencies.
3. Provide a more detailed outline/list in the study for the intent of CSA 3 to add specific powers and provide services to specific areas over the next 5, 10, and 20 year timeframes.
It is currently unclear whether CSA 3 will provide an efficient and practical way for addressing County goals and community needs. Therefore, in lieu of preparing a long-term plan for CSA 3 service provision at this time, MSR Determination 11 was added recommending that County staff provide the Commission an annual progress report on CSA 3 activities and plans. In addition, existing MSR Determination 26 addresses the long history of CSA 3 inactivity and recommends that if the District does not activate latent powers within five-years of adoption of this study, the Commission consider initiating dissolution proceedings. This recommendation does not limit the ability of the Commission to initiate dissolution proceedings sooner as provided by applicable laws.

4. Add a statement related to the lack of historical records to clarify the purpose or reason for the 1985 CSA 3 significant expansion from the original 1974 South Coast area boundary to the entire unincorporated area of the County.
5. Contact former Supervisors Jim Eddy and Carre Brown for historical information on the purpose of the 1985 District annexation.
6. Discuss with County Counsel the legal procedure of activating latent powers through LAFCo for a specific Zone of Benefit area as opposed to Districtwide.

The following written comments were received on April 4, 2022 from Ben MacMillan, Elk Community Services District Board of Directors President and Mendocino County Association of Fire Districts liaison.

1) page 2-7, item 2.3.7 DUPLICATION OF SERVICES. Within the current CSA #3 boundaries 20 separate Fire Districts (including 2 cities) plus 2 volunteer Fire Companies exist. Perhaps the language in this item could address the existing agencies and how CSA #3 latent powers will be exercised differently.

2) page 2-7, item 2.3.8 ENHANCED SERVICE DELIVERY OPTIONS. Ambulance services are provided by 6 local districts, 1 city, and Medstar Ambulance a private provider.

3.a) page 2-7 & 8, item 2.3.9 REACTIVATED CSA OPTIONS. This item contains, and combines, separate proposed functions at several points in the narrative.

3.b) Transportation, Water, and Fire functions would seem best to highlight individually.

3.c) Recently, both the Mendocino County Association of Fire Districts and Mendocino County Fire Chiefs Association their approval for the activation of CSA #3 Fire Powers. In this process, strong support for memorializing continued allocation of Proposition 172 and Transient Occupancy Tax was voiced.

3.d) With the activation of CSA #3 Fire Powers, Fire Agencies are interested in the exploration of potential funding opportunities. Similarly, the activation of CSA #3 Fire Powers will be a catalyst for further study and discussion of organizational opportunities for improvements and effectiveness. EMS and ambulance functions are specific aspects of Fire Powers that may well benefit from their activation under CSA #3.

4) page 2-17, FIRE PROTECTION POLICIES, DE-235. It is hoped activation of CSA #3 Fire Powers will promote improved awareness, coordination, and compliance with these important Fire-related policies by other County agencies.

5) page 2-18. item 2.5.2 EXISTING POPULATION AND PROJECTED GROWTH. With the late release of 2020 census numbers, the tables and narratives are no longer accurate. As of April 1, 2020, population increased to 91,601. The population number discrepancies carry forward onto page 3-4, item 3.3.1.1 GROWTH.

6) page 3-5, item 3.2.1.6 #18 ACCOUNTABILITY, STRUCTURE, AND OPERATIONAL EFFICIENCIES. As presented to the Fire Districts and Fire Chiefs associations by Tony Orth, the composition of the CSA #3 Board of Directors could be increased to include representation from Fire Agencies. There is no mention of this enlarged 7 member Board of Directors. Is this not a consideration?

These public comments have been addressed in the attached Public Hearing MSR/SOI Study, where feasible and appropriate.

Revisions List

Below is a brief list of significant revisions made in the study since the Workshop for ease of review.

- a. Sections 2.1.1 and 2.1.2: Addresses the lack of historical records to clarify the purpose of the 1985 District annexation that added all unincorporated areas to the South Coast area.
- b. Section 2.2.3: Added the CSA Law provisions related to advisory committees; no provisions were identified that allow for the expansion of the District Board of Directors to seven members.

- c. Sections 2.3.7, 2.3.8, and 2.3.10: The second paragraph of Sections 2.3.7 and 2.3.8 were moved to a more robust discussion under Section 2.3.10 regarding existing service provision in CSA 3, potential options and/or interest in utilizing the reactivated CSA 3 for the provision of County services, Countywide CSA service issues, and potential government structure options.
- d. Section 2.4.1: Addresses financial transaction reports required under GOV §53891.
- e. Section 2.5.1.2: Added new goals, policies, and action items from the updated 2021 Mendocino County General Plan Development Element.
- f. Sections 2.5.2 and 3.2.1.1: Updated the 2019 population figures to the 2020 Census population figures (see MSR Determination 3).
- g. Sections 3.2.1.1 and 4.1.7.2: Added MSR Determination 11 recommending that County staff provide the Commission an annual progress report on CSA 3 activities and plans.
- h. Sections 4.1.3.4, 4.1.3.5, 4.1.4, and 4.1.7: Added fire and water service gaps to the list of Study Areas and Area of Interest designations and included Figures 4.1, 4.2, and 4.3.

Sphere of Influence

There is no record of an existing CSA 3 SOI. Therefore, this study is intended to establish an SOI for CSA 3. The proposed MSR/SOI Study for CSA 3 recommends that the Commission establish a Service Specific Sphere of Influence for the District that is limited to the future Sherwood Firewise Community Zone of Benefit for road maintenance of emergency access routes.

Area of Interest

The proposed MSR/SOI Study for CSA 3 recommends that the Commission also designate an Area of Interest (AOI) for the Ukiah Eastern Hills, Fire Service Gaps, and Water Service Gaps Study Areas for enhanced coordination between the District and other local government agencies on any plans or projects with the potential to impact District or other agency lands, facilities, and/or services.

CEQA Compliance

The MSR is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations (14 CCR) §15061(b)(1) and §15306. This finding is based on the use of the MSR as a data collection and service evaluation study. The information contained within the MSR may be used to consider future actions that will be subject to additional environmental review.

The SOI is exempt from further review under CEQA pursuant to 14 CCR §15061(b)(2), §15306, §15301(c), and §15269(b) & (c). This finding is based on any future indirect physical changes to the environment from the recommended sphere of influence would be limited to the repair and maintenance of existing facilities (roads) to permit emergency egress to preserve life during a wildfire, which is subject to statutory and categorical exemptions.

Refer to the prepared Notice of Exemption (NOE) for further information (Attachment 3)

Public Notice

The 21-day Notice for this Public Hearing was properly published, posted, and distributed by Monday May 16, 2022. The newspapers Proof of Publication is included as Attachment 2.

- Attachments:**
- (1) CSA 3 MSR/SOI Study
 - (2) Proof of Publication
 - (3) Notice of Exemption
 - (4) LAFCo Resolution No. 2021-22-17

HEARING DRAFT



(CFPC, 2020)

COUNTY SERVICE AREA NO. 3

Municipal Service Review and Sphere of Influence Update

Prepared for:

MENDOCINO LAFCO

200 South School Street
Ukiah, California 95482

<http://www.mendolafco.org/>

Workshop: April 4, 2022
Public Hearing: June 6, 2022

Adopted:
LAFCo Resolution No:

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1 INTRODUCTION

1.1 LOCAL AGENCY FORMATION COMMISSION

Local Agency Formation Commissions (LAFcos) are quasi-legislative, independent local agencies that were established by State legislation in 1963 to oversee the logical and orderly formation and development of local government agencies including cities and special districts. There is one LAFco for each county in California.

LAFco is responsible for implementing the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000 (California Government Code Section 56000 et. seq.) in order to promote orderly growth, prevent urban sprawl, preserve agricultural and open space lands, and oversee efficient provision of municipal services.

LAFco has the authority to establish and reorganize cities and special districts, change their boundaries and authorized services, allow the extension of public services, perform municipal service reviews, and establish spheres of influence. Some of LAFco's duties include regulating boundary changes through annexations or detachments and forming, consolidating, or dissolving local agencies.

1.2 MENDOCINO LAFCO

The CKH Act provides for flexibility in addressing State regulations to allow for adaptation to local needs. Mendocino LAFco has adopted policies, procedures and principles that guide its operations. These policies and procedures can be found on Mendocino LAFco's website at the following location: <https://www.mendolafco.org/policies-procedures>.

Mendocino LAFco has a public Commission with seven regular Commissioners and four alternate Commissioners. The Commission is composed of two members of the Mendocino County Board of Supervisors, two City Council members, two Special District Board of Director members, and one Public Member-At-Large. The Commission also includes one alternate member for each represented category.

1.3 SPHERE OF INFLUENCE

The CKH Act requires LAFco to adopt a Sphere of Influence (SOI) for all local agencies within its jurisdiction. A SOI is "a plan for the probable physical boundary and service area of a local agency or municipality as determined by the Commission" (GC §56076).

When reviewing an SOI for a municipal service provider, LAFco will consider the following five factors:

1. The present and planned land uses in the area, including agricultural and open space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

Sphere of Influence Updates include written statements or determinations with respect to each of the five mandated areas of evaluation outlined above. These determinations provide the basis for LAFCo to consider the appropriateness of establishing or modifying a service provider's SOI or probable future boundary.

1.4 MUNICIPAL SERVICE REVIEW

The CKH Act (GC §56430) requires LAFCo to prepare a Municipal Service Review (MSR) for all local agencies within its jurisdiction. MSRs are required prior to or in conjunction with the establishment or update of a Sphere of Influence (SOI).

An MSR is a comprehensive analysis of the services provided by a local government agency to evaluate the capabilities of that agency to meet the public service needs of their current and future service area. An MSR must address the following seven factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

MSRs include written statements or determinations with respect to each of the seven mandated areas of evaluation outlined above. These determinations provide the basis for LAFCo to consider the appropriateness of a service provider's existing and future service area boundary.

1.5 MENDOCINO LAFCO POLICIES

In addition to making the necessary determinations for establishing or modifying a SOI consistent with the CKH Act, the appropriateness of an agency's SOI is also based on an evaluation of consistency with local LAFCo policies.

The following Sphere of Influence policies are from the Mendocino LAFCo Policies and Procedures Manual, adopted November 5, 2018.

10.1.1 Legislative Authority and Intent

A sphere of influence is the probable 20-year growth boundary for a jurisdiction’s physical development. The Commission shall use spheres of influence to:

- a) promote orderly growth and development within and adjacent to communities;
- b) promote cooperative planning efforts among cities, the County, and special districts to address concerns regarding land use and development standards, premature conversion of agriculture and open space lands, and efficient provision of public services;
- c) guide future local government reorganization that encourages efficiency, economy, and orderly changes in local government; and
- d) assist property owners in anticipating the availability of public services in planning for the use of their property.

10.1.2 Definitions

The Commission incorporates the following definitions:

- a) an “establishment” refers to the initial development and determination of a sphere of influence by the Commission;
- b) an “amendment” refers to a limited change to an established sphere of influence typically initiated by a landowner, resident, or agency; and
- c) an “update” refers to a comprehensive change to an established sphere of influence typically initiated by the Commission.

10.1.3 Sphere Updates

In updating spheres of influence, the Commission’s general policies are as follows:

- a) The Commission will review all spheres of influences every five years for each governmental agency providing municipal services. Municipal services include water, wastewater, police, and fire protection services.
- b) Sphere of influence changes initiated by any agency providing a municipal service shall generally require either an updated or new service review unless LAFCo determines that a prior service review is adequate.
- c) Spheres of influence of districts not providing municipal services including, but not limited to, ambulance, recreation, hospital, resource conservation, cemetery, and pest control shall be updated as necessary.

10.1.4 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:

- a) the land is outside the affected agency’s jurisdictional boundary but has been within the sphere of influence for 10 or more years; or
- b) 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.

10.1.5 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.

10.1.6 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.

10.1.7 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.

10.1.8 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.

10.1.9 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.

10.1.10 Overlapping Spheres

LAFCo encourages the reduction of overlapping spheres of influence to avoid unnecessary and inefficient duplication of services or facilities. In deciding which of two or more equally capable agencies shall include an area within its sphere of influence, LAFCo shall consider the agencies’ service and financial capabilities, social and economic interdependencies, topographic factors, and the effect that eventual service extension will have on adjacent agencies. Where an area could be assigned to the sphere of influence of more than one agency, the following hierarchy typically applies:

- a) Inclusion within a city’s sphere
- b) Inclusion within a multi-purpose district’s sphere
- c) Inclusion within a single-purpose district’s sphere

Territory placed within a city’s sphere indicates that the city is the most logical provider of urban services. LAFCo encourages annexation of developing territory (i.e., area not currently receiving services) that is currently within a city’s sphere to that city rather than to one or more single-purpose special districts. LAFCo discourages the formation of special districts within a city’s sphere. To promote efficient and coordinated planning among the county’s various agencies, districts that provide the same type of service shall not have overlapping spheres.

10.1.11 Memorandum of Agreements (For City Sphere Amendments and Updates)

Prior to submitting an application to LAFCo for a new city sphere of influence or a city sphere of influence update, the city shall meet with the County to discuss the proposed new boundaries of the sphere and explore methods to reach agreement on development standards and planning and zoning requirements as contained in GC §56425. If an agreement is reached between the city and County the agreement shall be forwarded to LAFCo. The Commission shall consider and adopt a sphere of influence for the city consistent with the policies adopted by LAFCo and the County, and LAFCo shall give great weight to the agreement to the extent that it is consistent with LAFCo policies in its final determination of the city sphere.

10.1.12 Areas of Interest

LAFCo may, at its discretion, designate a geographic area beyond the sphere of influence as an Area of Interest to any local agency. (Resolution No. 2018-19-01)

- a) An Area of Interest is a geographic area beyond the sphere of influence in which land use decisions or other governmental actions of one local agency (the "Acting Agency") impact directly or indirectly upon another local agency (the "Interested Agency"). For example, approval of a housing project developed to urban densities on septic tanks outside the city limits of a city and its sphere of influence may result in the city being forced subsequently to extend sewer services to the area to deal with septic failures and improve city roads that provide access to the development. The city in such a situation would be the Interested Agency with appropriate reason to request special consideration from the Acting Agency in considering projects adjacent to the city.
- b) When LAFCo receives notice of a proposal from another agency relating to the Area of Concern, LAFCo will notify the Interested Agency and will consider its comments.
- c) LAFCo will encourage Acting and Interested Agencies to establish Joint Powers Agreements or other commitments as appropriate.

(LAFCo, 2018)

1.6 SENATE BILL 215

Senate Bill 215 (Wiggins) requires LAFCo to consider regional transportation plans and sustainable community strategies developed pursuant to SB 375 before making boundary decisions. Senate Bill 375 (Sustainable Communities and Climate Protection Act) requires each metropolitan planning organization (MPO) to address regional greenhouse gas (GHG) emission reduction targets for passenger vehicles in their Regional Transportation Plan (RTP) by integrating planning for transportation, land-use, and housing in a sustainable communities strategy.

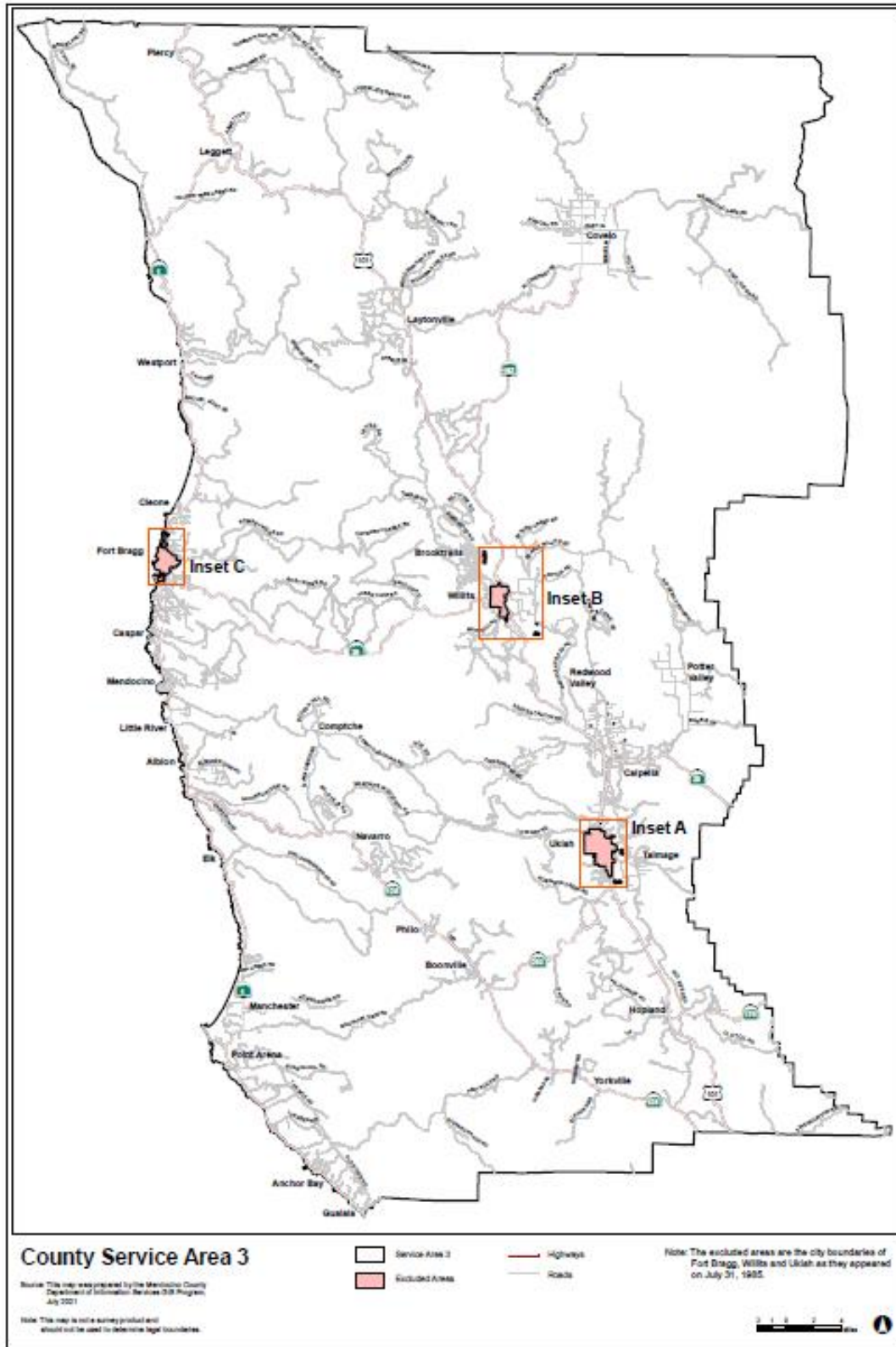
Mendocino County is not located within an MPO boundary and therefore is not subject to the provisions of SB 375. However, the Mendocino Council of Governments (MCOG) supports and coordinates the local planning efforts of Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits to address regional housing and transportation needs and helps provide a framework for sustainable regional growth patterns through the 2018 Mendocino County Regional Housing Needs Allocation (RHNA) Plan and Vision Mendocino 2030 Blueprint Plan. MCOG is also responsible for allocating regional

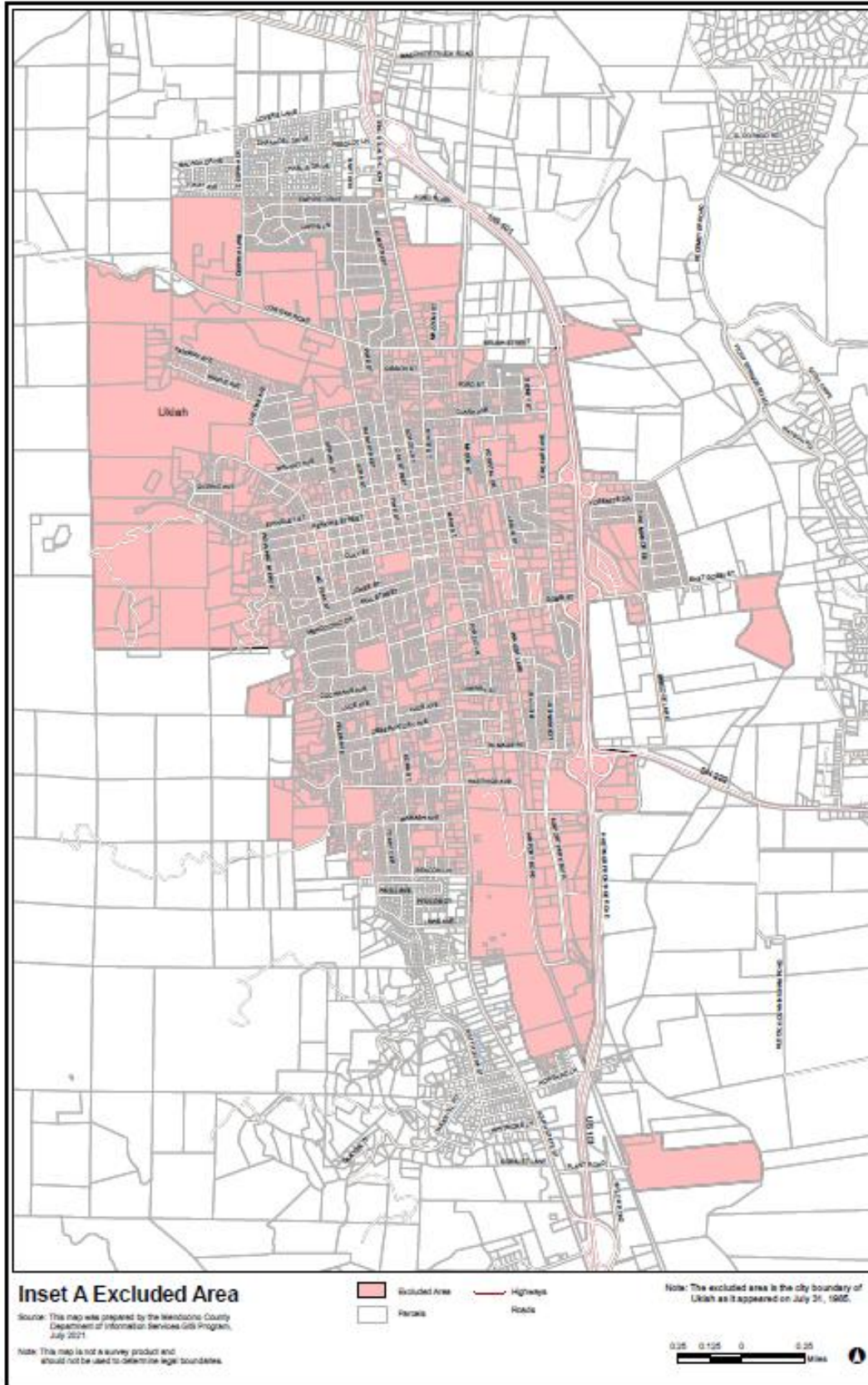
transportation funding to transportation improvement projects consistent with the 2017 RTP for Mendocino County.

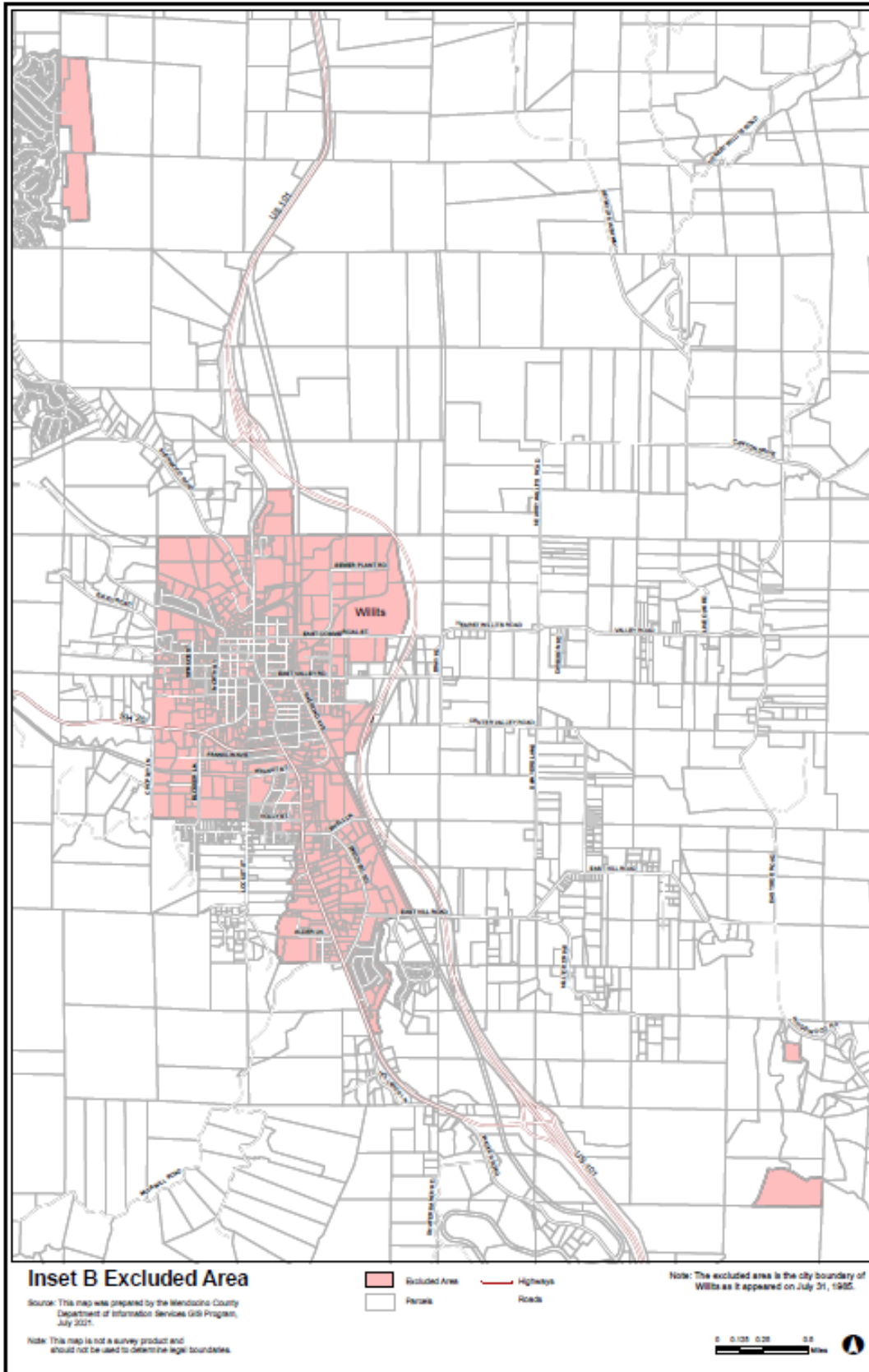
Mendocino County and the Cities of Fort Bragg, Point Arena, Ukiah, and Willits are the local agencies primarily responsible for planning regional growth patterns through adoption and implementation of general plan and zoning regulations. While Mendocino County is not subject to the provisions of SB 375, LAFCo will review applicable regional transportation and growth plans when considering a change of organization or reorganization application.

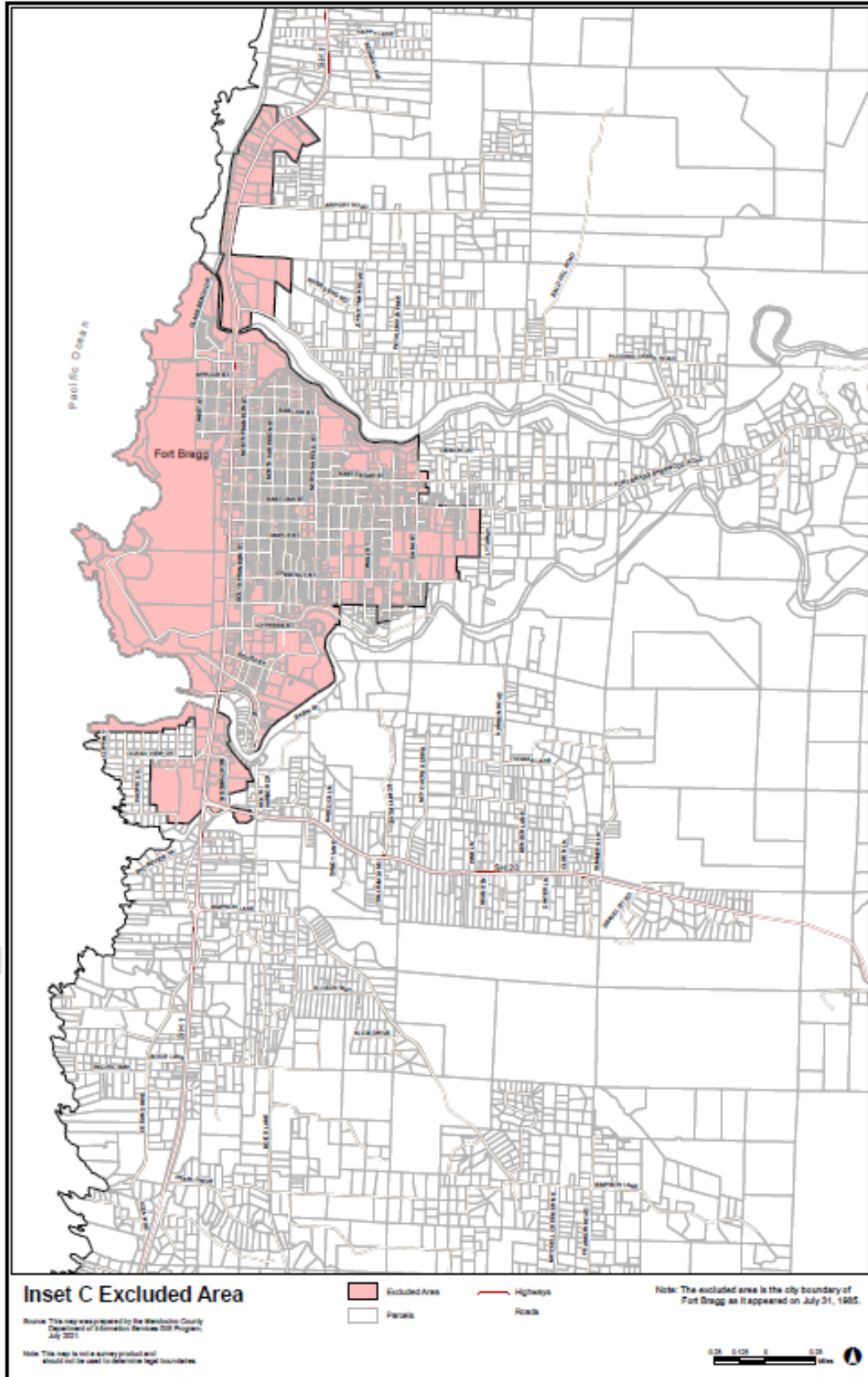
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Figure 1.1 CSA 3 Boundary Maps









2 AGENCY OVERVIEW

Table 2.1 CSA 3 Profile

Agency Name:	County Service Area No. 3
Administering Agency:	County Departments as appointed by the CSA 3 Board of Directors
Phone Number:	(707) 234-2820
Fax Number:	(707) 463-5474
Mailing Address:	501 Low Gap Road, Room 1010, Ukiah, CA 95482
County Office:	501 Low Gap Road, Room 1010, Ukiah, CA 95482
Website:	https://www.mendocinocounty.org/government/transportation/csa-3
General Email:	csa3@mendocinocounty.org
Date of Formation:	October 8, 1974
Agency Type:	Dependent Special District
Enabling Legislation:	County Service Areas Law: Government Code §25210 - §25217.4
Board Meeting Schedule:	As needed during Mendocino County Board of Supervisors Meetings

Source: Mendocino, 2021; Mendocino, 2022.

2.1 HISTORY

2.1.1 FORMATION

County Service Area No. 3 (CSA 3 or District) was formed in 1974 to provide ambulance services to the City of Point Arena and adjacent unincorporated areas.

The original 1974 District boundary encompassed the City of Point Arena and adjacent unincorporated areas only and was significantly expanded to add all unincorporated areas of the County in 1985. Due to limited historical records, the purpose or reason for the 1985 District expansion is unclear.

2.1.2 BOUNDARY

The current jurisdictional boundary of CSA 3 encompasses the City of Point Arena and the entire unincorporated area of Mendocino County, as shown in Figure 1.1.

The District boundary is not countywide. The Cities of Fort Bragg, Willits, and Ukiah are excluded from the District boundary based on the city boundaries as they appeared in County records dated July 31, 1985.

The city limits of these three agencies have expanded since 1985; however, concurrent detachments from CSA 3 were not processed during the annexation processes. Therefore, there are areas of overlap between CSA 3 and the current boundaries of these cities.

2.1.2.1 Boundary Changes

There have been no boundary changes to CSA 3 since 1985 when the District’s boundaries were expanded from the original South Coast area to cover the unincorporated areas of Mendocino County.

2.1.3 SERVICES

CSA 3 has been inactive for decades and does not provide any municipal services or have any facilities. Refer to Chapter 3 for more information.

In order to provide services authorized under the District's Principal Act (GOV §25213), CSA 3 must receive LAFCo approval through an activation of latent powers application, which generally follows the normal Commission Proceedings for a Change of Organization or Reorganization (GOV §56650 et seq.).

2.1.3.1 Zone of Benefit

A Zone of Benefit (ZOB) is a defined geographic area within an existing County Service Area (CSA) formed by residents choosing to pay for special or enhanced County services through a direct assessment or property-related fee on the annual property tax bill.

LAFCo does not have authority over the creation of zones of benefit within a CSA pursuant to GOV §25217.3. LAFCo does have authority over the powers, or services, of a CSA pursuant to GOV §25213.5(a). CSA services must first be activated by LAFCo in order for the CSA Board of Directors to establish a valid ZOB and Proposition 218 assessment for those services.

2.1.4 SUMMARY OF EVENTS

The formation of CSA 3 was a joint process involving the LAFCo as the decision-making body for formation and the Mendocino County Board of Supervisors (BOS) as the applicant and authority for conducting protest proceedings upon LAFCo approval, consistent with the applicable laws at the time.

Below is a summary of the legislative and service history for CSA 3.

- 1974, August 12: LAFCo adopted Resolution No. 74-5 approving the formation of County Service Area 3, known as South Coast Ambulance Community Services District, with boundaries coterminous with the Point Arena Joint Union School District, excluding areas in Sonoma County, and with powers limited to ambulance service. (LAFCo, 1974)
- 1974, October 8: BOS adopted Resolution No. 74-377 which formed CSA 3, known as South Coast Ambulance Service, and declared establishment of CSA 3 without an election since protests sufficient to terminate the proposal were not filed. (Board, 1974b)
- 1985, June 3: LAFCo adopted Resolution No. 85-6 approving the annexation of all unincorporated areas into CSA 3 and designated Mendocino County to complete conducting authority proceedings. (LAFCo, 1985)
- 1985, July 23: BOS adopted Resolution No. 85-144 which ordered annexation of the remaining unincorporated areas of Mendocino County into CSA 3 and redesignated the former CSA 3 as "CSA 3 – Benefit Zone 1." (Board, 1985d)
- 1986: the Bi-County Coast Life Support District was established by a special act of the State Legislature to provide emergency ambulance service to remote rural northern Sonoma and southern Mendocino coast communities, including Irish Beach in the north to just south of Sea Ranch in the south, and Manchester, Point Arena, Gualala, and Annapolis. (LAFCo 2, 2004)
- 1991, February 19: BOS adopted Resolution No. 91-042 which created CSA 3 Benefit Zone 1 for the Sanel Valley Fire Protection Area. (Board, 1991b)
- 1991, August 13: BOS adopted Resolution No. 91-174 which established a Benefit Assessment for CSA 3 Benefit Zone 1 for the Sanel Valley Fire Protection Area to assess and collect a fee for fire protection and prevention services effective July 1, 1991, limited the unit of benefit to \$35 per unit, and

terminated the Sanel Valley Fire Protection Zone of Benefit upon completion of Fiscal Year 1994-95. (Board, 1991c)

- 1991, September 17: BOS adopted Resolution No. 91-225 to enter into a Joint Powers Agreement with the Hopland Public Utility District to provide fire protection and emergency services to the CSA 3 Sanel Valley Fire Protection Zone of Benefit effective from July 1, 1991 to June 30, 1995. (Board, 1992b)
- 1996, November 6: California Proposition 218 (Prop 218), known as the Right to Vote on Taxes Act, took effect and required local governments to obtain consent of taxpayers for new taxes, fees, or charges that are directly associated with property ownership. Prop 218 changed the way that local agencies could assess taxpayers and now necessitates a majority vote of the property ownership to make changes in charges and taxes.
- 1997 November: the Fire Department of the Hopland Public Utility District became a separate entity known as the Sanel Valley Fire Protection District; this name was changed to the Hopland Fire Protection District in February of 2002. (LAFCo, 2016)
- 2018, November 6: LAFCo received a notice from the State Controller’s Office (SCO) that CSA 3 was identified as an inactive special district and had been identified as a “Non-Revenue District” by the County Auditor-Controller’s Office. According to SB 448, which was chaptered in 2017, this letter triggered a 90-day timeframe for LAFCo to confirm whether the district meets the inactive criteria, and if so, to adopt a resolution initiating dissolution of the district.
- 2019, February 4: the Commission directed LAFCo staff to delay acting on SCO’s letter until the Board of Supervisors (BOS) could convene and consider the matter. (LAFCo, 2019a)
- 2019, February 26: BOS voted unanimously to reactivate CSA 3. (Board, 2019)
- 2019, March 12: BOS approved the transfer of \$15,000 to reactivate CSA 3. (CEO, 2019)
- 2019, April 4: LAFCo notified SCO that CSA 3 did not meet the definition of an inactive district due to the recent funding activity. (LAFCo, 2019b)
- 2021, November 4: LAFCo received a notice from SCO that CSA 3 was identified as an inactive special district.
- 2022, February 8: LAFCo notified SCO that CSA 3 did not meet the definition of an inactive district due to recent financial transactions and current assets. (LAFCo, 2022)
- 2021, January 25: BOS directed County staff to continue working on the CSA 3 Sherwood Firewise Community (FWC) Zone of Benefit (ZOB) Pilot Program. Refer to Section 3.1.3 for more information.

The following table provides a summary of the Mendocino County Board of Supervisors’ actions by resolution to date related to CSA 3.

	Resolution No.	Date
1	74-325	August 27, 1974
2	74-377	October 8, 1974
3	85-048	March 19, 1985
4	85-103	May 21, 1985

Resolution No.		Date
5	85-118	June 18, 1985
6	85-144	July 23, 1985
7	89-097	May 23, 1989
8	91-041	February 19, 1991
9	91-042	February 19, 1991
10	91-174	August 13, 1991
11	91-225	September 17, 1991
12	92-091	June 2, 1992
13	93-098	June 15, 1993
14	94-129	July 19, 1994
15	95-176	September 5, 1995
16	96-226	December 10, 1996
17	97-030	March 4, 1997

2.2 GOVERNMENT STRUCTURE

2.2.1 GOVERNING BODY

The Mendocino County Board of Supervisors is the acting governing authority of county service areas pursuant to GOV §25210.2.(a). However, the CSA 3 Board of Directors is technically a separate legal authority from the Board of Supervisors.

When dependent district business is transacted through a Board of Supervisors meeting agenda, as a matter of order, the Chair officially recesses as the Board of Supervisors and convenes as the District Board of Directors. Upon completion of conducting all dependent district business, the Chair officially adjourns as the District Board of Directors and reconvenes as the Board of Supervisors. Following this procedure supports legally defensible actions and enhanced public transparency on the distinction between the separate local government agencies of the County and County-dependent districts.

The current Mendocino County Board of Supervisors is shown in Table 2.3 below.

Name	Office - District	Term Expiration	First Year of Service	Serving Consecutive Terms
Ted Williams	Chair - 5	Jan 2025	2013	Yes
Glenn McGourty	Vice-Chair - 1	Jan 2025	2021	No
Dan Gjerde	Supervisor- 4	Jan 2023	2018	No
Maureen Mulheren	Supervisor - 2	Jan 2025	2021	No
John Haschak	Supervisor - 3	Jan 2023	2018	No

Source: Mendocino, 2021a; Mendocino, 2022.

2.2.2 PUBLIC MEETINGS

Regularly scheduled meetings for the Board of Supervisors are held on two Tuesdays of the month at 9:00 a.m. in the Board Chambers in Room 1070 at the County Administration Center at 501 Low Gap Road in Ukiah. The Board currently conducts its meetings virtually to follow current health order protocols for COVID-19. The entire annual calendar is published on the County's website, along with in-depth information about the Board of Supervisors meetings and public participation.

The public may participate digitally in meetings by a number of ways: via written comment to bos@mendocinocounty.org, through the County's eComment platform at <https://mendocino.legistar.com/Calendar.aspx>, through voicemail messaging by calling 707-234-6333, or by telephone via telecomment. The County keeps an up-to-date website with detailed information about the latest available options for public participation at the following County website location: <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>.

In accordance with the Brown Act, all Board meetings are open to the public and are publicly posted a minimum of 72 hours prior to regular meetings, or a minimum of 24 hours prior to special meetings. Meeting notices are posted at the County Administration Center and on Mendocino County's website.

Public meeting information including upcoming agendas, past agendas and approved meeting minutes, live video streaming, and recorded videos are posted on the Board of Supervisors website and are available at the Board's office upon request.

Minutes are kept for all public Board of Supervisors meetings and are adopted at a subsequent meeting.

(Mendocino, 2021a; Mendocino, 2022)

2.2.3 STANDING COMMITTEES

Committees may be assigned to assist in carrying out various functions of local government. CSA 3 does not currently have any committees.

CSA Law provides for advisory committees as follows:

GC §25212.4(a) The board may appoint one or more advisory committees to give advice to the board of supervisors regarding a county service area's services and facilities.

GC §25212.4(b) The board may provide for the appointment, qualifications, terms, procedures, meetings, and ethical conduct of the members of an advisory committee. Any comments by an advisory committee are wholly advisory and it is not the responsibility or within the authority of an advisory committee to make decisions, manage, or direct the delivery of services and facilities.

2.2.4 PUBLIC OUTREACH

The County maintains a robust website for public information purposes. The website is maintained to remain up to date and contains complete governance information about the Board of Supervisors, as well as meeting information, departments, codes, forms, and project documents. (Mendocino, 2021a)

With the passage of Senate Bill 929 in 2018, all special districts are required to maintain a website that includes contact information and all other requirements by January 2020 (a compliance checklist is included in Appendix B).

CSA 3 has a website at <https://www.mendocinocounty.org/government/transportation/csa-3>, which currently contains the District's agendas and minutes from Board meetings related to reactivation. When

CSA 3 becomes more active, the website should be updated with additional information, such as meeting dates, agendas, bylaws, procedures, maps, and other relevant documents. The CSA 3 website would benefit from a similar format as the Board of Supervisors' website, which has a searchable database of documents.

2.2.5 COMPLAINTS

The public can submit written or verbal comments or complaints on the Board of Supervisors' website or by phone, as detailed above under Section 2.2.2, or in person or by phone at the Board of Supervisors' office during business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m. No complaints have been received in recent years regarding CSA 3 due to the inactive nature of this dependent district.

2.2.6 TRANSPARENCY AND ACCOUNTABILITY

The Board of Supervisors adopted a Rules of Procedure manual at its January 10, 2017 regular BOS meeting. The Rules of Procedure address the meeting conduct and voting procedure, committees, decisions, rules of order, and responsibilities. (Board, 2017) This is in addition to the County's Policy Manual, which covers general operating policies and procedures for the County, financial policies, and personnel policies that define the obligations, rights, privileges, benefits, and prohibitions placed upon all County employees.

The Political Reform Act requires all state and local government agencies to adopt and promulgate a Conflict of Interest Code pursuant to Government Code §81000 et seq. The Political Reform Act also requires persons who hold office to disclose their investments, interests in real property, and incomes by filing a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to Government Code §87203. The Board complies with the above requirements with its Conflict of Interest Code that pertains to County employees and contractors. (Mendocino, 2018)

According to AB 1234, if a local agency provides compensation or reimbursement of expenses to local government officials, then all local officials are required to receive two hours of training on public service ethics laws and principles at least once every two years and establish a written policy on reimbursements pursuant to Government Code §53235. BOS members are compensated and receive this training.

Refer to Appendix A for a brief list of educational resources regarding open government laws and Appendix B for a website compliance handout.

2.3 OPERATIONAL EFFICIENCY

2.3.1 MANAGEMENT AND STAFFING

CSA 3 does not currently provide any services or have any facilities, and therefore does not have official arrangements for regular staffing.

Management and staffing for County-dependent districts is often provided by County departments, such as the County Executive Officer (CEO) Office for management and administrative services, the Auditor-Controller's Office for financial services, County Counsel for legal services, and Public Works and/or Planning for project planning, design and implementation, facility operations, public outreach, and grant administration. Sometimes one or all of the above types of staffing services are contracted out to another local government agency or a private contractor.

Current County staff services related to the CSA 3 Sherwood FWC ZOB Pilot Program are being provided by Deputy CEO staff, Deputy County Counsel, and the Department of Transportation Director, to name a few. Refer to Section 3.1.3 for more information.

2.3.2 AGENCY PERFORMANCE

A component of monitoring agency performance is routinely evaluating staff productivity. Given that there is no regular staff for CSA 3, this aspect of agency performance is not measurable at this time. Further, CSA 3 does not currently provide any services to evaluate for agency performance.

2.3.3 REGIONAL AND SERVICE-SPECIFIC PARTICIPATION

CSA 3 does not participate in any regional or service-specific associations and organizations.

2.3.4 INTERAGENCY COLLABORATION

County staff has been coordinating with LAFCo staff related to proposed activation of latent powers and ZOB creation for CSA 3.

County staff collaborates with other local agency staff related to issues of common interest. This collaborative staff activity occurs in the capacity of County staff as County employees, not through CSA 3; although the dependent district benefits from such activities and interagency relationship building.

2.3.5 CONTRACT OR JPA SERVICES

CSA 3 does not currently provide any services, and therefore there is no provision of services by contract, agreement, or Joint Powers Authority (JPA).

2.3.6 SHARED SERVICES AND FACILITIES

CSA 3 does not currently provide any services or have any facilities, and therefore does not share services or facilities.

2.3.7 DUPLICATION OF SERVICES

CSA 3 does not currently provide any services, and therefore there is no overlap, duplication, or redundancy of services between local government agencies at this time. The Commission will consider potential duplication of services in future applications to activate latent powers for CSA 3.

2.3.8 ENHANCED SERVICE DELIVERY OPTIONS

CSA 3 does not currently provide any services or have any facilities to evaluate for enhanced service delivery options.

No new opportunities for the CSA to achieve organizational or operational efficiencies were identified during the preparation of this MSR.

2.3.9 GOVERNMENT RESTRUCTURE OPTIONS

Government restructure options should be pursued if there are potential benefits in terms of reduced costs, greater efficiency, better accountability or representation, or other advantages to the public.

CSA 3 does not currently provide any services or have any facilities to evaluate for government restructure options.

2.3.10 REACTIVATED CSA OPTIONS

Within the boundaries of CSA 3, the County of Mendocino provides law enforcement, land use and development code implementation and enforcement, and transportation and stormwater collection services for public roads in the County-maintained road system.

Ambulance services are provided by six special districts (Coast Life Support District, Mendocino Coast HCD, Elk CSD, Anderson Valley CSD, Long Valley FPD, and Covelo CSD), one city (Ukiah), and Medstar Ambulance (ground) and REACH (air), which are private providers, as regulated by Coastal Valleys EMS Agency. Countywide dispatch services are provided by the CAL FIRE Emergency Communications Command Center (ECC) at the Howard Forest Station near Willits and funded by Mendocino County from a portion of Proposition 172 funds.

See Sections 2.3.10.1 and 2.3.10.2 below for a description of fire and water services provided by local agencies in the CSA 3 boundary.

CSA 3 was reactivated recently after many years of inactivity and Mendocino County has been evaluating options to use CSA 3 as a vehicle to address gaps in service and funding to deliver additional public facilities and services in County areas.

There is interest in utilizing CSA 3 as a funding mechanism to address road access and maintenance needs for community emergency access routes. Refer to Section 3.1.3 for more information related to CSA 3 Sherwood FWC ZOB Pilot Program.

There is also community interest in utilizing CSA 3 as a funding mechanism to address County fire and water needs.

2.3.10.1 Fire Services

Within the boundaries of CSA 3, fire suppression and prevention services are provided by 20 special districts including two cities; two volunteer Fire Companies (Westport and Whale Gulch); and CAL FIRE in State Responsibility Areas (SRAs) when staffed.

There are gaps in between the service areas of existing local fire agencies that have resulted in necessary arrangements for providing fire protection and first responder services outside of agency boundaries in response to 911 service calls in “unserved” areas and mutual aid requests during large incidents.

CSA 3 could potentially support local agencies providing fire services in “unserved” areas, or areas outside the boundaries of existing public agencies that are not subject to paying taxes for such service provision.

The Mendocino County Association of Fire Districts (MCAFD) and Mendocino County Fire Chiefs Association (MCFCA) have provided support for exploring the details of activating latent fire powers for CSA 3 to provide unique and ancillary fire services, such as creating/funding a fire warden position to facilitate representation and communication between MCAFD/MCFCA and the County Board of Supervisors and various County Departments.

MCAFD/MCFCA have also provided strong support for memorializing continued allocation of Proposition 172 and Campground/RV Transient Occupancy Tax (TOT) to existing local fire agencies. CSA 3 could potentially further augment funding to local agencies providing fire protection and fire responder services.

The County Fire Ad Hoc Committee and a Steering Committee of these fire associations are working together to define CSA 3 organizational opportunities for fire service improvements and effectiveness.

2.3.10.2 Water Services

Within the boundaries of CSA 3, water services are provided by twelve special districts, numerous private mutual water companies, and groundwater wells on private property.

Due to prolonged and extreme drought conditions, in recent years multiple local water agencies have struggled with very limited to critically low local water supply to serve coastal and inland communities resulting in interagency collaboration and mutual aid agreements for emergency short-term shared facilities and water resources.

CSA 3 could potentially support water infrastructure and/or supply projects such as groundwater recharge ponds and commercial wells for raw and domestic water supply in areas not served by water districts. Water needs in County areas may also be addressed through the recently reactivated Mendocino County Water Agency (<https://www.mendocinocounty.org/government/mendocino-county-water-agency>).

2.3.10.3 Countywide CSA Services

CSA Law discourages the organizational formation of a countywide CSA and CSA service provision on a countywide basis pursuant to GOV §25210.7.(b) and §25213.

Further, LAFCo shall not approve a CSA proposal to exercise a latent power if LAFCo determines that another local agency already provides substantially similar services or facilities to the territory where the CSA proposes to exercise that latent power pursuant to GOV §25213.5.(b).

CSAs are intended to provide enhanced or unique municipal services to smaller geographic areas of the County, such as subdivisions and other community areas. Therefore, some counties have upwards of forty smaller CSAs to serve specific community needs. It is not necessarily common to utilize a single CSA to create multiple Zones of Benefit for multiple purposes throughout the County.

Countywide CSAs can be problematic, especially in situations when a power or service is available Districtwide because there is no LAFCo oversight in extending services to specific areas, which can create conflicts with existing providers of similar services and support urban-type development in rural areas.

CSAs authorized to provide Countywide services can circumvent LAFCo application requirements applicable to other local agencies and fundamental LAFCo objectives to promote logical and orderly urban growth and development and to prevent premature conversion of agricultural and open space lands.

Under current LAFCo Law, it is not feasible to approve a generic activation of latent powers due to the requirement to demonstrate adequate taxation to support long-term public service provision. It can be very challenging to garner sufficient voter support to establish taxation for a specific community need; expanding the scale of such an effort to all unincorporated areas would likely present more challenges.

2.3.10.4 Government Structure

CSA 3 may not be an efficient and effective government structure option for addressing widespread community needs. Countywide services may be most expeditiously and feasibly provided by the County directly instead of by a County-dependent district since County services are not regulated by LAFCo. LAFCo applications involve a lengthy and costly process and there is no guarantee of the outcome through the Commission or Protest Proceedings.

Some other structures of government or funding mechanisms that are not subject to LAFCo purview include the following pursuant to GOV §56036:

- An assessment district or special assessment district.
- An improvement district.
- A community facilities district formed pursuant to the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5).
- A permanent road division formed pursuant to Article 3 (commencing with Section 1160) of Chapter 4 of Division 2 of the Streets and Highways Code.

2.4 FINANCES

CSA 3 has been a longstanding inactive district without a budget or funding mechanism and has not provided any services or owned and maintained any facilities, equipment, or infrastructure in decades.

2.4.1 CURRENT FISCAL HEALTH

There is no annual budget or audit to evaluate as CSA 3 has been inactive for decades. CSA 3 has never collected ad valorem property taxes and the District has no reoccurring revenues or expenses.

It is unclear whether CSA 3 compiles and submits financial transaction reports to the State Controller's Office within seven months after the close of the fiscal year as required under GOV §53891.

2.4.1.1 One-time Fund Transfers

The Board of Supervisors authorized fund transfers to CSA 3 in 2019 and 2020 to keep the District active.

On March 13, 2019, the County Auditor-Controller transferred \$15,000 from the Miscellaneous Budget Unit 1940, line item 862239 (Special Departmental Expense), to reactivate CSA 3 consistent with direction from the Board of Supervisors on March 12, 2019. (CEO, 2019)

On June 30, 2020, the County Auditor-Controller transferred \$35,000 from the Miscellaneous Budget Unit 1940, line item 862239 (Special Departmental Expense) for a total balance of \$50,000, to CSA 3 consistent with the Fiscal Year (FY) 2019-20 Annual County Budget approved by the Board of Supervisors. (Auditor, 2022)

2.4.1.2 One-time Expenses

On January 25, 2021, the Board of Supervisors supported County staff efforts related to the CSA 3 Sherwood FWC ZOB Pilot Program, designated the Transportation Department – Land Improvement Division as the appropriate department to manage the project, and authorized expenditure of funds in Budget Unit 1910 for contracting up to \$15,000 for the process to create a Zone of Benefit for the Sherwood Road area. (Board, 2022)

In August 2021, the Board of Supervisors acknowledged that the Land Improvement Budget Unit 1910 had expended \$20,000 in staff efforts to date and anticipated further effort required to complete the process to be an additional \$20,000 to \$40,000 for a total estimated cost of \$60,000. This estimated total does not include the costs of the LAFCo activation of latent powers application. (Board, 2022) Refer to Section 3.1.3 for more information.

2.4.2 LONG TERM FINANCIAL CONSIDERATIONS

CSA 3 currently has no reserves, outstanding debt, grants, or capital improvement plans.

2.5 GROWTH

2.5.1 PRESENT AND PLANNED LAND USE AND DEVELOPMENT

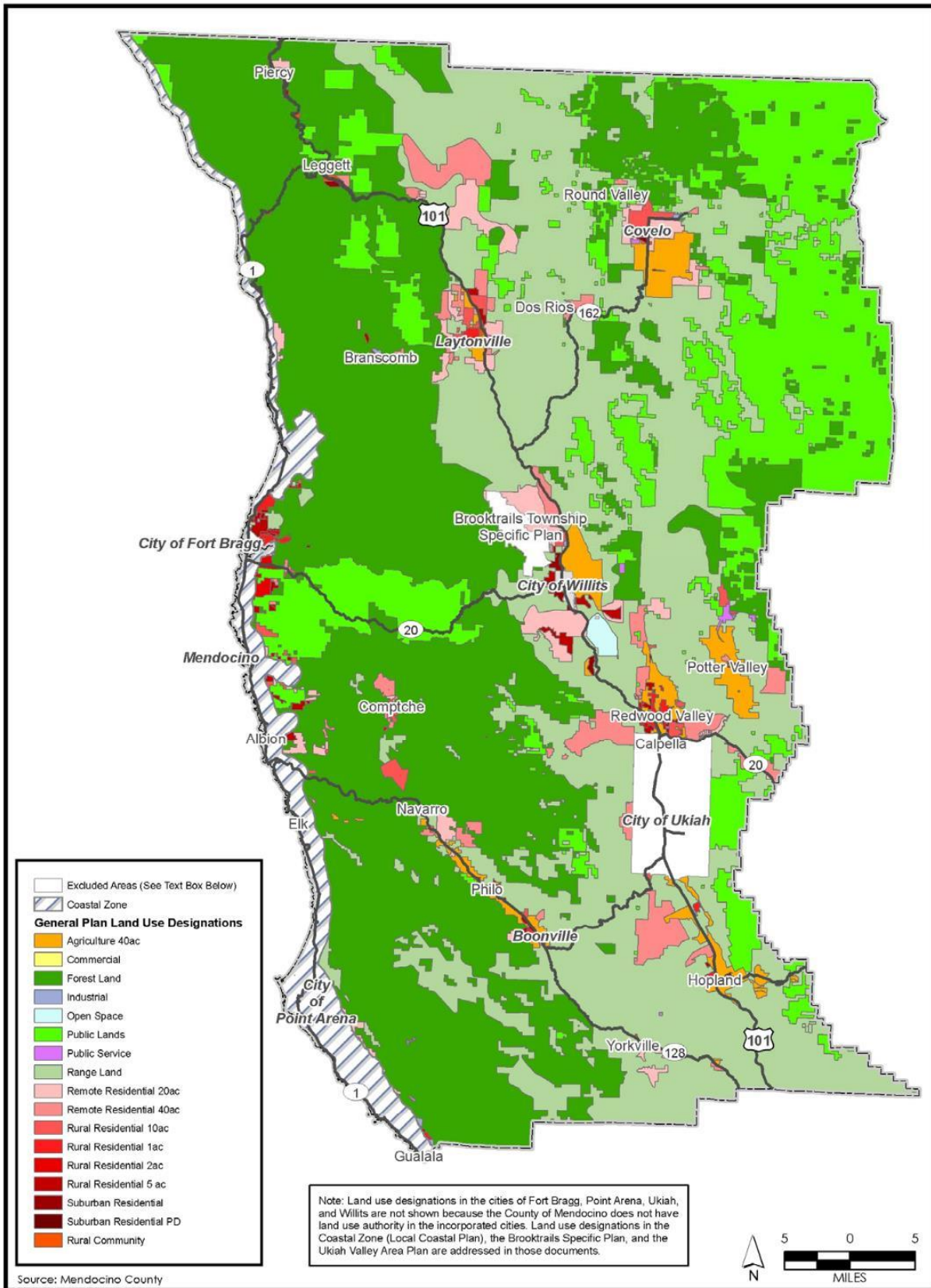
The CSA 3 boundaries are almost contiguous with the unincorporated areas of Mendocino County. Mendocino County has land use authority over privately owned lands within the CSA boundary and makes land-use decisions based on the County’s General Plan and Zoning Regulations.

2.5.1.1 Land Use

The specific land use designations for Mendocino County are listed below and are based on the Mendocino County General Plan (Figure 2.2):

- Coastal Zone
- Agricultural 40ac
- Commercial
- Forest Land
- Industrial
- Open Space
- Public Lands
- Public Service
- Range Land
- Remote Residential 20ac
- Remote Residential 40ac
- Rural Residential 10ac
- Rural Residential 1ac
- Rural Residential 2ac
- Rural Residential 5a
- Suburban Residential
- Suburban Residential PD
- Rural Community

Figure 2.2 Mendocino County General Plan Land Use Map



2.5.1.2 General Plan Goals and Policies

The following goals, policies, and action items from the Mendocino County General Plan apply to the provision of public services which CSA 3 could ultimately be used to fund through various Zones of Benefit.

Chapter 3.0 Development Element

Development Goals

Goal DE-25a (Fire)

To protect life, property, and natural resources by ensuring that development is compatible with fire protection capabilities.

Goal DE-30 (Emergency Medical Services)

To ensure that all citizens and visitors to the county have access to quality emergency medical services and that the county's EMS providers are supported through County policy and budgeted.

Land Use Policies for Clustering, Density Transfer, Density, Nonconformance, and Other Issues

Policy DE-34 Locate development and infrastructure in community areas planned for growth.

Policy DE-35 Encourage compact development patterns, infill, redevelopment and reuse in community areas to protect natural resources and maximize the efficient use of infrastructure and services.

- Land use and development standards shall encourage intensive uses, infill and reuse projects within community areas.
- Encourage and facilitate mixed-use development in appropriate zoning designations.
- Maintain compact development patterns and limit sprawl by directing commercial, residential, and community use into community areas.

Policy DE-37 Work with LAFCO and other agencies to reduce suburban sprawl, promote efficient service delivery, and protect agricultural, timber and open space areas from unintended conversion to urban uses.

Policy DE-38 Create defined boundaries for each community area, separating suburban or urban land uses from adjoining resource and rural landscapes.

Policy DE-39 Development limits and long-term phased growth boundaries may be established for the various community areas taking into account community objectives. Phased growth boundaries shall not result in the premature expansion of community areas or infrastructure.

Community Character Policies

Policy DE-94 Promote infill, reuse, redevelopment and brownfield redevelopment supported by existing or improved infrastructure.

Infrastructure (Facilities and Services) Policies

Policy DE-117 Deliver programs and services to communities in an integrated, coordinated and equitable manner, reflective of local conditions.

Policy DE-118 The County shall discourage the extension of sewer and water service outside of areas designated by this General Plan or any city's General Plan for urban uses.

Action Item DE-118.1 Work with the Local Agency Formation Commission and service providers to coordinate service capabilities with this General Plan's land use designations.

Policy DE-119 Consider infrastructure capabilities, spheres of influence and master service elements adopted by the Local Agency Formation Commission, and city rezoning when adopting or revising General Plan elements.

Policy DE-120 General Plan changes to increase density or intensity should not be granted when basic infrastructure deficiencies are identified unless there is a program in place for timely resolution of the problem.

Policy DE-121 New discretionary development will be required to demonstrate that basic infrastructure is available and has adequate capacity to serve the project (including fire flow capacity) without degrading the existing level of service standards.

Policy DE-122 When committing to serve new development, the County will encourage service providers to grant priority to allocation of available and future water resources to lower-income housing developments that help meet the regional housing need.

Policy DE-123 Plans for completion of basic infrastructure should be made concurrent with discretionary development entitlement actions.

Policy DE-124 Plan for the expansion of commercial and industrial uses and sites for affordable housing when planning and designing community spaces and infrastructure.

Policy DE-125 The County supports the extension of affordable broadband internet access to all areas of the county, particularly rural areas, which currently (2009) do not have broadband access.

Transportation Policies

Policy DE-126 Provide for multiple transportation modes and functions within transportation corridors and rights-of-way constructed by project developers or using appropriate grants funding.

Policy DE-127 The County's transportation policies and funding priorities shall emphasize use of multiple transportation modes with the acknowledgment that general transportation operation and maintenance funding is barely adequate for existing roadway safety maintenance. Emphasis should be placed on securing additional grant funds to support multimodal improvements in the right-of-way.

Policy DE-128 Ensure that transportation infrastructure accommodates the safety and mobility of motorists, pedestrians, bicyclists, and persons in wheelchairs.

Action Item DE-128.1 Establish public works standards to implement policy DE-128.

Action Item DE-128.3: Collaborate with Mendocino Transit Authority and School Districts to allow for emergency use of buses and drivers for evacuation purposes for carless populations, skilled nursing facilities, correctional facilities, and hospitals.

Policy DE-131 Development impact fees, assessments, and other secured funding sources may be required to fund transportation improvements to provide an adequate transportation system or offset transportation impacts.

Action Item DE-131.1 Maintain short and long-term capital improvements programs for transportation facilities, consistent with adopted plans.

Policy DE-133 Consider community objectives and emergency evacuation constraints in prioritizing transportation improvements funding.

Policy DE-139 Support the construction or improvement of secondary neighborhood routes to alleviate congestion of the arterials and ensure effective evacuation access.

Policy DE-140: Maximize the safety of transportation corridors for Mendocino County's isolated populations/populations with limited egress, through safety improvements and fuel reduction activities.

Action Item DE-140.1: Prioritize safety improvement and fuel reduction activities along key roadways and pursue fuels reduction funding to support these activities, consistent with the Fire Vulnerability Assessment for Mendocino County.

Action Item DE-140.2: Develop criteria for fuel reduction (e.g. brush clearance) and safety improvement activities and sustainable funding sources for future projects within the county.

Action Item DE-140.3: Establish an ancillary duty for Department of Transportation employees to prioritize reporting of problematic conditions along evacuation routes to the appropriate fire district representative and Office of Emergency Services. Upon reporting, the Department of Transportation staff would then coordinate the appropriate repairs or modifications as required to maintain safe, usable routes provided that costs are reimbursed from non-restricted sources as appropriate.

Policy DE-141: Require all new development, redevelopment, or major renovation applying for discretionary approval to comply with Cal Fire requirements regarding ingress/egress issues to facilitate effective evacuation.

Action DE-141.1: Work to ensure that all evacuation routes meet the capacity, safety, and viability under a range of emergency scenarios consistent with the Mendocino County Evacuation Plan.

Action DE-141.2: Develop a constrained access implementation plan for residential neighborhoods with limited ingress/egress or a high degree of fire vulnerability within the County based on the Mendocino County Evacuation Plan.

Policy DE-151 Land divisions and other discretionary projects shall not be approved until access and road improvements adequate for the intended uses, density or intensity are identified and constructed, or funding mechanisms are in place.

Evacuation Routes

Policy DE-155: Periodically update the Mendocino County Evacuation Plan to ensure assets and capabilities meet the changing needs of the county.

Action Item DE-155.1: Implement the Mendocino County Evacuation Plan and conduct annual training and exercises of the plan to identify issues/challenges to potential evacuation events.

Action Item DE 155.2: All roadways used for evacuation purposes, will meet minimum roadway widths as determined by the County's Transportation Department.

Action Item DE-155.3: Identify residential neighborhoods with single ingress/egress roadways and develop an action plan to enhance evacuation capabilities, updating periodically over the next five years or until all locations are known.

Policy DE-156: Ensure all roadways within the County use unique names/identifiers and provide street addressing and signage that is highly visible to ensure effective emergency response and evacuation.

Action DE-156.1: Develop a comprehensive road renaming program for areas of the County where roadways are similarly named (Ex: Rabbit Lane, which would not also allow Rabbit Road, Rabbit Avenue, Rabbit Circle, etc.) to ensure effective emergency response activities.

Water Supply and Sewer (Wastewater Treatment) Services Policies

Policy DE-192 Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-193 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-193.1 Work aggressively with water and sewer service providers to overcome the current and projected system and supply deficiencies necessary to serve planned community growth and emergency response needs.

Action Item DE-193.2 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-193.3 Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water or sewer systems.

Policy DE-194 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-195 Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with the General Plan's land use and resource objectives, except where the extension is needed to address a clear public health hazard.

Policy DE-196 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-197 Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

Policy DE-198: The County shall coordinate with water and sewer system providers to ensure that water and wastewater treatment facilities are protected from flooding and erosion hazards.

Drainage and Flooding Policies

Policy DE-200 Emphasize land use compatibility and onsite floodwater retention to prevent or manage flooding.

Policy DE-201 To the maximum extent practical, avoid constructing critical facilities within the designated 500-year flood plain areas or areas potentially subject to dam inundation (or other water impoundment facilities) or seiches. If construction has to occur within these areas, implement floodproofing strategies to reduce impacts associated with flood inundation.

Solid Waste and Hazardous Waste and Materials Management Policies

Policy DE-210 The County will maintain a comprehensive integrated waste management plan consistent with General Plan, environmental, and public health objectives. The County's waste management plan shall include programs to increase recycling and reuse of materials to reduce landfilled waste.

Action Item DE-210.1 Work with local and regional agencies and enterprises to maintain and enhance integrated waste management programs.

Policy DE-211 Promote materials recovery programs and facilities, focusing on wastes generated in the Mendocino County region.

Other Utility Systems Policies

Policy DE-214 The County will seek to reduce the impacts of above-ground utilities. Standards and policies to reduce impacts include:

- Promoting the underground installation of utilities to reduce visual impacts to significant scenic resources.
- Locating utility systems in established corridors where possible.
- Ensuring that above-ground utilities are located and designed to minimize visual impact and clutter.
- Avoiding vegetation removal, new road construction, and silhouettes against the sky.

- Pursuing the undergrounding of utility lines in new development, and in the downtown core of community areas.

Policy DE-215 The County shall work with communication providers to install redundant facilities in isolated areas, reducing the chance of service degradation or outages, emphasizing communication facilities that provide essential services to support social and economic needs, including wired, wireless and satellite communications.

Policy DE-216 The County will facilitate investment in telecommunications infrastructure by providing clear guidelines for utility systems.

Policy DE-217: Prioritize enhancement of utility systems in areas of high hazard potential (wildfire, flooding, landslides) to ensure services remain operational and effective (see Policy DE-219).

Hazard Reduction and Emergency Response Policies

Policy DE-219 Locate and design critical infrastructure to withstand and operate during hazard events and subsequent recovery phases. Standards and policies include:

- Generally prohibit the construction of public or private structures designed for emergency services or public safety in areas of unacceptable risk, which shall be defined as any location at which an incident capable of either causing the facility to become inoperable has a likelihood of more than 1/1,000,000 per year.
- Facilities and structures owned or used by public entities should be designed or retrofitted, used, and occupied consistent with Uniform Building Code and County Code requirements to protect life and property from hazards.
- Noncompliant structures should be upgraded, abated, or occupancy changed, prioritizing critical facilities and hazard risk.
- Encourage federal, state, and tribal authorities to evaluate facilities and structures not under County jurisdiction and to implement corrective safety measures as needed.
- Promote design elements that allow for greater social distancing and protective measures (ventilation, physical barriers, space for staff) to accommodate County and community needs during health-related incidents.

Action Item DE-219.1 Maintain emergency response plan(s) designed to reduce risk and exposure to hazardous conditions and events, respond to emergencies, and facilitate recovery.

Action Item DE-219.2 Update the emergency response plan regularly to keep pace with the growing population and emergency service capabilities.

Action Item DE-219.3a Identify routes and sites necessary for evacuation, emergency operations and recovery during hazard events.

Action Item DE-219.3b Identify new evacuation routes consistent with the Mendocino County Evacuation Plan, ensuring effective ingress/egress from isolated communities.

Action Item DE-219.3c Develop evacuation route alternatives for hazards and communities to ensure effective evacuation activities.

Action Item DE-219.4 Upgrade critical County services to employ onsite renewable energy systems to provide a basic level of operation, and encourage other agencies in Mendocino County to do the same.

Action Item DE-219.5 Increase the County's fuel storage capacities so as to withstand an extended, but temporary disruption of deliveries.

Policy DE-220 Development shall not hinder the maintenance and use of routes and sites critical to evacuation, emergency operations, and recovery.

Action Item DE-220.1 Establish and coordinate capital improvement programs and priorities to avoid or mitigate high-risk events.

Action Item DE-220.2 Through the County Office of Emergency Services, the County, and relevant agencies, promote public education and safety programs to reduce risk from geologic, fire, flood, inundation, and other hazards related to growth and development.

Action Item DE-220.3: Regularly update Mendocino County's Community Wildfire Protection Plan (CWPP), Multi-Jurisdiction Hazard Mitigation Plan, Capital Improvement Program, and Emergency Operations Plan to ensure consistency and effective hazard risk reduction.

Policy DE-221: The County supports the efforts of ham radio operators who provide needed communication during times of emergency.

Action Item DE-221.1: Amend the Zoning Code to provide an exemption from height limits for ham radio antennae.

Policy DE-222: The County shall establish an outreach program to educate residents and business owners about natural and climate change-induced hazards and public understanding of disasters. The County shall encourage persons in hazard-prone areas to prepare and maintain an emergency and evacuation kit.

Policy DE-223: The County shall collaborate with community service and faith-based organizations to ensure that the information and services related to emergency preparedness are made available to persons with limited transportation, communication, and other lifeline resources and services.

Policy DE-224: The County's Office of Emergency Services shall provide alerts about potential developing and ongoing emergency situations through the MendoAlert and/or Nixle systems to convey information to all residents and visitors, in multiple languages and formats to ensure it is widely distributed.

Action Item DE-224.1: The County Health and Human Services Agency shall continue to maintain an up-to-date Vulnerable Populations list of contact information for County residents to allow for effective emergency notifications and evacuation warnings.

Policy DE-225: The County shall encourage emergency preparedness among visitors.

Action Item DE-225.1: The County shall develop information content for the recreation and tourism sectors to ensure that visitors are aware of and prepared for potential, developing, and ongoing hazards in the area.

Action Item DE-225.2: The County shall require hotels, short-term rentals, and other lodging establishments to provide regional evacuation route information in the event of an emergency.

Fire Protection Policies

Policy DE-226: The General Plan Land Use and zoning maps shall limit development potential within Very High Fire Hazard Severity Zones (VHFHSZ), limiting or avoiding new development in these areas.

Policy DE-227: Development, densities, intensities, and type shall be consistent with the state wildfire hazard rating system and Fire Safe Regulations (addressing weather, fuel and slope, access, water, and other factors).

Policy DE-228: The County shall deny development proposals that present substantial fire hazard risk to residents and safety providers responding to a wildland fire.

Action Item DE-228.1: Work with CalFire to administer the Fire Safe Regulations and fire protection programs for State Responsibility Areas and development interfaces within the HFHSZ and VHFHSZ.

Action Item DE-228.2: Require new essential public facilities (fire stations, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities) to be located outside of VHFHSZs to the greatest extent possible.

Action Item DE-228.3: Require existing essential public facilities located in VHFHSZs to be retrofitted to reduce vulnerability to wildfire hazards.

Action Item DE-228.4: Disseminate evacuation criteria for the evacuation of residential neighborhoods in accordance with the Mendocino County Evacuation Plan.

Action Item DE-228.5: Develop an inventory of vulnerable populations (senior housing, group homes, multi-family housing, etc.) structures, roads, utilities, and essential public facilities within High and Very High Fire Hazard Severity Zones to be incorporated into the County's EOP.

Action Item DE-228.6: Expand the Mendocino County Evacuation Plan to include evacuation and shelter in place plans for vulnerable population locations and effectively communicate this information to the relevant first responder agencies.

Policy DE-229: Development shall be located, designed, and managed to reduce fire risk to life, property, and natural resources, and incorporate adequate fire protection consistent with the General Plan and adopted regulations.

Action Item DE 229.1: Applicants seeking discretionary approvals within and adjacent to High and Very High Fire Hazard Severity Zones within the County will be required to prepare a Fire Protection Plan (FPP), which must be approved by the fire code official,

that may include but not be limited to mitigation strategies that take into consideration location, topography, geology, flammable vegetation, sensitive habitats/species, and climate of the proposed site. FPPs must address water supply, access, building ignition and fire resistance, fire protection systems and equipment, defensible space, vegetation management, and long-term maintenance. All required FPPs must be consistent with the requirements of the California Building Code Chapter 7A, International Wildland-Urban Interface Code, and the County of Mendocino.

Policy DE-230: Approval of parcel maps and tentative maps in SRAs or VHFHSZs is conditional based on meeting the SRA Fire Safe Regulations and the Fire Hazard Reduction Around Buildings and Structures Regulations, particularly those regarding public and private road standards for ingress, egress, and fire equipment access. (Gov. Code, § 66474.02.)

Policy DE-231: Development shall facilitate and integrate the ability for fire protection agencies to access and maintain fuel and firebreaks, water supplies, and public and private emergency access routes.

Action DE-231.1: The County shall make fuels reduction along County roads within existing rights of way a regular part of the ongoing County road maintenance operations. The County shall encourage owners of private roads and driveways to do the same.

Action DE-231.2: Work with Fire Protection Agencies to identify long term maintenance standards and funding sources for fuel reduction projects, and community fire breaks.

Policy DE-232: New development in the High and Very High Wildfire Hazard Severity Zones and wildland urban/rural interfaces shall incorporate the following:

- Fuel breaks or greenbelts coordinated with water supplies and access, providing maximum circulation consistent with topography.
- Adequate and accessible defensible space that does not rely on publicly owned lands or open space designations of homeowner associations.
- At least two ingress-egress routes to a public roadway, unless alternative routes accessible to fire equipment are provided.
- Access to publicly maintained evacuation routes at regular intervals.
- Access routes sufficient to accommodate evacuating vehicles, fire equipment, and vegetation management zones.
- Primary traffic lanes to all building sites with turnarounds to accommodate fire equipment.
- Water supplies within a short distance of fire equipment access.
- Fire flows with adequate duration.
- Develop fire-safe plans for communities to assist in qualifying for grants.

Action DE-232.1: County codes and ordinance should be amended to require that all new construction comply with the California Code of Regulations, Division 1.5, Chapter 7, which should include regulations pertaining to:

- Emergency on-site water storage for fire protection (as a permitted use by right in all zoning districts)
- Covering all rain gutters with non-combustible leaf shields
- Requiring only non-combustible fences and decks
- Requiring enclosed eaves on all structures
- Installing fireproof vents on all structures (fire-rated, and flame and ember resistant)

Action DE-232.2: Identify developed areas within the County that do not meet current SRA Fire Safe Regulations or certified local ordinances.

Action DE-232.3: Developed areas identified within the County that do not meet current SRA Fire Safe Regulations or certified local ordinances should be retrofitted to comply with Policy DE-232 to the greatest extent possible.

Action DE-232.4: Develop a non-conforming retrofit plan for existing developments to meet Fire Safe Regulations and Defensible Space requirements.

Policy DE-233: The County supports an effective and economically viable fire protection and emergency response provided by fire protection agencies.

Policy DE-234: Coordinate with fire protection districts to determine and report capabilities to adequately serve existing and potential development.

Action DE-234.1: Develop a service level inventory for all fire protection authorities that identifies existing fire station locations, staffing levels, areas lacking service, and typical response times for service areas.

Policy DE-235 Developments shall be approved only if sufficient fire-fighting resources, such as fire stations, equipment, personnel, hydrants, and water supplies, will be available to serve all phases of development and include ongoing operations and maintenance.

Action Item DE-235.1 Work with fire protection organizations to achieve funding stability necessary to maintain adequate staffing, facilities and equipment.

Action Item DE-235.2 Collaborate with fire protection authorities, land managers, private landowners, and others to improve fire management strategies for reducing the impacts of wildfires on forest and watershed ecosystems.

Action Item DE-235.3 Work with fire protection providers (i.e., CalFire, U.S. Forest Service, local fire protection districts, and cities) to ensure development is compatible with fire protection capabilities.

Policy DE-236 The County will support viable emergency response and transport services such as emergency medical services.

Policy DE-237: Areas within the SRA and Fire Hazard Severity Zones shall be evaluated to determine the appropriate type, density, and locations of new development or reconstruction, and ensure adequate circulation, infrastructure, and services are available consistent with the latest Fire Safe Regulations.

Action Item DE-237.1: After a wildfire event, coordinate with USGS on Preliminary Hazard Assessments to identify areas prone to flooding and mudslide/debris flows.

Policy DE-238 New development not located in a fire protection district should mitigate impacts on first responders to emergency calls, and should be required to contribute its fair share cost of providing emergency services.

Action Item DE-238.1 No later than July 2022, the County shall develop a plan for short- and long-term funding to offset service delivery costs to local fire and emergency response districts for serving areas not within their district boundaries. This may include bonding, assessments, and/or direct fee for service. It is specifically recognized that some funding mechanisms may require voter approval in order to be implemented.

Action Item DE-238.2 Acknowledgement of the lack of fire and emergency services (or the limited availability of such services) shall be recorded with the County Recorder for all developed parcels located outside of a fire protection district. This acknowledgement shall be made available to all subsequent purchasers of the property. Proof of recordation shall be a condition of approval of all discretionary permits for projects located outside of a fire protection district.

Policy DE-239: Encourage the Air Quality Management District to coordinate with CalFire when providing public information about “burn” or “no burn” days.

Policy DE-240: Coordinate with the Mendocino County Fire Safe Council to develop and refine their “Defensible Space” program for County residents.

Policy DE-241: The County shall work with local communities and property owners to engage in and facilitate the removal of highly invasive flammable weeds (gorse, French broom, eucalyptus, etc.)

Policy DE-242: The County shall collaborate with the Mendocino County Fire Safe Council to add funding, expand programs, and distribute information on the Chipping Program, Ukiah Valley Fire Fuels Reduction Project, Defensive Space Assistance for Income-Eligible, and hazard tree removal programs.

Policy DE-243: The County shall coordinate with tribal nation governments and communities within the County to complete vegetation and fuel management projects surrounding their communities, including encouraging such activities on public and private roads.

Emergency Medical Services

Policy DE-269: The County shall work with local medical providers to ensure that low-cost medical and emergency medical services are available to those in isolated or disadvantaged unincorporated areas of the county.

(Mendocino, June 2021)

2.5.1.3 Development

As described under Section 2.5.2 below, population in Mendocino County has fallen over the last decade— even while the County faces development pressures from its more urban neighboring counties. Other economic changes in the County include changes in the timber and agricultural industries and global climate change. The long-term availability of energy and water resources is also a factor as the County plans for new growth.

Both timber and agriculture are a continued and vital part of the County's economy. They have both been protected by longstanding County policies which seek to concentrate development into existing cities, towns and villages, and to retain large areas of the County in timber and farmland. However, timber and agriculture face challenges. The timber industry faces increasing competition from worldwide sources of lumber that have made it difficult for local mills to remain competitive, resulting in the reduction of the former 200-plus lumber mills to only a handful. Many industrial jobs have been lost.

Agriculture, unlike timber, is not in decline, although it has changed with the addition of vast areas of viticulture, and attendant tourism. The change from historic crops such as pears, apples, prunes, and livestock to grapes and wine-making has also resulted the loss of the fruit orchards, sheep ranches, forests, and other historic uses that defined their regions in the past.

A limited water supply combined with uncertainty about the availability of future supplies, has served to limit development in most of the county. More recent challenges include changes in agriculture from low-intensity farming to more water-intensive crops like wine grapes, reductions in rainfall and river flows resulting from global climate change, and changes in upstream use of water that could limit flows in the rivers. There are also growing concerns about the impacts of development on water quality.

The reliability of energy resources is also particularly important in Mendocino County because the county's widely separated cities and towns make it necessary for many residents to travel long distances to work, shop and recreate. Fuel costs are therefore a major concern to residents and businesses. Most of the county's current energy resources originate outside of the county.

Climate change and its relationship to development is also of increasing concern. Directing new growth into the incorporated cities and established communities and increasing bike, pedestrian and transit systems will help lower transportation related GHG emissions, while improving building energy efficiency standards and promoting the use of renewable sources (wind, solar, hydro, and geothermal, among others) will lower emissions as well as consumption of fossil fuels in the county as a whole.

(Mendocino, 2009a)

2.5.2 EXISTING POPULATION AND PROJECTED GROWTH

CSA 3 does not have a service population as it does not currently provide any services. However, the CSA covers almost the entirety of Mendocino County, which has a population of 91,601 as of April 1, 2020. (USCB, 2021c) The average population for Mendocino County is 24.16 persons per square mile.

The rate of growth in Mendocino County from 2010 (87,841 residents) to 2020 (91,601) was 4.3%, as shown in the table below.

	1980	1990	2000	2010	2020
Mendocino County	66,738	80,345	86,265	87,841	91,601
Percent Change	30%	20%	7%	2%	4%

Source: USCB, 2021a and USCB, 2021c.

As shown in Table 2.3, if the last ten years is an indication of average growth for the next ten years, the County will see very little growth in overall population. Growth projections published by Caltrans indicate a very slow overall County population growth of approximately 0.15%. (Caltrans, 2019) Based on this growth rate, CSA 3 can expect a small population increase of approximately 400 people in the next three years.

2.6 DISADVANTAGED UNINCORPORATED COMMUNITIES

Senate Bill (SB) 244, which became effective in January 2012, requires LAFCo to evaluate any Disadvantaged Unincorporated Communities (DUCs), including the location and characteristics of any such communities, when preparing an MSR that addresses agencies that provide water, wastewater, or structural fire protection services. A DUC is an unincorporated geographic area with 12 or more registered voters with a median household income (MHI) that is less than 80% of the State MHI of \$75,235, or \$60,188 (USCB, 2021b). This State legislation is intended to ensure that the needs of these communities are met when considering service extensions and/or annexations in unincorporated areas.

Mendocino County has an MHI of \$51,416 (USCB, 2021c) and qualifies as a DUC. Special consideration will be given to any DUCs affected by future annexation proposals consistent with GOV §56375(8)(A) and LAFCo Policy.

3 MUNICIPAL SERVICES

A Municipal Service Review (MSR) is a comprehensive analysis of the services provided by a local government agency to evaluate the capabilities of that agency to meet the public service needs of their current and future service area. The MSR determinations inform the SOI Update process and assist LAFCo in considering the appropriateness of a public service provider's existing and future service area boundary. The information and analysis presented in Chapters 2 and 3 of this document form the basis for the MSR determinations provided under Section 3.2.

3.1 SERVICE OVERVIEW

3.1.1 SERVICES AND FACILITIES

CSA 3 does not currently provide any services or have any facilities, and therefore does not have any customers or capital improvement plans to address service deficiencies or expansions.

CSA 3 has been a longstanding inactive district and Mendocino County is currently considering adding powers or services to CSA 3 that would allow for the establishment of Zones of Benefit (ZOB) as a funding vehicle to provide extended services to various areas of the County.

3.1.2 OUT-OF-AGENCY SERVICES

CSA 3 does not currently provide any services, and there are no pending or anticipated requests for or commitments to provide out-of-agency services.

3.1.3 SHERWOOD FWC ZOB PILOT PROGRAM

On January 8, 2019, the Board of Supervisors formed an Ad Hoc Committee to discuss issues related to second access roads within the County and issues related to emergency access and/or evacuation routes. (Mendocino, 2021d) This Ad Hoc Committee for one-way-in, one-way-out communities has been working with the Sherwood Firewise Community (FWC) for several years to address emergency access needs for communities along the Sherwood Road corridor located northeast of the City of Willits in the Brooktrails Township Community Services District and adjacent areas as depicted in Figure 3.1.

The Sherwood FWC has obtained grants from the Community Foundation of Mendocino County and pro bono work from Kronick Moskovitz Tiedemann & Girard law firm in Sacramento to develop the framework for a CSA 3 ZOB to be funded by a benefit assessment through the Benefit Assessment Act of 1982 and Proposition 218.

On January 25, 2021, the Board of Supervisors considered a plan to implement the CSA 3 Sherwood FWC ZOB Pilot Program and directed County staff to continue working on necessary steps for implementation. County staff provided an update to the Board of Supervisors on August 3, 2021, which was continued to August 17, 2021. County staff scheduled a vote-by-mail ballot election process for ZOB creation and assessment on March 15 and 17, 2022, which was postponed at the March 1, 2022 Board of Supervisors meeting at LAFCo's request in order to proceed with the activation of latent powers application first. The activation of latent powers would address emergency access road maintenance services.

The following is a brief project scope for the Sherwood FWC ZOB Pilot Program:

- Reduce the need for two-way traffic along Sherwood Road during wildfire incidents and allow unimpeded two-lanes of travel for improved evacuation safety of residents, businesses, and visitors.
- During wildfire incidents, dedicate the 3.5-miles of Sherwood Road from the intersection at Poppy Drive to North Main Street in the City of Willits to one-way evacuation traffic only.
- Provide two alternate dry weather access routes for emergency equipment over private roads commonly referred to as the "FirCo Haul Road" and the "Willits Creek Trail Road".
- Collect funding from property owners in the Brooktrails, Spring Creek, Sylvandale, and Gates Subdivisions for road maintenance of the Willits Creek and Firco Emergency Equipment Access Routes.
- Based on an Engineer's Report, there would be an estimated \$30 annual benefit assessment charged to property owners of developed or improved parcels occupied for residential or business uses.
- Assessment funds would be used for on-going routine private road maintenance service including vegetation clearance, road drainage ditches, conduit cleaning and replacement, and road surface gravel and grading treatments.
- CSA 3 Sherwood FWC ZOB would serve as a funding mechanism only, and County staff appointed by the CSA 3 Board of Directors would collect and administer the assessment funding and implement the road maintenance activities either directly or by contract.
- The assessment would be collected annually until the CSA 3 Board of Directors determines it is no longer needed.
- The proposed road maintenance work will compliment hazardous fuel reduction efforts already completed during the Oak Fire by CAL FIRE for critical firefighter access.

(Board, 2021b) (Board, 2021a) (Board, 2021b) (Board, 2022) (CSA 3, 2022) (Mendocino, 2022)

3.2 DETERMINATIONS

This section presents the required MSR determinations pursuant to California Government Code §56430(a) for County Service Area No. 3.

3.2.1 MSR REVIEW FACTORS

3.2.1.1 Growth

Growth and population projections for the affected area

1. The jurisdictional boundary of CSA 3 encompasses the entire unincorporated area of Mendocino County. The District boundary is not countywide.
2. The District does not currently provide any services and therefore has no service population.
3. The 2020 Census estimated a population of 91,601 residents for Mendocino County.
4. Mendocino County population growth is expected to increase at an annual rate of approximately 0.15%. Based on this growth rate, CSA 3 can expect a small population increase of approximately 400 people in the next three years.
5. Mendocino County has land use authority over privately-owned lands within the CSA 3 boundary and makes land-use decisions based on the County's General Plan and Zoning Regulations.

3.2.1.2 Disadvantaged Unincorporated Communities

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

6. Mendocino County has an MHI of \$51,416 and qualifies as a disadvantaged unincorporated community (DUC) with less than 80% of the States Median Household Income (MHI). Special consideration will be given to any DUCs affected by future annexation proposals consistent with GOV §56375(8)(A) and LAFCo Policy.

3.2.1.3 Capacity of Facilities and Adequacy of Services

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence

7. CSA 3 does not provide any services and has no facilities, equipment, infrastructure, personnel, or reoccurring revenue.
8. The District does not provide any out-of-agency services.
9. CSA 3 has been a longstanding inactive district and Mendocino County is currently considering adding powers or services to CSA 3 that would allow for the establishment of Zones of Benefit as a funding vehicle to provide extended services to various areas of the County.
10. The creation of a CSA 3 Zone of Benefit and Benefit Assessment for the Sherwood Firewise Community area as a funding mechanism to provide on-going routine road maintenance on two alternate dry weather emergency equipment access routes is intended to improve wildfire evacuation safety for residents, businesses, and visitors and requires a LAFCo activation of latent powers application first.
11. It is currently unclear whether CSA 3 will provide an efficient and practical way for addressing County goals and community needs. Therefore, in lieu of preparing a long-term plan for CSA 3 service

provision at this time, it is recommended that County staff provide the Commission an annual progress report on CSA 3 activities and plans.

3.2.1.4 Financial Ability of Agency

Financial ability of agencies to provide services

12. There is no annual budget or audit to evaluate as CSA 3 has been inactive for decades. CSA 3 has never collected ad valorem property taxes and the District has no reoccurring revenues or expenses.
13. The Board of Supervisors authorized one-time fund transfers to CSA 3 in 2019 and 2020 for a total of \$50,000 to keep the District active.
14. CSA 3 currently has no reserves, outstanding debt, grants, or capital improvement plans.
15. Once the District provides services, it will be required to prepare an annual budget and have annual financial audits prepared by a qualified Certified Public Accountant likely through Mendocino County. The District shall provide LAFCo a complete copy of all future financial audit reports prepared by a Certified Public Accountant within 12 months of the end of the fiscal year or years under examination consistent with the timeframes established by Government Code Section 26909(a)(2)(b)(ii) as amended by SB 448. Audits should also be posted on the District's webpage for public access.
16. In order for the District to provide services in the future, a funding mechanism would be needed to ensure that the District would operate in a financially sound manner. If property tax assessments are to be used to fund any future services, a Proposition 218 election would need to be held and a majority of voting taxpayers would need to approve the assessments. An Engineer's Report would be required prior to any Proposition 218 election. The Report would provide the cost of long-term operations, maintenance, and capital costs, including staffing, equipment, and facilities needed.
17. Future benefit assessments for future Zones of Benefit should include an annual inflationary cost adjustment mechanism aligned with the Construction Cost Index in order to ensure that long-term funding remains commensurate with any rising or falling costs in construction.

3.2.1.5 Shared Services and Facilities

Status of, and opportunities for, shared facilities

18. CSA 3 does not currently provide any services or have any facilities, equipment, or infrastructure and therefore does not share services or facilities with other local government agencies.

3.2.1.6 Accountability, Structure, and Operational Efficiencies

Accountability for community service needs, including governmental structure and operational efficiencies

19. The CSA 3 Board of Directors is governed by the Mendocino County Board of Supervisors comprised of five seats and elected to serve staggered 4-year terms.
20. Regularly scheduled meetings for the Board of Supervisors are held on two Tuesdays of the month at 9:00 a.m. at the County Administration Center located at 501 Low Gap Road in Ukiah. All meetings are open to the public and are publicly posted a minimum of 72 hours prior to the meeting in accordance with the Brown Act.
21. The Board of Supervisors conducts business and takes action by approving motions and adopting resolutions and ordinances by a majority vote of a sufficient quorum. The Board of Supervisors have adopted policies and procedures related to elected officials including conflict of interest and

reimbursement, finances, and personnel. The Board of Supervisors receive two hours of training on public service ethics laws and principles at least once every two years pursuant to AB 1234. Board of Supervisors must consider proposed increases to rates and fees at properly noticed Public Hearings and subject to mailing a Notice of Hearing for Protests to all property owners pursuant to Proposition 218. The Board of Supervisors complies with local government ethics laws and regulations and operates with accountability and transparency.

22. As a matter of order, the Board of Supervisors should convene as the CSA Board of Directors in transacting County-dependent district business during Board of Supervisors public meetings.
23. The CSA has a website at <https://www.mendocinocounty.org/government/transportation/csa-3>, which currently contains the District’s agendas and minutes from Board meetings related to reactivation. When CSA 3 becomes more active, the website should be updated with additional information, such as meeting dates, agendas, bylaws, procedures, maps, and other relevant documents. The CSA 3 website would benefit from a similar format as the Board of Supervisors website, which has a searchable database of documents.
24. The District has no personnel and relies on the County for staffing services.
25. The public can submit written or provide verbal comments or complaints in person or by phone at the Board office during business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m., or at the Board of Supervisors meetings during the general public comment period.
26. In consideration of SB 448 and the long history of CSA 3 inactivity, it is recommended that if the District does not activate latent powers within five-years of adoption of this study, the Commission consider initiating dissolution proceedings. This recommendation does not limit the ability of the Commission to initiate dissolution proceedings sooner as provided by applicable laws.
27. There are no government restructure options for the District to achieve organizational or operational efficiencies identified during the preparation of this MSR.

3.2.1.7 Other Service Delivery Matters

Any other matter related to effective or efficient service delivery, as required by commission policy

28. There are no other matters related to service delivery required by Mendocino LAFCo Policy.

4 SPHERE OF INFLUENCE

LAFCo prepares a Municipal Service Review (MSR) prior to or in conjunction with the Sphere of Influence (SOI) establishment or update process. An SOI Update considers whether a change to the SOI, or probable future boundary, of a local government agency is warranted to plan the logical and orderly development of that agency in a manner that supports CKH Law and the Policies of the Commission. The MSR and required determinations are presented in Chapters 2 and 3 of this document and form the basis of information and analysis for this SOI study. This chapter presents the SOI establishment or update and required determinations pursuant to California Government Code §56425(e).

4.1 SOI ESTABLISHMENT

4.1.1 EXISTING SPHERE OF INFLUENCE

CSA 3 has been inactive for decades and there is no record of prior LAFCo efforts to establish a Sphere of Influence (SOI) for this County-dependent district. Therefore, this study is intended to establish an SOI for CSA 3.

4.1.2 EXISTING SERVICES

CSA 3 has been inactive for decades and does not currently provide any services or have any facilities, equipment, infrastructure, personnel, or reoccurring revenue.

Therefore, there are no existing services to note or describe related to the nature, location, and extent of any functions or classes of services provided by CSA 3 per GOV §56425(i).

An activation of latent powers application will be needed to proceed with provision of CSA 3 services.

4.1.3 STUDY AREAS

There are multiple Study Areas for CSA 3 evaluated in this report.

4.1.3.1 Sherwood Road Study Area

The Sherwood Road Study Area, known as the CSA 3 Sherwood FWC ZOB Pilot Program, discussed in Section 3.1.3, is well defined and based on years of collaboration between the Sherwood Firewise Community (FWC) and the County of Mendocino related to addressing community needs for multiple emergency access routes.

4.1.3.2 Ukiah Eastern Hills Study Area

The Ukiah Eastern Hills Study Area is in early stages of conception and is not currently geographically well-defined, but generally involves existing residential subdivisions in the Eastern Hills of the Ukiah Valley area along Redemeyer Road (Figure 4.1).

4.1.3.3 Other Communities

In addition to the study areas described above, there are multiple other one-way-in, one-way-out communities in the County with fire vulnerability and evacuation concerns that need a secondary emergency access route.

The 2021 Mendocino County Safety Element Update and the 2020 Mendocino County Evacuation Plan identify areas with evacuation limitations. Please note that the areas identified in the Safety Element and Evacuation Plan are not based on an exhaustive or prioritized list of community needs.

4.1.3.4 Fire Service Gaps Study Area

The gaps in between the service areas of existing local fire agencies could potentially be supported by activation of latent fire powers through CSA 3 (Figure 4.2). Refer to Section 2.3.10.1 for more information.

4.1.3.5 Water Service Gaps Study Area

The gaps in between the service areas of existing local water agencies could potentially be supported by activation of latent water powers through CSA 3 (Figure 4.3). Refer to Section 2.3.10.2 for more information.

4.1.4 AREA OF INTEREST DESIGNATION

LAFCo's Area of Interest Policy, per Section 10.1.12, provides for the designation or identification of unincorporated areas located near to, but outside the jurisdictional boundary and established SOI of a city or district, in which land use decisions or other governmental actions of another local agency directly or indirectly impact the subject local agency.

An Area of Interest (AOI) designation serves as a compromise approach that recognizes situations involving challenging boundary or municipal service delivery considerations, or for which urbanization may be anticipated in the intermediate or long-range planning horizons. It is a tool intended to enhance communication and coordination between local agencies.

An AOI designation is most helpful when the county and city or district can reach agreement that development plans related to LAFCo designated AOI will be treated the same as if these areas were within the city or district SOI boundary, particularly regarding notification to and consideration of input from the city or district.

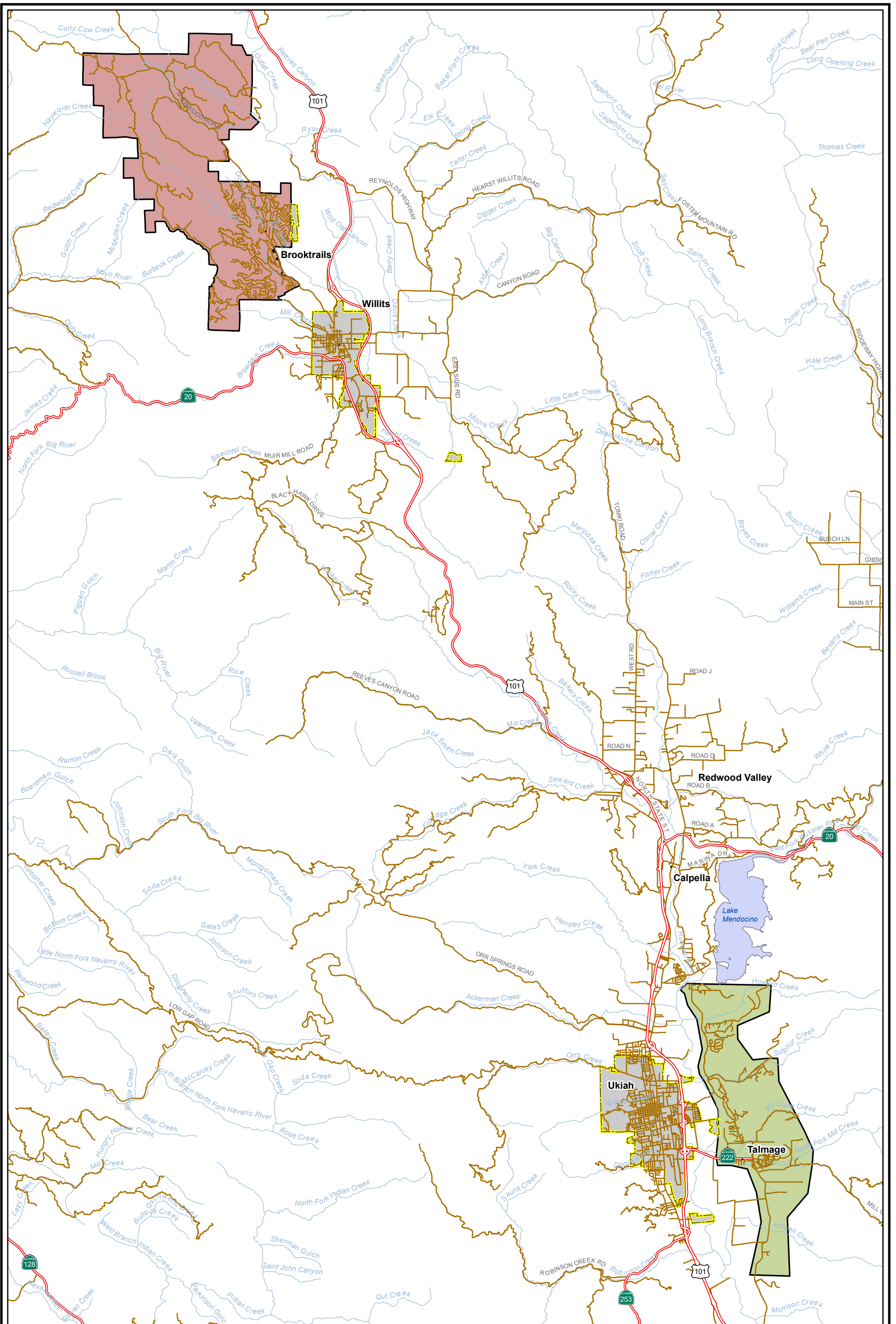
The Ukiah Eastern Hills, Fire Service Gaps, and Water Service Gaps Study Areas described above are designated as Areas of Interest for CSA 3.

4.1.5 PROPOSED SOI

The Sherwood Road Study Area describe above is proposed for a Service Specific Sphere, per LAFCo Policy 10.1.6, for road maintenance of emergency access routes.

There is no further SOI boundary (Figure 4.1) proposed for CSA 3 at this time since the District does not currently provide any services or have any facilities, equipment, infrastructure, personnel, or reoccurring revenue.

Once a detailed service plan is established for a well-defined service area within the District, a LAFCo application to activate latent powers accompanied by a sphere amendment will be needed to proceed with such provision of District services.

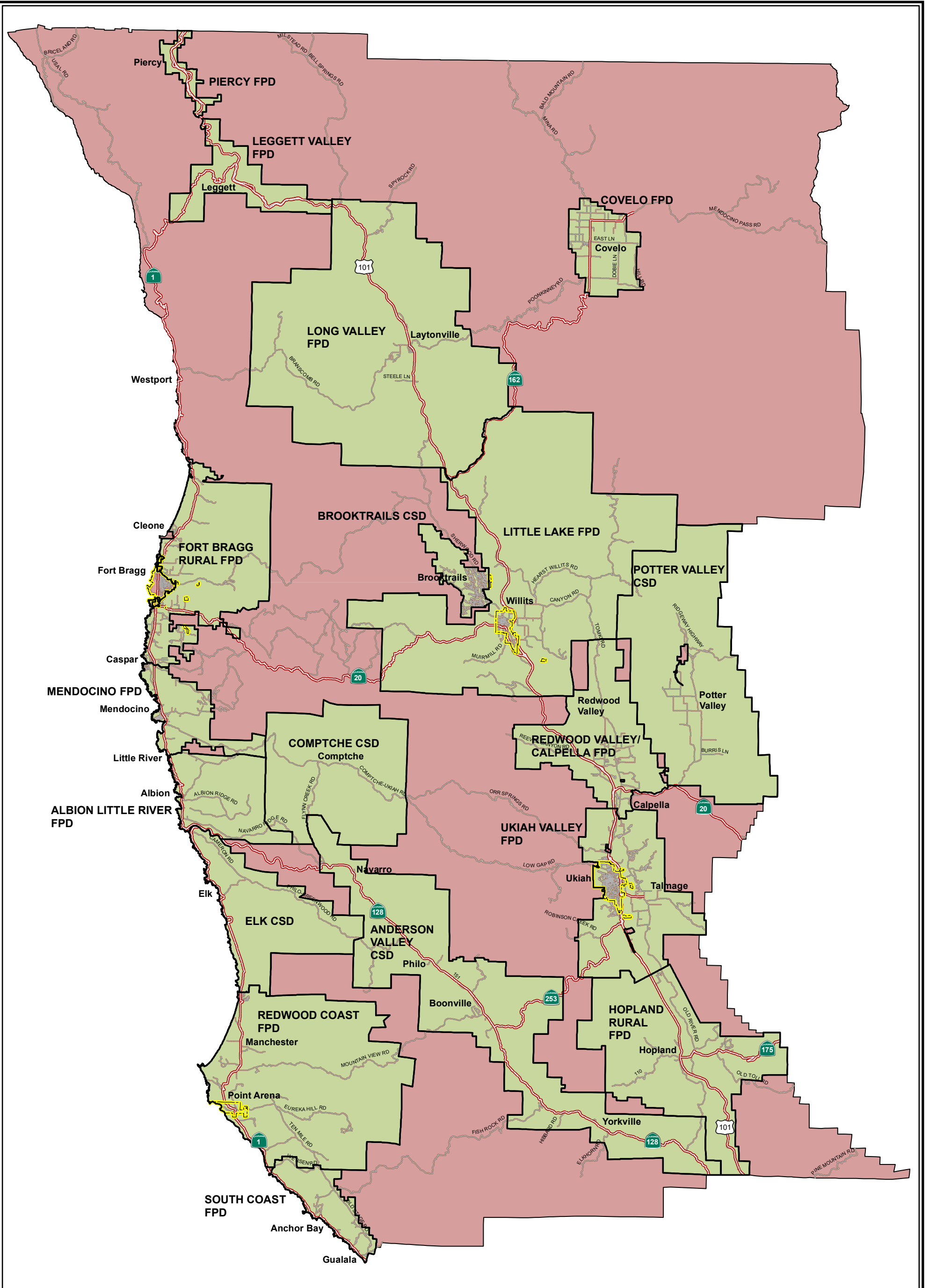


County Service Area 3
Sphere of Influence and Area of Interest

Service Specific Sphere of Influence for road maintenance of emergency access routes for the future Sherwood Firewise Community Zone of Benefit.

- Service Specific Sphere of Influence
- Ukiah Eastern Hills Area of Interest
- Cities
- Highways
- Roads
- Streams

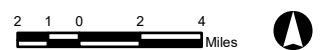
Source: This map was prepared by the County GIS Program within the Information Services Division, May 13, 2022.
 Note: This map is not a survey product and should not be used to determine legal boundaries.

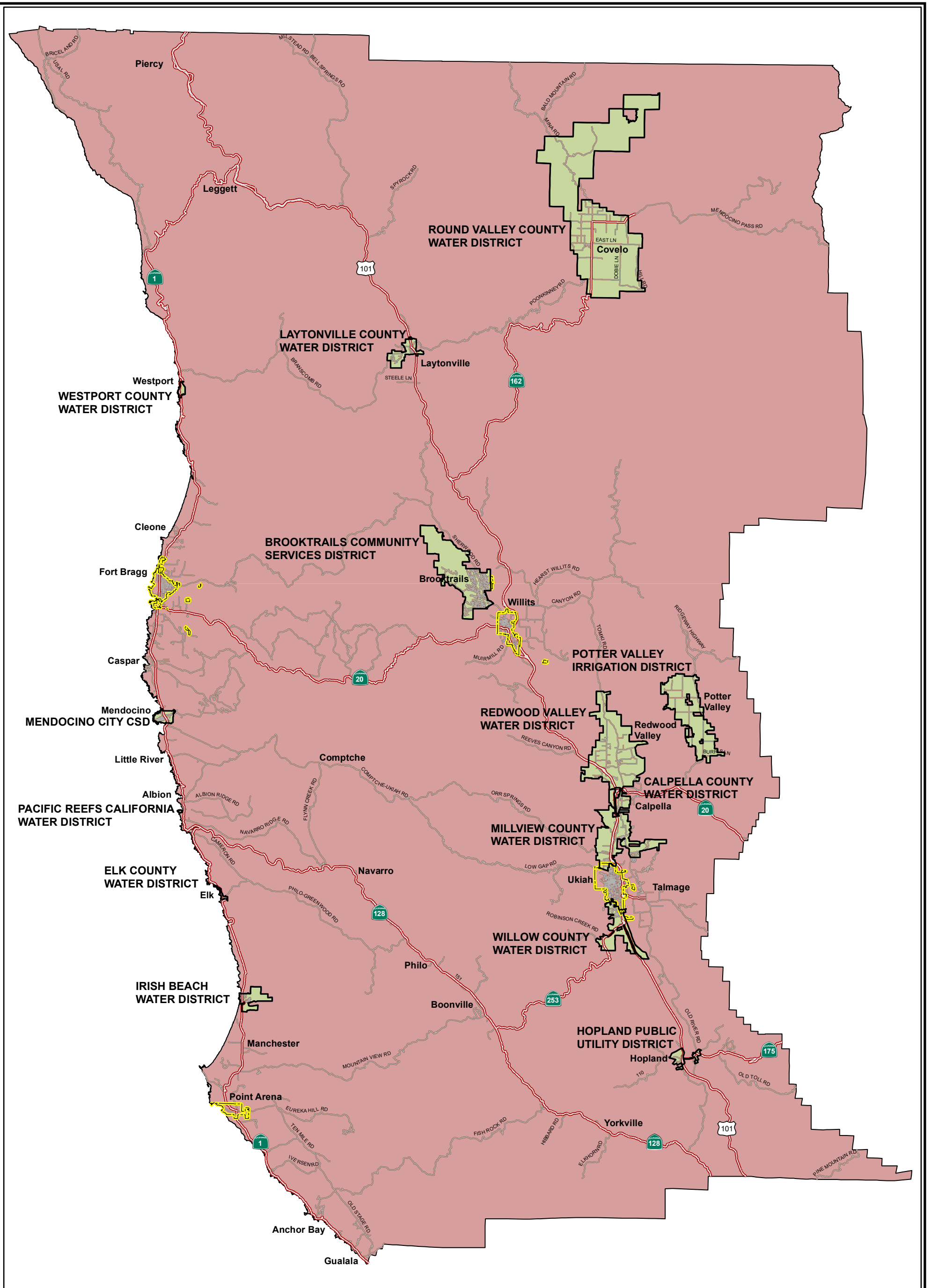


Fire Protection Districts within Mendocino County

- Fire Districts
- Fire Service Gaps Areas of Interest, (AOI)
- Incorporated Cities
- Highways
- Roads

Source: This map was prepared by the Mendocino County Department of Information Services GIS Program, May 4, 2022.
 Note: This map is not a survey product.

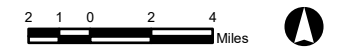




Water Districts within Mendocino County

- Water Districts
- Water Service Gaps Area of Interest, (AOI)
- Incorporated Cities
- Highways
- Roads

Source: This map was prepared by the Mendocino County Department of Information Services GIS Program, May 10, 2022.
 Note: This map is not a survey product.



4.1.6 CONSISTENCY WITH LAFCO POLICIES

The proposed District SOI is consistent with Mendocino LAFCo Policies (refer to Section 1.5 for the specific SOI policies).

4.1.7 DETERMINATIONS

It is recommended that the Commission establish a Service Specific Sphere of Influence for CSA 3 that is limited to the future Sherwood Firewise Community Zone of Benefit, as depicted on Figure 4.1, for road maintenance of emergency access routes, and designate an Area of Interest for the Ukiah Eastern Hills, Fire Service Gaps, and Water Service Gaps Study Areas, as depicted on Figures 4.1, 4.2, and 4.3. The following statements have been prepared in support of this recommendation.

4.1.7.1 Land Uses

The present and planned land uses in the area, including agricultural and open space lands

CSA 3 includes all the land uses presently in effect in Mendocino County, including those listed as land use designations in the General Plan: Coastal Zone, Agricultural, Commercial, Forest Land, Industrial, Open Space, Public Lands, Public Service, Range Land, Remote Residential, Rural Residential, Suburban Residential, and Rural Community. Mendocino County has land use authority over privately-owned lands within the District boundary and makes land-use decisions based on the County’s General Plan and Zoning Regulations.

4.1.7.2 Need for Facilities and Services

The present and probable need for public facilities and services in the area

CSA 3 has been a longstanding inactive district and Mendocino County is currently considering adding powers or services to CSA 3 that would allow for the establishment of Zones of Benefit as a funding vehicle to provide extended services to various areas of the County. The most recent and active discussions have centered around the creation of a Zone of Benefit to enable the County to provide maintenance of emergency access roads in the Sherwood Firewise Community area for improved wildfire evacuation safety purposes.

It is currently unclear whether CSA 3 will provide an efficient and practical way for addressing County goals and community needs. Therefore, in lieu of preparing a long-term plan for CSA 3 service provision at this time, it is recommended that County staff provide the Commission an annual progress report on CSA 3 activities and plans.

4.1.7.3 Capacity of Facilities and Adequacy of Services

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide

CSA 3 does not currently provide any services or have any facilities, personnel, or reoccurring revenue. Therefore, CSA 3 currently has no facility capacity or deficiencies and no service delivery adequacy issues.

4.1.7.4 Communities of Interest

The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency

The jurisdictional boundary of CSA 3 encompasses the entire unincorporated area of Mendocino County, therefore, there are no additional communities of interest in the study area.

4.1.7.5 Disadvantaged Unincorporated Communities

The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence

Mendocino County has an MHI of \$51,416 and qualifies as a disadvantaged unincorporated community (DUC) with less than 80% of the States Median Household Income (MHI). Special consideration will be given to any DUCs affected by future annexation proposals consistent with GOV §56375(8)(A) and LAFCo Policy.



5 REFERENCES

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- County Service Area 3 (CSA 3). 2022. Sample Zone of Benefit Sherwood Firewise Communities County Service Area 3 Proposition 218 Notice Benefit Assessment Ballot. [Online]. Available at: <https://www.mendocinocounty.org/government/transportation/csa-3>.
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6 ACRONYMS

AOI	Area of Interest
BOS	Board of Supervisors
Caltrans	California Department of Transportation
CDP	Census Designated Place
CEQA	California Environmental Quality Act
CEO	County Executive Officer
CKH	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
CSA	County Service Area
CSD	Community Services District
CSDA	California Special Districts Association
DUC	Disadvantaged Community
EMS	Emergency Medical Services
FPD	Fire Protection District
FY	Fiscal Year
FWC	Firewise Community
GOV	California Government Code
HCD	Health Care District
ILG	Institute for Local Government
JPA	Joint Powers Authority or Agreement
LAFCo	Local Agency Formation Commission
MCAFD	Mendocino County Association of Fire Districts
MCFA	Mendocino County Fire Chiefs Association
MCOG	Mendocino Council of Governments
MHI	Median Household Income
MOU	Memorandum of Understanding
MSR	Municipal Service Review
SB	Senate Bill
SOI	Sphere of Influence
USCB	United States Census Bureau
ZOB	Zone of Benefit

7 ACKNOWLEDGEMENTS

7.1 REPORT PREPARATION

This Municipal Service Review and Sphere of Influence Update was prepared by Hinman & Associates Consulting, Inc., contracted staff for Mendocino LAFCo.

- Uma Hinman, Executive Officer
- Larkyn Feiler, Analyst
- Kristen Meadows, Commission Clerk

7.2 ASSISTANCE AND SUPPORT

This Municipal Service Review and Sphere of Influence study could not have been completed without the assistance and support from the following organizations and individuals.

Mendocino County	Steve Dunicliff, Deputy CEO Judy Morris, Deputy CEO Nathaniel Raff, Deputy County Counsel Howard Dashiell, Department of Transportation Director Leif Farr, GIS Coordinator
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8 APPENDICES

8.1 APPENDIX A – OPEN GOVERNMENT RESOURCES

The purpose of this appendix is to provide a brief list of some educational resources for local agencies interested in learning more about the broad scope of public interest laws geared towards government transparency and accountability. This appendix is not intended to be a comprehensive reference list or to substitute legal advice from a qualified attorney. Feel free to contact the Mendocino LAFCo office at (707) 463-4470 to make suggestions of additional resources that could be added to this appendix.

The websites listed below provide information regarding the following open government laws: (1) **Public Records Act** (Government Code §6250 et seq.), (2) **Political Reform Act** – Conflict-of-Interest regulations (Government Code §81000 et seq.), (3) **Ethics Principles and Training** (AB 1234 and Government Code §53235), (4) **Brown Act** – Open Meeting regulations (Government Code §54950 et seq.), and (5) **Online Compliance** regulations (Section 508 of the US Rehabilitation Act and Government Code §11135).

- Refer to the State of California Attorney General website for information regarding public access to governmental information and processes at the following link: <https://oag.ca.gov/government>.
- Refer to the State of California Attorney General website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <https://oag.ca.gov/ethics>.
- The Fair Political Practices Commission (FPPC) is primarily responsible for administering and enforcing the Political Reform Act. The website for the Fair Political Practices Commission is available at the following link: <http://www.fppc.ca.gov/>.
- Refer to the California Department of Rehabilitation website for information regarding Section 508 of the US Rehabilitation Act and other laws that address digital accessibility at the following link: <http://www.dor.ca.gov/DisabilityAccessInfo/What-are-the-Laws-that-Cover-Digital-Accessibility.html>.
- Refer to the Institute for Local Government (ILG) website to download the Good Governance Checklist form at the following link: www.ca-ilg.org/post/good-governance-checklist-good-and-better-practices.
- Refer to the Institute for Local Government (ILG) website to download the Ethics Law Principles for Public Servants pamphlet at the following link: www.ca-ilg.org/node/3369.
- Refer to the Institute for Local Government (ILG) website for information regarding Ethics Training Courses required pursuant to AB 1234 at the following link: <http://www.ca-ilg.org/ethics-education-ab-1234-training>.
- Refer to the California Special Districts Association (CSDA) website for information regarding online and website compliance webinars at the following link: <http://www.csda.net/tag/webinars/>.

8.2 APPENDIX B – WEBSITE COMPLIANCE HANDOUT

Refer to the next page.

DRAFT

Appendix B

California Website Compliance Checklist

Use this checklist to keep your district's website compliant with State and Federal requirements.

Public Records Act

SB 929

Our district has created and maintains a website

Passed in 2018, all independent special districts must have a website that includes contact information (and all other requirements) by Jan. 2020

SB 272

Our Enterprise System Catalog is posted on our website

All local agencies must publish a catalog listing all software that meets specific requirements—free tool at getstreamline.com/sb272

AB 2853 (optional):

We post public records to our website

This bill allows you to refer PRA requests to your site, if the content is displayed there, potentially saving time, money, and trees

The Brown Act

AB 392:

Agendas are posted to our website at least 72 hours in advance of regular meetings, 24 hours in advance of special meetings

This 2011 update to the Act, originally created in 1953, added the online posting requirement

AB 2257:

A link to the most recent agenda is on our home page, and agendas are searchable, machine-readable and platform independent

Required by Jan. 2019—text-based PDFs meet this requirement, Microsoft Word docs do not

State Controller Reports

Financial Transaction Report:

A link to the Controller's "By the Numbers" website is posted on our website

Report must be submitted within seven months after the close of the fiscal year—you can add the report to your site annually, but posting a link is easier

Compensation Report:

A link to the Controller's PublicPay website is posted in a conspicuous location on our website

Report must be submitted by April 30 of each year—you can also add the report to your site annually, but posting a link is easier

Healthcare District Websites

AB 2019:

If we're a healthcare district, we maintain a website that includes all items above, plus additional requirements

Including budget, board members, Municipal Service Review, grant policy and recipients, and audits

Open Data

AB 169:

Anything posted on our website that we call "open data" meets the requirements for open data

Defined as "retrievable, downloadable, indexable, and electronically searchable; platform independent and machine readable" among other things

Section 508 ADA Compliance

CA gov code 7405:

State governmental entities shall comply with the accessibility requirements of Section 508 of the federal Rehabilitation Act of 1973

Requirements were updated in 2018—if you aren't sure, you can test your site for accessibility at achecker.ca



California Special Districts Association
CSDA
Districts Stronger Together

csda.net



getstreamline.com

The Brown Act: new agenda requirements

Tips for complying with AB 2257 by January, 2019

Placement:

What it says: An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda.

What that means: Add a link to the **current agenda directly to your homepage**. It cannot be in a menu item or otherwise require more than a single click to open the agenda.

Exception:

What it says: A link to the agenda management platform may be added to the home page instead of a link directly to the current agenda, if the agency uses an integrated agenda management platform that meets specified requirements, including, among others, that the current agenda is the first agenda available at the top of the integrated agenda management platform.

What that means: If you use an agenda management system, you may add a link to that system directly to your homepage (again, not in a menu item), if the format of the agenda meets the requirements below, and if the current agenda is the first at the top of the list.

Format:

What it says: [agenda must be] Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications. Platform independent and machine readable. Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

What that means: You cannot add Word Docs or scanned (image-based) PDFs of your agenda to your website—Word Docs are not platform independent (the visitor must have Word to read the file), and scanned PDFs are not searchable. Instead, **keep your agenda separate from the packet** and follow these steps:

1. From Word or other document system: Export agenda to PDF
2. Add that agenda to your website (or to your agenda management system), and include a link to that agenda on your homepage
3. Then, you can print the agenda, add it to your pile of documents for the packet, and scan that to PDF - just keep the packet separate from the agenda (only the agenda must meet AB 2257)
4. Keep the link on the homepage until the next agenda is available, then update the link

Questions? Contact sloane@getstreamline.com or dillong@csga.net

Ukiah Daily Journal

617 S. State St
Ukiah, California 95482
(707) 468-3500
sfullbright@ukiahdj.com

2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST
UKIAH, CA 95482

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

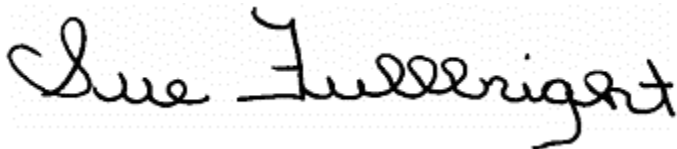
**STATE OF CALIFORNIA
COUNTY OF MENDOCINO**

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:

05/07/2022

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

Dated at Ukiah, California,
May 9th, 2022



Sue Fullbright, LEGAL CLERK

Legal No. **0006666364**

6034-22 5-12/22
Mendocino Local Agency Formation Commission NOTICE OF PUBLIC HEARING. NOTICE IS HEREBY GIVEN that on Monday, June 6, 2022, 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, or conducted remotely pursuant to State Executive Order N-29-20 in response to the COVID-19 pandemic if necessary with public participation via teleconference as detailed in the agenda posted at least 72 hours in advance of the meeting, and livestreamed at www.youtube.com/MendocinoCountyVideo, the Mendocino Local Agency Formation Commission (LAFCo) will hold a Public Hearing to consider adoption of the following: **County Service Area No. 3 (CSA 3) Municipal Service Review and Sphere of Influence Study.** Copies of all related documents may be reviewed once available at the LAFCo website (www.mendolafco.org) or at the LAFCo office. If you cannot attend the Public Hearing 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. UMA HINMAN, Executive Officer.

Fort Bragg Advocate-News

690 S. Main Street
Fort Bragg, California 95437
707-964-5642

2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST
UKIAH, CA 95482

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

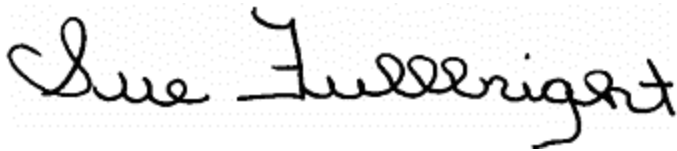
**STATE OF CALIFORNIA
COUNTY OF MENDOCINO**

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:

05/12/2022

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

Dated at Fort Bragg, California,
May 12th, 2022



Sue Fullbright, LEGAL CLERK

Legal No. **0006666270**

A22-097 5-12/22

Mendocino Local Agency Formation Commission NOTICE OF PUBLIC HEARING.

NOTICE IS HEREBY GIVEN that on Monday, June 6, 2022, 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, or conducted remotely pursuant to State Executive Order N-29-20 in response to the COVID-19 pandemic if necessary with public participation via teleconference as detailed in the agenda posted at least 72 hours in advance of the meeting, and livestreamed at www.youtube.com/MendocinoCountyVideo, the Mendocino Local Agency Formation Commission (LAFCo) will hold a Public Hearing to consider adoption of the following: **County Service Area No. 3 (CSA 3) Municipal Service Review and Sphere of Influence Study.** Copies of all related documents may be reviewed once available at the LAFCo website (www.mendolafco.org) or at the LAFCo office. If you cannot attend the Public Hearing 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. UMA HINMAN, Executive Officer.

Notice of Exemption*(Exempt from fees per GOV Section 27383)***Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Mendocino

From: (Public Agency): Mendocino LAFCo
200 South School Street
Ukiah, California 95482

(Address)

Project Title: CSA 3 MSR/SOI Study 2022

Project Applicant: N/A

Project Location - Specific:

The City of Point Arena and all unincorporated areas of Mendocino County as of July 31, 1985.

Project Location - City: Countywide minus 3 cities Project Location - County: Mendocino

Description of Nature, Purpose and Beneficiaries of Project:

This is a LAFCo initiated Municipal Service Review (MSR) and Sphere of Influence (SOI) establishment study for the County Service Area No. 3 (CSA 3) prepared in accordance with California Government Code §56430 and §56425.

Name of Public Agency Approving Project: Mendocino Local Agency Formation Commission

Name of Person or Agency Carrying Out Project: Mendocino Local Agency Formation Commission

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: §15061(b)(2): §15306 and §15301(c)
- Statutory Exemptions. State code number: §15061(b)(1): §15269(b) & (c)

Reasons why project is exempt:

14 CCR §15061(b)(1) & (2): the project is exempt from CEQA as follows. §15306: the MSR is a service evaluation study and any future actions will be subject to additional environmental review. Any future indirect physical changes to the environment from the SOI, due to the repair and maintenance of existing facilities (roads) to permit emergency egress to preserve life during a wildfire, are exempt per §15301(c) and §15269(b) & (c).

Lead Agency

Contact Person: Uma Hinman, Executive Officer Area Code/Telephone/Extension: (707) 463-4470

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: 6/06/2022 Title: Executive Officer

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Resolution No. 2021-22-17
of the Local Agency Formation Commission of Mendocino County

Approving Adoption of the
County Service Area No. 3
Municipal Service Review and Sphere of Influence Study

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

WHEREAS, the Commission conducted a municipal service review to evaluate the County Service Area No. 3, hereinafter referred to as the “District”, pursuant to California Government Code Section 56430; and

WHEREAS, the Commission conducted a sphere of influence update for the District 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 municipal service review and sphere of influence establishment study 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 municipal service review and sphere of influence study on June 6, 2022; and

WHEREAS, the Commission considered all the factors required under California Government Code Sections 56430 and 56425.

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 Title 14 of the California Code of Regulations §15061(b)(1) and §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. The Commission, as Lead Agency, finds the sphere of influence establishment is exempt from further review under the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations §15061(b)(2), §15306, §15301(c), and §15269(b) & (c). This finding is based on any future indirect physical changes to the environment from the recommended sphere of influence would be limited to the repair and maintenance of existing facilities (roads) to permit emergency egress to preserve life during a wildfire, which is subject to statutory and categorical exemptions.
3. This municipal service review and sphere of influence update is assigned the following distinctive short-term designation: “CSA 3 MSR/SOI Study 2022”.

4. 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.
5. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations included in the sphere of influence update, hereby incorporated by reference.
6. The Executive Officer shall revise the official records of the Commission to reflect this update of the sphere of influence for the District.

BE IT FURTHER RESOLVED that the CSA 3 MSR/SOI Study 2022 is hereby approved and incorporated herein by reference and a Service Specific Sphere of Influence is established for CSA 3 that is limited to the future Sherwood Firewise Community Zone of Benefit for road maintenance of emergency access routes as depicted in Exhibit "A", and an Area of Interest is designated for the Ukiah Eastern Hills, Fire Service Gaps, and Water Service Gaps Study Areas as depicted in Exhibits "A", "B", and "C" attached hereto.

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 6th day of June 2022 by the following vote:

AYES:

NOES:

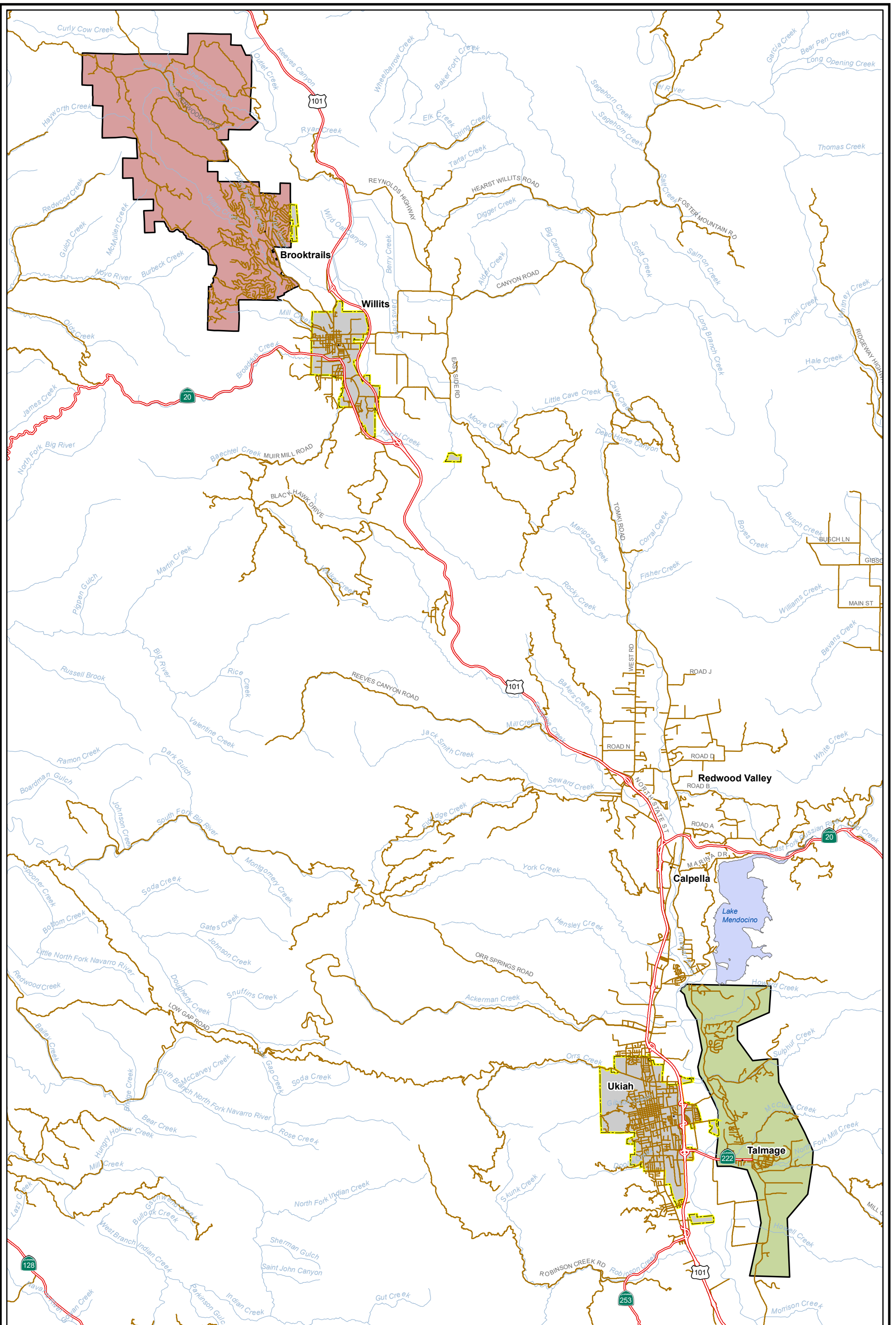
ABSTAIN:

ABSENT:

CHARLES A. ORTH, Commission
Chair

ATTEST:

UMA HINMAN, Executive Officer



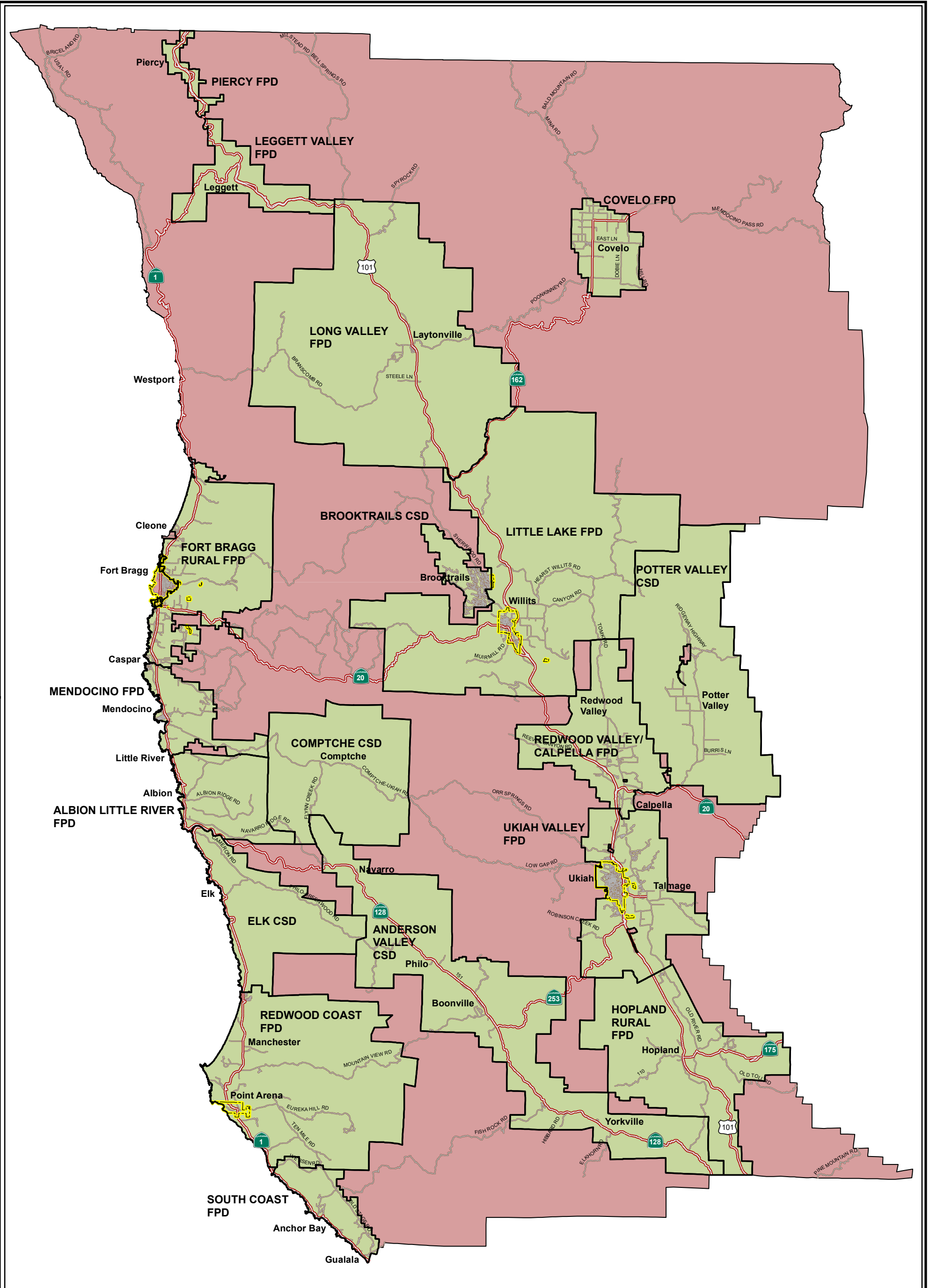
County Service Area 3
Sphere of Influence and Area of Interest

Service Specific Sphere of Influence for road maintenance of emergency access routes for the future Sherwood Firewise Community Zone of Benefit.

- Service Specific Sphere of Influence
- Ukiah Eastern Hills Area of Interest
- Cities
- Highways
- Roads
- Streams

Source: This map was prepared by the County GIS Program within the Information Services Division, May 13, 2022.

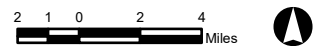
Note: This map is not a survey product and should not be used to determine legal boundaries.

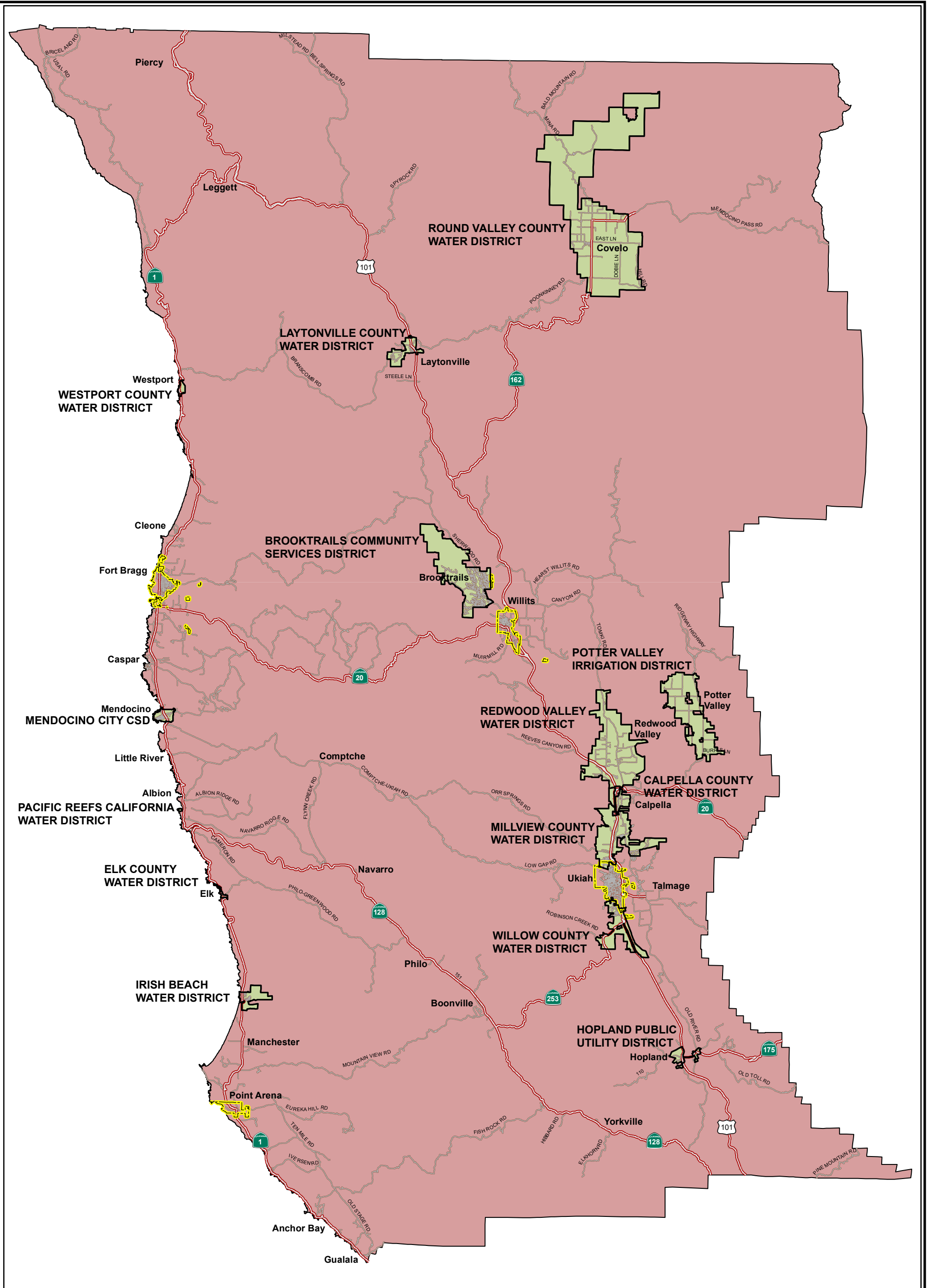


Fire Protection Districts within Mendocino County

- Fire Districts
- Fire Service Gaps Areas of Interest, (AOI)
- Incorporated Cities
- Highways
- Roads

Source: This map was prepared by the Mendocino County Department of Information Services GIS Program, May 4, 2022.
 Note: This map is not a survey product.

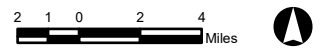




Water Districts within Mendocino County

- Water Districts
- Water Service Gaps Area of Interest, (AOI)
- Incorporated Cities
- Highways
- Roads

Source: This map was prepared by the Mendocino County Department of Information Services GIS Program, May 10, 2022.
 Note: This map is not a survey product.



**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: June 6, 2022
TO: Mendocino Local Agency Formation Commission
FROM: Uma Hinman, Executive Officer
SUBJECT: **Public Hearing** for the Final Budget and Work Program for FY 2022-23

RECOMMENDATION

- 1) Adopt Resolution 21-22-18 with Exhibits A and B, approving the Final Budget and Work Program for Fiscal Year 2022-2023, which reflect the priorities for the coming fiscal year; and
- 2) Direct the Executive Officer to transmit the Final Budget and Work Program for FY 2022-2023 to the funding agencies, the County Auditor-Controller, and others as specified in GC §56381.

BACKGROUND

The proposed budget and work program for FY 2022-23 were adopted by the Commission at its May 2, 2022 Regular Meeting. Pursuant to Government Code (GC) §56381, the proposed budget and work program documents were distributed each of the funding agencies for review and comment. There are changes proposed since the distribution of the proposed budget and work program

The recommended final FY 2022-23 budget is balanced, with expected expenditures funded by the projected revenues and includes a small amount for increasing reserves to minimums (Attachments 1 and 2). The recommended final budget totals \$263,800, which represents an overall increase of approximately 16 percent from the FY 2021-22 budget and takes into account the current inflationary trends. The apportionment of \$265,000, funded equally in three parts by the County, cities and special districts, is recommended to remain the same as the current FY and the adopted proposed FY 2022-23 budgets.

A detailed description and discussion of the revenues, expenditures, reserves and work program recommended for next fiscal year are provided in the [May 2, 2022 Proposed Fiscal Year 2022-23 Budget and Work Program Staff Report](#).

Agency/Public Comments

On May 6, 2022, the [proposed Mendocino LAFCo FY 2022-23 budget and work program](#) were distributed to the County of Mendocino and each city and independent special district for review and comment. In addition, a [notice of public hearing](#) of the final budget was published in the Ukiah Daily Journal, Willits News, and Fort Bragg Advocate-News on May 9th and 12th, respectively (Attachment 4).

As of May 31, 2022, Mendocino LAFCo had not received any written comments.

- Attachments:
- (1) Recommended Final FY 2022-23 Budget
 - (2) Recommended Final FY 2022-23 Work Program
 - (3) FY 2022-23 Budget Categories
 - (4) Proof of Publication
 - (5) Draft Resolution No. 2021-22-18

Attachment 1

Mendocino Local Agency Formation Commission Final Budget for FY 2022-2023

June 6, 2022

ACCOUNT #	DESCRIPTION	FY 2021-22		FY 2022-23
		Final	Projected	Final
REVENUE				
	<i>Anticipated Cash Balance</i>			
4000	LAFCo Apportionment Fees	\$ 265,000	\$ 265,000	\$ 265,000
4100	Service Fee Overhead			
4800	Miscellaneous			
4910	Interest Income	\$ 100	\$ 100	\$ 100
	Revenue Subtotal	\$ 265,100	\$ 265,100	\$ 265,100
EXPENSES				
5300	Basic Services (<i>EO, Analyst, Clerk</i>)	\$ 108,000	\$ 108,000	\$ 125,100
5500	Rent	\$ 5,775	\$ 5,904	\$ 6,500
5600	Office Expenses	\$ 3,300	\$ 3,300	\$ 3,300
5700	Internet & Website Costs	\$ 2,500	\$ 2,500	\$ 2,500
5900	Publication and Legal Notices	\$ 2,000	\$ 1,200	\$ 2,000
6000	Televising Meetings	\$ 2,000	\$ 1,500	\$ 2,000
6100	Audit Services	\$ 3,500	\$ 3,500	\$ 3,800
6200	Bookkeeping	\$ 4,500	\$ 4,500	\$ 4,500
6300	Legal Counsel	\$ 19,000	\$ 15,000	\$ 19,000
6400	A-87 Costs County Services	\$ 2,100	\$ 2,100	\$ 2,100
6500	Insurance-General Liability	\$ 2,450	\$ 2,601	\$ 3,200
6600	Memberships (<i>CALAFCO/CSDA</i>)	\$ 3,525	\$ 3,470	\$ 3,700
6670	GIS Contract with County	\$ 2,500	\$ 1,500	\$ 2,000
6740	In-County Travel & Stipends	\$ 4,000	\$ 600	\$ 4,000
6750	Travel & Lodging Expense	\$ 6,250	\$ -	\$ 6,000
6800	Conferences (<i>Registrations</i>)	\$ 4,100	\$ -	\$ 4,100
7000	Work Plan (<i>MSRs and SOIs</i>)	\$ 51,500	\$ 45,000	\$ 70,000
	Operating Expense Total	\$ 227,000	\$ 200,675	\$ 263,800
	REVENUE/EXPENSE DIFFERENCE <i>(Negative balance indicates use of fund balance and/or reserves)</i>	\$ 38,100	\$ 64,425	\$ 1,300
RESERVES / CONTINGENCIES				
	Legal Reserves		\$ 50,000	\$ 50,000
	Operations Reserves @ 25% Annual Operating Budget		\$ 56,750	\$ 65,950
	Total Reserves		\$ 106,750	\$ 115,950
	<i>Anticipated Cash Balance</i>		\$ 38,715	\$ 30,815
	Proposed Work Plan Contingency			\$ 30,815

Attachment 2

Work Program (Basic Services and Work Plan) FY 2022-23 Final

Tasks	Description & Assumptions	Estimated Budget
Basic Services		
Office Hours & Administrative Duties	Clerk duties not related to projects; office hours; public assistance; PRA requests; budget development, tracking, amendments; accounts payable, QuickBooks; annual audit; EO correspondence; response to requests for Agency Comments for projects and/or environmental documents routed to LAFCo for review, etc.; carrying out Commission direction.	\$ 75,000
Commission & Committee Meetings	Commission & Committee meeting attendance (12 Regular and 8 Committee); agenda packet development, staff reports, presentations, minutes.	\$ 34,000
Work Plan Support	Prepare and distribute Public Notices, development of staff reports specifically related to MSR/SOI studies, presentation at Commission meetings for Public Workshops and Public Hearings.	\$ 5,000
Consult Legal Counsel	Contract allows for a minimum of 5 hours per month.	Current Contract
Application Processing	Process change of organization or reorganization applications initiated by landowner petition or resolution of application from Cities and Special Districts to modify existing powers, annex and/or detach territory from agency boundaries, and create, dissolve, or consolidate/merge local agencies.	Paid by applicant
Policy Development	Prepare expedited process for out-of-area water services; outreach and update SOI policy; policy amendment and development as needed.	\$ 10,000
Transparency Improvements to Website	Assess/implement website improvements (JPAs, maps, etc.); Post JPA Agreements on website (SB 1266).	\$ 1,100
Total		\$ 125,100
Work Plan		
MSR/SOI Update	Prepare and adopt combined Municipal Service Review and Sphere of Influence (MSR/SOI) Update studies pursuant to GOV §56425 and §56430, either in-house or by contract.	\$ 70,000
<p>The agencies listed below have priority for preparation of a LAFCo-initiated MSR/SOI Update in Fiscal Year 2022-23.</p> <p>The actual completion of a specific study may span multiple fiscal years. The budget allocation for each agency is based on estimated costs. Actual costs for study completion may be higher or lower than estimated below.</p> <p>Work Plan implementation is subject to change due to various factors, such as: (a) agency responsiveness and timely provision of requested information, (b) complexity of issues involved, (c) level of public and affected agency controversy, (d) changing needs and priorities, (e) overall staff workload, and (f) higher than anticipated costs.</p> <p>The Work Plan budget assumes minimal costs for CEQA compliance related to filing a Notice of Exemption (NOE). Agencies requesting a non-coterminous SOI may expedite a potential multi-fiscal year process by contributing to the cost of preparing an Initial Study and associated environmental document (ND/MND, EIR, etc.).</p>		
The total Work Plan Budget of \$70,000 is not limited to the following designations. These budget allocations may shift to other agencies as needed during the year.	City of Ukiah	\$ 15,000
	Ukiah Valley Sanitation District	\$ 10,000
	Coastal Water Districts (6)	\$ 20,000
	Inland Water Districts (8)	\$ 25,000
	Total	

Attachment 3

Mendocino LAFCo FY 2022-23 Budget Categories

Revenue

The following summarizes the revenue categories of the Mendocino LAFCo Budget:

4000 LAFCo Apportionment Fees

These funds are provided on an equal 1/3 basis per category of the County, cities and independent special districts. The apportionments for the individual cities and independent special districts are calculated by the County Auditor-Controller using the formula set forth in Government Code Section 56381.

4800 Miscellaneous Revenue

These funds are incurred by nonoperational income including but not limited to reimbursements.

4910 Interest Income

These funds are the interest earned from LAFCo's banking institutions and County investment portfolio. The funds deposited with the County, until transferred, are invested in accordance with Sections 53601 and 53635 of the California Government Code that specify the authorized investments that an investment pool can purchase.

Expenses

The following summarizes the expenditure categories of the Mendocino LAFCo Budget:

5300 Basic Services

This category includes costs incurred for Mendocino LAFCo's contract staff, which include an Executive Officer, Analyst and Clerk. The current contract for staffing is with Hinman & Associates Consulting, Inc.

5500 Rent

This category includes costs for leasing and maintenance of Mendocino LAFCo office space. Currently, the office space is located in the Ukiah Valley Conference Center under lease from the City of Ukiah. The rent includes an office space and access to the common workroom.

5600 Office Expenses

This category includes office equipment (laptop, printer, etc.), general office supplies, postage and miscellaneous office expenses required for the maintaining the functions of the office.

5700 Internet and Website Costs

This category includes costs for the usage, technical support, equipment purchasing, leasing and maintenance for the Mendocino LAFCo website, telephone and internet service. Mendocino LAFCo currently contracts with Streamline for website hosting and Comcast for internet service.

5900 Publication and Legal Notices

This category includes costs incurred for required legal notices and other communications for Commission-initiated and other projects (e.g., spheres of influence reviews and updates, municipal service reviews, and annual budget adoption) that are not reimbursable through application fees.

6000 Televising Meetings

This category includes costs associated with video recording and hosting services. Mendocino LAFCo contracts with the County of Mendocino to provide staff and equipment for the video recording of meetings and hosting on the County's YouTube channel.

6100 Audit Services

Mendocino LAFCo audited financial statements are prepared by an independent auditor.

6200 Bookkeeping

6300 Legal Counsel

This category includes costs incurred for contract legal counsel services.

6400 A-87 Costs

This category includes costs incurred for billing, collection and disbursement services provided by the County of Mendocino.

6500 Insurance

This category includes costs incurred for insurance coverage. Mendocino LAFCo contracts with the Special Districts Risk Management Authority (SDRMA) for general liability insurance coverage for instances covered in the general operation of the agency. General liability includes coverage for personal injury (including bodily injury and property damage), non-owned auto liability, public officials' errors and omissions and employment practices liability.

6600 Memberships

This category covers memberships fees to CALAFCO and California Special Districts Association (CSDA).

6670 Professional Services – GIS Services

This category includes Geographic Information Systems (GIS) services such as mapping and spatial analysis, which are contracted with the County of Mendocino.

6740 In-County Travel & Stipends

This category includes Commission stipends and in-County travel expenses such as mileage to attend LAFCo regular meetings. Mileage is reimbursed at the current IRS mileage rate.

6750 Travel & Lodging Expenses

This category includes costs incurred for travel and lodging expenses for commissioners and staff to attend the CALAFCO annual conference, staff workshop, board meetings and other educational activities.

6800 Conferences

This category consists of registration costs for commissioner and staff attendance to conferences and workshops.

7000 Work Plan

This category includes costs related to the preparation of state mandated studies and reports such as municipal service reviews, sphere of influence updates, and other studies directed by the commission.

8000 Applications

This category is reserved for costs related to application processing. Subcategories are assigned for each application for independent tracking purposes.

Reserves and Contingencies

The following summarizes the reserves and contingency categories of Mendocino LAFCo Budget:

Legal Reserves

Restricted funds used for costs related to agency litigation not covered by application fees and deposits.

Operations Reserves

Restricted funds used for unforeseen costs related to operations not covered by application fees and deposits.

Work Plan Contingency

Contingency funds for flexible implementation of the annual work plan, unforeseen increases in scope of work related to the work plan tasks, sphere of influence associated CEQA analyses, etc.

Ukiah Daily Journal

617 S. State St
Ukiah, California 95482
(707) 468-3500
sfullbright@ukiahdj.com

2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST
UKIAH, CA 95482

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

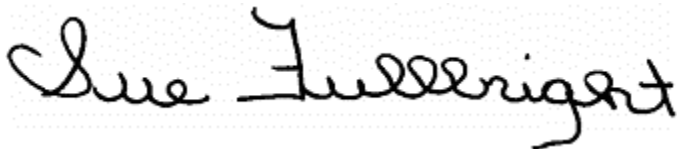
**STATE OF CALIFORNIA
COUNTY OF MENDOCINO**

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:

05/07/2022

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

Dated at Ukiah, California,
May 9th, 2022



Sue Fullbright, LEGAL CLERK

Attachment 4

Legal No. **0006666357**

6033-22 **5-7/22**
Mendocino Local Agency Formation Commission (LAFCo) NOTICE OF PUBLIC HEARING. NOTICE IS HEREBY GIVEN that on Monday, June 6, 2022, 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, or via teleconference pursuant to State Executive Order N-29-20 in response to the emergency declaration for COVID-19, and livestreamed at www.youtube.com/MendocinoCountyVideo, the Mendocino Local Agency Formation Commission (LAFCo) will hold a public hearing to consider the following: **Final Budget for Fiscal Year 2022-2023**. The LAFCo Budget for the upcoming fiscal year anticipates revenues in the amount of \$265,100 and expenditures in the amount of \$263,800, not including reimbursable application costs. Copies of all related documents are on file and may be reviewed at the LAFCo website (www.mendolafco.org) or at the LAFCo office by appointment. If you cannot attend the public hearing 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. UMA HINMAN, Executive Officer Date Posted: (May 7, 2022)

Fort Bragg Advocate-News

690 S. Main Street
Fort Bragg, California 95437
707-964-5642

2117504

MENDOCINO COUNTY LAFCO
200 SOUTH SCHOOL ST
UKIAH, CA 95482

Legal No. **0006666892**

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

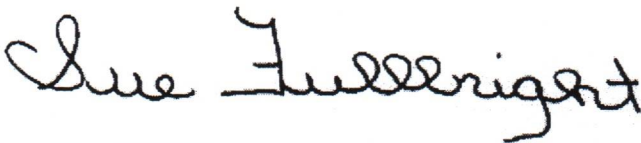
**STATE OF CALIFORNIA
COUNTY OF MENDOCINO**

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:

05/12/2022

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

Dated at Fort Bragg, California,
May 12th, 2022



Sue Fullbright, LEGAL CLERK

A22-102 **5-12/22**

Mendocino Local Agency Formation Commission (LAFCo) NOTICE OF PUBLIC HEARING. NOTICE IS HEREBY GIVEN that on Monday, June 6, 2022, 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, or via teleconference pursuant to State Executive Order N-29-20 in response to the emergency declaration for COVID-19, and livestreamed at www.youtube.com/MendocinoCountyVideo, the Mendocino Local Agency Formation Commission (LAFCo) will hold a public hearing to consider the following: **Final Budget for Fiscal Year 2022-2023**. The LAFCo Budget for the upcoming fiscal year anticipates revenues in the amount of \$265,100 and expenditures in the amount of \$263,800, not including reimbursable application costs. Copies of all related documents are on file and may be reviewed at the LAFCo website (www.mendolafco.org) or at the LAFCo office by appointment. If you cannot attend the public hearing 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. UMA HINMAN, Executive Officer Date Posted: (May 12, 2022)

Attachment 5

Resolution No. 2021-22-18 of the Local Agency Formation Commission of Mendocino County

Adopting the Final Budget and Work Program for Fiscal Year 2022-23

WHEREAS, in accordance with the Cortese Knox Hertzberg Act of 2000, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, annually adopts a budget pursuant to Government Code Section 56381(a) to fulfill its purposes and functions that are set by State law; and

WHEREAS, at a minimum, the proposed and final budget shall be equal to the budget adopted for the previous fiscal year unless the Commission finds that reduced staffing or program costs will nevertheless allow the Commission to fulfill the purposes and program of this chapter pursuant to Government Code Section 56381(a); and

WHEREAS, the Commission adopted a Proposed Budget and Work Program and held a duly noticed hearing as required by law on May 2, 2022 for the purposes of developing a Final Budget and Work Program for Fiscal Year 2022-23; and

WHEREAS, the Proposed Fiscal Year 2022-23 Budget and Work Program has been circulated to all affected agencies pursuant to Government Code Section 56381(a); and

WHEREAS, the Commission hereby advises member agencies of the potential necessity to incrementally increase agency apportionment rates in the fiscal years to follow in order for the Commission to achieve its expanding state mandated responsibilities, consistent with Government Code Section 56381; and

WHEREAS, the Commission heard and fully considered all evidence presented at a duly noticed public hearing held on the Fiscal Year 2022-23 Final Budget and Work Program on June 6, 2022.

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

1. The Commission hereby adopts the Final Budget for Fiscal Year 2022-23 as set forth in Exhibit A, attached hereto; and
2. Establishes the Fiscal Year 2022-23 Work Program priorities as identified in Exhibit B, attached hereto; and
3. Establishes the agency apportionment fees for Fiscal Year 2022-23 at \$265,000, which remains unchanged from the current fiscal year; and
4. Finds that the Fiscal Year 2022-23 Final Budget and Work Program allows the Commission to fulfill its prescribed regulatory and planning duties.

BE IT FURTHER RESOLVED that aforementioned Fiscal Year 2022-23 Final Budget and Work Program is officially adopted and ordered to be circulated to all affected agencies pursuant to Government Code Section 56381(a).

PASSED and ADOPTED by the Local Agency Formation Commission of Mendocino County this 6th day of June 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CHARLES A. ORTH, Commission Chair

ATTEST:

UMA HINMAN, Executive Officer

DRAFT

Exhibit A

Mendocino Local Agency Formation Commission Final Budget for FY 2022-2023

June 6, 2022

ACCOUNT #	DESCRIPTION	FY 2021-22 Final	FY 2022-23 Final
REVENUE			
	<i>Anticipated Cash Balance</i>		
4000	LAFCo Apportionment Fees	\$ 265,000	\$ 265,000
4100	Service Fee Overhead		
4800	Miscellaneous		
4910	Interest Income	\$ 100	\$ 100
	Revenue Subtotal	\$ 265,100	\$ 265,100
EXPENSES			
5300	Basic Services (<i>EO, Analyst, Clerk</i>)	\$ 108,000	\$ 125,100
5500	Rent	\$ 5,775	\$ 6,500
5600	Office Expenses	\$ 3,300	\$ 3,300
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6750	Travel & Lodging Expense	\$ 6,250	\$ 6,000
6800	Conferences (<i>Registrations</i>)	\$ 4,100	\$ 4,100
7000	Work Plan (<i>MSRs and SOIs</i>)	\$ 51,500	\$ 70,000
	Operating Expense Total	\$ 227,000	\$ 263,800
	REVENUE/EXPENSE DIFFERENCE <i>(Negative balance indicates use of fund balance and/or reserves)</i>	\$ 38,100	\$ 1,300
RESERVES / CONTINGENCIES			
	Legal Reserves		\$ 50,000
	Operations Reserves @ 25% Annual Operating Budget		\$ 65,950
	Total Reserves		\$ 115,950
	<i>Anticipated Cash Balance</i>		\$ 30,815
	Proposed Work Plan Contingency		\$ 30,815

Exhibit B

Work Program (Basic Services and Work Plan) FY 2022-23 Final

Tasks	Description & Assumptions	Estimated Budget
Basic Services		
Office Hours & Administrative Duties	Clerk duties not related to projects; office hours; public assistance; PRA requests; budget development, tracking, amendments; accounts payable, QuickBooks; annual audit; EO correspondence; response to requests for Agency Comments for projects and/or environmental documents routed to LAFCo for review, etc.; carrying out Commission direction.	\$ 75,000
Commission & Committee Meetings	Commission & Committee meeting attendance (12 Regular and 8 Committee); agenda packet development, staff reports, presentations, minutes.	\$ 34,000
Work Plan Support	Prepare and distribute Public Notices, development of staff reports specifically related to MSR/SOI studies, presentation at Commission meetings for Public Workshops and Public Hearings.	\$ 5,000
Consult Legal Counsel	Contract allows for a minimum of 5 hours per month.	Current Contract
Application Processing	Process change of organization or reorganization applications initiated by landowner petition or resolution of application from Cities and Special Districts to modify existing powers, annex and/or detach territory from agency boundaries, and create, dissolve, or consolidate/merge local agencies.	Paid by applicant
Policy Development	Prepare expedited process for out-of-area water services; outreach and update SOI policy; policy amendment and development as needed.	\$ 10,000
Transparency Improvements to Website	Assess/implement website improvements (JPAs, maps, etc.); Post JPA Agreements on website (SB 1266).	\$ 1,100
Total		\$ 125,100
Work Plan		
MSR/SOI Update	Prepare and adopt combined Municipal Service Review and Sphere of Influence (MSR/SOI) Update studies pursuant to GOV §56425 and §56430, either in-house or by contract.	\$ 70,000
<p>The agencies listed below have priority for preparation of a LAFCo-initiated MSR/SOI Update in Fiscal Year 2022-23.</p> <p>The actual completion of a specific study may span multiple fiscal years. The budget allocation for each agency is based on estimated costs. Actual costs for study completion may be higher or lower than estimated below.</p> <p>Work Plan implementation is subject to change due to various factors, such as: (a) agency responsiveness and timely provision of requested information, (b) complexity of issues involved, (c) level of public and affected agency controversy, (d) changing needs and priorities, (e) overall staff workload, and (f) higher than anticipated costs.</p> <p>The Work Plan budget assumes minimal costs for CEQA compliance related to filing a Notice of Exemption (NOE). Agencies requesting a non-coterminous SOI may expedite a potential multi-fiscal year process by contributing to the cost of preparing an Initial Study and associated environmental document (ND/MND, EIR, etc.).</p>		
The total Work Plan Budget of \$70,000 is not limited to the following designations. These budget allocations may shift to other agencies as needed during the year.	City of Ukiah	\$ 15,000
	Ukiah Valley Sanitation District	\$ 10,000
	Coastal Water Districts (6)	\$ 20,000
	Inland Water Districts (8)	\$ 25,000
	Total	

**MENDOCINO
Local Agency Formation Commission**

Staff Report

MEETING June 6, 2022
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Letter of Support to the State Water Resources Control Board**

RECOMMENDATION

The Commission will consider a letter of support to the State Water Resources Control Board for funding and process support to improve efficiencies of water service provision in the Ukiah Valley.

SUMMARY

The SWRCB has a number of programs encouraging, and in some cases, mandating consolidation of public water systems. In drinking water terminology, consolidation as used by the SWRCB is the joining of two public water systems. The SWRCB also refers to annexation, which is defined as falling under the jurisdiction of LAFCo and is consistent with Cortese-Knox-Hertzberg definitions. Depending on the governance type of the water system (i.e., mutual water companies, etc.), a formal annexation process may or may not be required for consolidation.

A public water system is generally defined as a system that provides water for human consumption with 15 or more connections, or regularly serves at least 25 people daily for at least 60 days out of the year. California has more than 7,500 public water systems, of which approximately 92 percent serve less than 1,000 connections. Small public water systems are often less resilient to natural disasters, such as drought and fire, have more difficulty adjusting to regulatory changes, and may struggle to fund infrastructure maintenance and replacement due to poor economies of scale and lack of staff. As a result, the SWRCB supports water partnerships whenever feasible, a component of the [Safe and Affordable Funding for Equity and Resilience \(SAFER\) Program](#). Water partnerships can take many forms, including: local resource sharing, physical consolidation, managerial consolidation, and full regionalization.

SWRCB staff have been working with water service providers in the Ukiah Valley for many years and have recently included LAFCo staff in discussion of options for supporting consolidation efforts. Additionally, the State's current drought emergency and bonds means there is a plethora of support and funding to assist service providers with consolidation efforts.

The SWRCB, City of Ukiah and Upper Russian River Water Agency staff have requested a letter from LAFCo expressing support for the agencies' efforts in developing consolidation plans, future application to LAFCo, and to pursue grant funding for the studies and process.

Attachments (1) Draft LAFCo Support Letter
(2) City of Ukiah Letter of Interest, May 18, 2022
(3) Upper Russian River Water Agency Letter of Interest, May 25, 2022
(4) Public Comment

MENDOCINO

Local Agency Formation Commission

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

COMMISSIONERS

Tony Orth, Chair
Special District Member

Scott Ignacio, Vice-Chair
City Member

Gerald Ward, Treasurer
Public Member

Matthew Froneberger
Special District Member

Glenn McGourty
County Member

Maureen Mulheren
County Member

Mari Rodin
City Member

Gerardo Gonzalez, Alternate
City Member

John Haschak, Alternate
County Member

Richard Weinkle, Alternate
Public Member

Vacant, Alternate
Special District Member

STAFF
Executive Officer
Uma Hinman

Analyst
Larkyn Feiler

Commission Clerk
Kristen Meadows

Counsel
Scott Browne

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

June 6, 2022

Michelle Frederick, P.E.
Supervising Engineer, Division of Drinking Water
State Water Resources Control Board
1 Lower Ragsdale Drive, Suite 120
Monterey, CA 93940

RE: Support for Improved Efficiencies of Water Service Provision in the Ukiah Valley

Dear Ms. Frederick,

In April 2022, LAFCo participated in a virtual meeting with SWRCB staff and representatives from the City of Ukiah and member water districts of the Upper Russian River Water Agency (URRWA). During the meeting, the SWRCB provided an overview of current opportunities for funding, incentives and facilitation of consolidation processes. It is our understanding that the water service providers in the valley have been meeting to discuss the opportunities and are interested in furthering the discussions and process.

Local Agency Formation Commissions (LAFCo’s) were established to oversee the logical and orderly formation and development of local government agencies, including special districts. LAFCo is tasked with promoting the efficient and effective provision of municipal services by agencies under its purview and for the benefit of its constituents. Consolidation of agencies, a process that falls under the jurisdiction of LAFCo (Government Code §56375), is a government restructure option for creating efficiencies in the provision of public services.

In accordance with the Cortese Knox Hertzberg Local Government Reorganization Act of 2000 (CKH), LAFCo has prepared [municipal service reviews](#) for each of the water districts in the Ukiah Valley and included recommendations to encourage consolidation where feasible.

Community water purveyors in the Ukiah Valley include a mixture of city, special district and private water companies. To work towards the voluntary consolidation of Ukiah Valley’s water services, the water districts formed the [Upper Russian River Water Agency \(URRWA\) Joint Powers Authority \(JPA\)](#) in 2014. The goal of the JPA is to work towards consolidation and reorganization of agencies with the intent to develop a logical form of governance over water resources and to provide increased efficiency in services for ratepayers.

Mendocino LAFCo supports the voluntary efforts of the valley’s water purveyors to consolidate water services in the Ukiah Valley and looks forward to working with the agencies to facilitate an orderly process. To further the efforts to create efficiencies of service provision, the Commission expresses its support for the agencies’ request for process and funding support from the State Water Resources Control Board.

The recent drought emergencies declared in Mendocino County highlight the increasing pressures on all water service providers throughout the County, including both municipal and private water companies. A consolidated approach to addressing water supply reliability and delivery to communities in the Ukiah Valley is crucial in this progressively severe, multi-year drought. Further, the extreme drought conditions increase the potential for catastrophic wildfire events in the high and very high fire hazard severity zones of the region. Yet another condition that emphasizes the critical need for a coordinated approach to water management.

Mendocino LAFCo looks forward to working with the agencies in developing the most efficient and appropriate provision of water services to the Ukiah Valley area, including the potential for consolidation of water service providers.

Yours Sincerely,

Charles A. Orth, Chair
Mendocino Local Agency Formation Commission

cc:

Sarah Mahdi, Water Resource Control Engineer, SAFER Section, State Water Resources Control Board

Sean White, Water and Sewer Director, City of Ukiah

Jared Walker, General Manager, WCWD/MCWD/CCWD/RVCWD/HPUD

Theresa McNerlin, Board Chair, Upper Russian River Water Agency



May 18, 2022

Michelle Frederick, P.E.
Supervising Engineer, Division of Drinking Water
State Water Resource Control Engineer
1 Lower Ragsdale Dr., Suite 120
Monterey, CA 93940

Dear Michelle,


In January of 2022 the City of Ukiah was contacted by a representative of the State Water Resource Control Board (SWRCB) about potentially consolidating with adjacent water districts. Outreach highlighted opportunities for funding and incentives to help facilitate consolidation. As a result, the City of Ukiah attended the SWRCB Water System Partnership Workshop on February 16th, 2022. Following the workshop, the City of Ukiah had a series of meetings with staff and elected representatives from the Upper Russian River Water Agency (URRWA) to discuss the potential benefits of participating in the program.

The City of Ukiah has 5030 connections. URRWA is comprised of four water districts (Willow, Millview, Calpella, and Redwood Valley) with approximately 4,080 connections combined. URRWA is a JPA that was developed to facilitate consolidation amongst its members. The City of Ukiah has a large and diverse water supply, but there is no mechanism to share it at a regional scale. Currently the City of Ukiah and URRWA are only connected with emergency interties. However, there is an opportunity to combine all five entities into a single resilient system with additional infrastructure.

The City of Ukiah would like to express our intent to consider consolidating with URRWA. We are committed to representing the interests of our community to the best of our abilities in our conversations with URRWA about consolidation.

Please reply with your availability to meet and discuss funding process and next steps to initiate the consolidation process. We look forward to working with you in creating a sustainable regional solution.

Sincerely,



Jim Brown
Mayor

Attachment 3

Upper Russian River Water Agency
151 Laws Avenue • Ukiah, California 95482
707-462-2666

May 25, 2022

Michelle Frederick, P.E.
Supervising Engineer, Division of Drinking Water
State Water Resource Control Engineer
1 Lower Ragsdale Dr., Suite 120
Monterey, CA 93940

Dear Ms. Frederick,

As you may know, Upper Russian River Water Agency (URRWA) is a Joint Powers Authority (JPA) that currently is comprised of four water agencies (Willow CWD, Millview CWD, Calpella CWD and Redwood Valley CWD). URRWA was originally formed in 2012 to work on consolidating these local Special Districts to share resources and create an economy of scale. From the beginning stages of URRWA, we immediately saw the benefits of what a regionalized system could bring to the greater Ukiah Valley.

Recently, URRWA has entered into discussions with the City of Ukiah about a larger scale consolidation and Ad Hoc Committees of both elected representatives and staff were formed to discuss the benefits of what this could provide to the greater Ukiah Valley. With the funding incentives and support from the State Water Resources Control Board along with positive discussions amongst the Ad Hoc Committees, URRWA believes that this could be the ideal time to pursue what has been discussed in the valley for decades. With a single regionalized water agency, this municipality would have over 9,000 service connections and serve a population of over 30,000 residents in the greater Ukiah Valley.

URRWA is committed to providing a high level of service and water quality to our community, while expressing our interest in having the City of Ukiah pursue consolidation with the URRWA Districts.

We look forward to working with you on the next steps to discuss the consolidation process along with creating a sustainable and regional solution for the greater Ukiah Valley.

Sincerely,



Theresa McNerlin
President, Upper Russian River Water Agency

Attachment 4

eo@mendolafco.org

From: Elizabeth Salomone <districtmanager@rrfc.net>
Sent: Monday, May 2, 2022 10:54 AM
To: Uma Hinman (EO@mendolafco.org)
Cc: Tony Orth (Tony@jantonyo.net); Matt Froneberger (cpomatt@gmail.com)
Subject: Request for Support of Water Services Reorganization Efforts in Ukiah Valley

Flag Status: Flagged

Dear Executive Officer Hinman,

RE: Request for Support of Water Services Reorganization Efforts in Ukiah Valley

Thank you for hosting the SWRCB presentation on May 2, 2022 at the Commission meeting and for LAFCo staff's continued dedication and support to explore the feasibility of consolidation of some of the Ukiah Valley water services.

I strongly request the Commission refrain from providing a letter of support for the reorganization efforts if the support identifies any specific agencies or outcomes that are not linked to previously conducted studies or until after further investigation. Some versions of reorganization will directly affect other agencies not directly linked with the current reorganization effort, such as the Mendocino County Russian River Flood Control & Water Conservation Improvement District. This District supports improvements in the water services, supply, and resiliency of the region and County. It also supports the role of LAFCo to provide a transparent, public, and thorough process where the law identifies it to do so.

Please feel free to contact me for further discussion on this topic and in the development of the draft letter, as directed by the Commission at the May 2, 2022 meeting. I look forward to being present at the June Commission meeting to provide further comment.

Thank you,

Elizabeth Salomone, General Manager
Russian River Flood Control & Water Conservation Improvement District
151 Laws Avenue, Suite D, Ukiah, CA 95482
Cell: 707-462-5278 www.RRFC.net



MENDOCINO Local Agency Formation Commission

Staff Report

MEETING June 6, 2022
TO Mendocino Local Agency Formation Commission
FROM Uma Hinman, Executive Officer
SUBJECT **Applications and Work Load**

RECOMMENDATION

The Commission will receive a status report on the active proposals currently on file with the Commission as well as anticipated filings based on ongoing discussions with proponents. Also included is a summary of progress on the Work Plan scheduled for the fiscal year. The item is for information and satisfies LAFCo's reporting requirement for current and future applications.

BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 delegates Local Agency Formation Commissions (LAFCos) with regulatory and planning duties to coordinate the logical formation and development of local government agencies. This includes approving or disapproving proposals for reorganizations (i.e., annexations, detachments, dissolutions, etc.), activation of latent powers, sphere of influence amendments, and outside service agreements.

LAFCo proceedings for jurisdictional changes are generally initiated by outside applicants through petitions (landowners or voters) and resolutions (local agencies). LAFCos may also initiate jurisdictional changes to form, consolidate, or dissolve special districts if consistent with the recommendations of approved municipal service reviews.

ACTIVE PROPOSALS

This item provides the Commission its regular update on active proposals on file as well as identifies future proposals staff anticipates being filed with LAFCo in the near term based on discussions with local agencies and proponents. All active and future proposals are also summarized in Attachment 1.

City of Ukiah Annexation of City-Owned Properties (File No. A-2021-01)

On February 22, 2021, LAFCo received an application from the City of Ukiah proposing to annex City-owned parcels that are used for government purposes and consisting of approximately 446 acres in total. Parcels include the City's Wastewater Treatment Plant, solid waste transfer station, a portion of the municipal airport and open space. The application referral and notice to the County to initiate the tax share negotiation were routed and comments received. A revised application was submitted to LAFCo on February 25, 2022 and is being referred to affected agencies and County Auditor and Assessor. LAFCo and City staff have established regularly scheduled coordination meetings for the proposal. An incomplete letter has been sent to City staff for the tax share agreement and mapping issues identified by County GIS.

Elk Community Services District Activation of Latent Powers for Wastewater Services

On April 8, 2022, the ECSD submitted an application proposing to activate latent powers for the provision of wastewater services. The District will be assuming ownership and operation of a community leach field within the community of Elk. The application has been referred to affected agencies and a Notice of Filing sent to the County Assessor and Auditor-Controller to initiate the tax share negotiation process in accordance with Revenue & Tax Code Section 99.

City of Ukiah Detachment of UVSD Served Areas (File No. D-2020-01)

In April 2020, the City of Ukiah submitted a request to restart a 2014 application for detachment of Ukiah Valley Sanitation District (UVSD) served areas from the City that had been deemed incomplete and placed on-hold by the City in 2015. LAFCo staff responded to the City in May, requiring a new application submittal due to the lapse of time and change in conditions, as well as noting the application as premature pending completion of the UVSD SOI Update. The application will be processed concurrently with the City of Ukiah Municipal Service Review and Sphere of Influence Update. The City submitted an Appeal to the Commission of the Executive Officer's determination that the application is incomplete (letter dated April 26, 2021). The Commission continued the item to June 7, 2021 (Item 5d). The Appeal has been temporarily placed on hold by the City. No activity in the past 12 months.

City of Ukiah Pre-Application: Annexation of Areas North of the City (File No. P-2020-02)

Pre-Application request for consultation on the process and potential issues regarding the City's proposal to annex the Brush Street Triangle and Masonite area properties. Staff is coordinating with City staff regarding next steps in the process and timing of application processing. No activity in the past 14 months.

Millview County Water District Pre-Application: Annexation of Masonite Properties (File No. P-2020-04)

Pre-Application request for consultation on process and draft documents associated with the MCWD's proposal to annex the Masonite area properties. LAFCo staff have participated in several conference calls with the District and its consultants regarding the proposal and has provided feedback on draft CEQA and application materials. LAFCo, as a Responsible Agency, submitted comments on the District's Draft Initial Study/Mitigated Negative Declaration on December 6, 2021. No activity in the past six months.

POTENTIAL FUTURE PROPOSALS

LAFCo staff has been made aware of the following potential future proposals that may come before the Commission for consideration. Also see Attachment 1 Summary Table – Application Activity and Potential Future Proposals.

City of Ukiah Annexation of Western Hills (Hull Properties)

The City has routed a project referral package stating its intent to acquire and annex approximately 695 acres in the Western Hills for open space preservation, while allowing the potential for future low density residential development on the approximately 55 easternmost acres, consistent with existing development in the Western Hills within the City of Ukiah limits. On August 25, 2021, the City of Ukiah Planning Commission considered and recommended to the City Council approval of the Western Hills Open Land Acquisition and Limited Development Agreement Project and adoption of the Draft Initial Study and Mitigated Negative Declaration. The City Council adopted the project's CEQA document at its September 15, 2021. It anticipated that this proposal will be submitted to LAFCo in the next few months.

County Services Area 3 Activation of Latent Powers

County and LAFCo staff are coordinating on the proposed services to be offered through CSA 3, which is anticipated to be processed concurrently with the MSR/SOI Study for the district. The initial proposal is expected to be the Sherwood Road Pilot Project, a secondary access for the community of Brooktrails.

WORK PLAN

Local policy directs the Commission to annually adopt a Work Plan for purposes of providing a comprehensive overview of municipal service reviews and sphere of influence updates over the course of the fiscal year. This report provides an update on progress made in terms of accomplishing the activities scheduled in the Work Plan. This report also serves to inform the Commission of any changes in circumstances or priorities. See Attachment 2 Summary Table – Work Plan Tracking and Status.

Attachments

1. Summary Table – Application Activity and Potential Future Proposals
2. Summary Table – Work Plan Tracking and Status

Attachment 1. Summary Table – Application Activity and Potential Future Proposals

APPLICATION ACTIVITY								
<i>Project status as of May 31, 2022</i>								
LAFCo File No.¹	Applicant	Project Name	Date Application Received	Certificate of Filing	LAFCo Hearing Date	Certificate of Completion	BOE Submittal Date	Additional Comments
L-2022-01	ECSD	Elk Community Services District Activation of Latent Powers for Wastewater Services	4/8/2022					Application under review; agency referral and Notice of Filing distributed
A-2021-01	Ukiah	City of Ukiah Annexation of City-Owned Properties	3/1/2021 2/25/2022					Revised application received 2/25/2022; agency referral distributed and incomplete letter sent
D-2020-01	Ukiah	City of Ukiah Detachment of UVSD Served Areas	2014; 4/29/2020					Incomplete; no activity in 12 months
P-2020-02	Ukiah	City of Ukiah Pre-Application for Annexation of Areas North of the City	8/12/2020	N/A	N/A	N/A	N/A	Incomplete; no activity in 14 months
P-2020-04	MCWD	Millview County Water District Pre-Application for Annexation of Masonite Properties	10/23/2020	N/A	N/A	N/A	N/A	Draft IS/MND comments submitted December 6, 2021; no activity in 6 months
Potential Future Proposals								
N/A	Ukiah	City of Ukiah Annexation of Western Hills (Hull Properties)						City Council adopted CEQA MND in September 2021; anticipate proposal submittal in the next few months
N/A	County	County Service Area 3 Activation of Latent Powers						Coordination meetings with County ongoing

¹Key: A – Annexation
C – Consolidation
D – Detachment
F – Formation

L – Activation of Latent Powers
O – Out of Agency Service Agreement
P – Pre-application Review Request
R – Reorganization

Attachment 2. Summary Table – Work Plan Tracking and Status

FY 2021-22 ESTIMATED WORK PLAN IMPLEMENTATION SCHEDULE AND STATUS						
<i>Work Plan status as of May 31, 2022</i>						
Subject to Change: The estimated schedule and costs for the Fiscal Year 2021-22 Work Plan are subject to change based on agency responsiveness, timely provision of requested information, complexity of issues, level of public and affected agency controversy, and changing needs and priorities.						
CEQA: Based on LAFCo practice, the work plan assumes minimal costs for CEQA compliance related to preparing a Notice of Exemption, unless an agency proposes a non-coterminous SOI and pays for any necessary studies and preparation of a Negative Declaration or Environmental Impact Report.						
Rolling Work Plan: It is difficult to completely contain staff activities in a single fiscal year; therefore, completion of a study may roll over to the next fiscal year. This estimated work plan implementation schedule is intended to enhance communication and transparency.						
Agency	Request for Information	Admin Draft	Public Workshop	Public Hearing	Final Study	Status/Notes
Covelo CSD	Complete	Complete	7/12/21	9/13/21	9/24/21	Study complete and posted to website.
Ukiah Valley Fire District	Complete	Complete	9/13/21	10/4/21	10/8/21	Study complete and posted to website.
County Service Area 3	Complete	Complete	4/4/22	6/7/22	6/31/22 (Tentative)	This is the first MSR/SOI study for the CSA. Staff is coordinating with County staff on a weekly basis on development of the MSR/SOI Study and on process and policy regarding activating latent powers for the CSA. The County is considering utilizing CSA 3 for a number of local and regional needs including Sherwood Road emergency access routes for the Brooktrails area.
Ukiah Valley Sanitation District	Ongoing	In progress	08/22 (Tentative)	TBD	TBD	LAFCo and District staff have been meeting regularly to discuss the development of the MSR/SOI Update. The Administrative Draft is in progress. A proposed Joint Workshop is tentatively scheduled for August 2022. Tentative schedule attached.
City of Ukiah	Ongoing	In progress	08/22 (Tentative)	TBD	TBD	LAFCo and City staff have been meeting regularly to discuss approach and process for development of the MSR/SOI Update. The MSR/SOI Update will parallel the City's General Plan Update that is proceeding on a schedule that compliments the MSR/SOI Update schedule for 2022. A proposed Joint Workshop is tentatively scheduled for August 2022. Tentative schedule attached.



NEWSLETTER

May, 2022 Edition

BOARDROOM Brief

The Board met virtually on April 22 and considered a fairly light agenda. Among the actions taken was the acceptance of the Third Quarter financial reports, which included a payment to the Hyatt hotel for the block of rooms that had been guaranteed for the cancelled staff workshop.

The new budgets for Fiscal Years 2022-2023 and 2023-2024 were also approved. Given concerns regarding the ongoing pandemic as well as escalating inflation, the budgets maintain the previously implemented austerity measures where possible. However, based on feedback received by the Executive Director from various LAFCo, the budget does anticipate a healthy attendance at the conference and 2023 workshop.

The Board also revisited the legislative proposal from San Diego LAFCo regarding Government Code §56133 that had been tabled in January. After discussion, the matter was rescheduled to the July Board meeting to allow the Legislative Committee time to gather additional information.

Reports were also received regarding the fall conference, CALAFCO U sessions, and Spring Workshop, which are currently in planning.

Members wishing to read full staff reports or minutes can download them from the CALAFCO website at www.calafco.org.



SEE YOU LATER!

SOME wise person once said that change is inevitable. Of course, the change that came to CALAFCO was the well-deserved retirement of Pamela Miller as the CALAFCO Executive Director (ED). Pamela became ED in 2012 and has made an indelible mark on CALAFCO by maintaining its professional standards and by advocating with the legislature on behalf of LAFCos everywhere. She stayed through March on a consultant basis to assist with the transition of the new ED and she intends to see SB 938 to its conclusion.

With thanks!

Unfortunately, pandemic restrictions meant that Pamela did not get the send-off that she deserved, but that only means she is owed a party. And, so, we refuse to say goodbye and, instead, leave it at "Thank you—and see you later!"

Legislative Updates

CALAFCO supported or sponsored bills continue to make positive progress in the legislative process. Most important is SB 938, the protest provisions bill, which makes updates to existing CKH statutory provisions associated with consolidations and dissolutions, as well as codifying the conditions under which a LAFCo may initiate dissolution of a district at the 25 percent protest threshold. SB 938 has been tentatively scheduled before the Assembly Local Government Committee on June 8th. LAFCos that have not yet submitted a letter of support are requested to do so before **5 PM on June 2, 2022**.

See **LEGISLATION** on Page 2

NEW Associate Member!



A huge welcome to Chase Design, our newest Associate

member. Founded in 2000 by Chris Chase, Creative Director and Principal, Chase Design is a San Diego based firm specializing in branding

consultation and design services for businesses and organizations throughout the United States. Chase Design has built an impressive reputation for producing effective designs that gets their clients results for their businesses.

With a Mission to create extraordinary value

See **ASSOCIATE MEMBERS** on Page 4



A Message from the
Executive Director

On the wall of my office is a sign. Those of you who are Tony Robbins fans will recognize the quote. It reads "All growth starts at the end of your comfort zone." If that is true (and I sincerely hope that it is) then I have been growing by leaps and bounds. ;)

Between the enormity of the change in Executive Directors, followed by an assault on Pamela on March 8th, it felt at first like being caught in the middle of a cyclone. Things have moderated now, but I have to sincerely thank all of the Board members, EOs, and staff who have reached out to welcome me, to check on me, and to offer support. You have all made the transition so much easier! I am humbled by your faith, trust, and friendship, and my vow is to make this changeover as smooth for you as possible. There is, obviously much for me to learn, but I am committed to learning everything quickly and well.

So, what's new in the CALAFCO world? Of course, the big news has to do with SB 938, which moved out of the Senate and now sits in the Assembly. Kudos to our devoted protest provisions working group, as well as thanks to Pamela Miller who is staying on in a volunteer capacity to see that through to the end.

Also, event planning is now well underway. (See the schedule on page 3.) A conference programming committee has been formed, but we could still use more people. If you would like to help, please contact José Henriquez (Sacramento) at henriquezj@saccounty.gov, or me.

Finally, CALAFCO U sessions are also shaping up thanks to the able assistance of Dawn Longoria (Napa). Our first session is scheduled for June 20th. Please join us for what promises to be an interesting session regarding the strange new world of recruiting and hiring in this post-pandemic world!

IN MEMORIAM

CARL LEVERENZ, Butte LAFCo Commissioner

Butte LAFCo mourns the loss of its Chair, Carl Leverenz. Commissioner Leverenz served with pride on the Butte LAFCo for the past 47 years where he always displayed great insight and wisdom. His calm demeanor and ability to keep politics at bay to solve problems earned him the Butte LAFCo Chair seat, which he held continuously since 1975. A local legend, Commissioner Leverenz was known for his servant's heart, having had not only a prominent legal career but a history of volunteerism on a broad assortment of boards and organizations, which earned him the Chico Rotary Club's Community Service Award in 2018.

WARREN NELSON, Napa LAFCo Commissioner

Warren Nelson, Napa LAFCo Commissioner, passed away in April, 2022. Among his many hats, Commissioner Warren served as Executive Officer for Marin LAFCO in the 1970s, and as a Yountville City Commissioner from 1980-1986. An avid proponent for LAFCos, Commissioner Warren worked with his friend and fellow Commissioner, Mike Gotch, on legislation that increased LAFCos' independence and authority. His dedication and friendly nature will be greatly missed.

CALAFCO sends its deepest condolences to the family, friends, and co-workers of these remarkable men.



Contra Costa LAFCo reports that it has been busy with a surge in new applications, including a large boundary reorganization. In Spring 2022, the Contra Costa LAFCo Commissioners unanimously approved annexation of East Contra Costa Fire Protection District (ECCFPD) comprising 249+ square miles serving 132,400 residents to Contra Costa County Fire Protection District comprising 306+ square miles serving 628,200 residents, and dissolving ECCFPD.

The boundary reorganization is consistent with two LAFCO Municipal Service Reviews and a special study, all of which noted various constraints and challenges with fire and emergency medical services in East Contra Costa County. The LAFCo process was fairly lengthy but with few obstacles. All

See **CONNECTIONS** on Page 4

LEGISLATION

Continued from Page 1

Other CALAFCO supported bills include:

- AB 897** (Mullin), establishment of a regional climate network has stalled and is in its second year.
- AB 1640** (Ward), seems to have replaced AB 897 with another regional climate bill. It is scheduled to go before Assembly Appropriations on May 19th.
- AB 1773** (Patterson), return of Williamson Act subvention funding, is scheduled before Assembly Appropriations on May 19th.
- AB 2957**, the CALAFCO sponsored Omnibus bill, has passed out of the Assembly and is waiting on a Senate hearing date.
- SB 1490, 1491, and 1492**, annual Validation Acts, have passed out of the Senate and are waiting on Assembly hearing dates.

SAVE THE DATE FOR THE

50+1 YEARS
A GOLDEN ERA

CALAFCO
IN THE GOLDEN STATE

2022 ANNUAL CONFERENCE

OCTOBER 19-21, 2022

THIS THREE-DAY EVENT OFFERS THE OPPORTUNITY TO:

- ✓ Discuss statewide and local issues critical to LAFCo
- ✓ Participate in important conversations that will guide decision-making
- ✓ Gain new resources and fresh ideas that will have a positive community impact
- ✓ Hear important legislative updates
- ✓ Make industry connections
- ✓ Network with professionals

Hyatt Regency John Wayne Airport, Newport Beach, CA
Conference and hotel registration opening soon. Visit calafco.org and stay tuned for details!

2023 Staff Workshop

Murphys, California

SAVE THE DATE!
April 26th - 28th, 2023

Topic Suggestions

We are always on the look out for good topics for our conferences, workshops, and webinars. If you have an idea for a topic, please email to René LaRoche at rlaroch@calafco.org.

Upcoming **EVENTS**

MARK YOUR CALENDARS!

CALAFCO 2022 ANNUAL CONFERENCE
October 19 - 21, 2022

Plan on joining us at the **Hyatt Regency Newport Beach John Wayne Airport** on October 19-21, 2022 for our long-awaited, long-overdue Annual Conference! The program planning committee is forming and CALAFCO staff is working with the facility on the details. Watch for more information soon. We are looking forward to seeing everyone in-person in Newport Beach!

2023 STAFF WORKSHOP
April 26 - 28, 2023

Come learn about technical topics in a beautiful setting! Mark your calendar now because you will not want to miss next year's Staff Workshop on the beautiful grounds of Ironstone Vineyards.



We are preparing some great CALAFCO U sessions for you and are pleased to again offer webinars to our members at no cost. Watch for the registration for the June 20th session to open soon.

- June 20, 2022:** **Brave New World of HR: Hiring Headaches, Trends, and Opportunities in a Post-Pandemic World**
1:00 PM
- July 21, 2022:** **Sharing the Wealth: A Deep Dive into Tax Exchange**
1:00 PM
- Sep. 19, 2022:** **Two Agencies in Dispute: What is LAFCo's Role in Assisting to Resolve the Conflict?**
1:30 PM
- TBD** **The Dirty Dozen: Things I Wish I Knew About The Act**

BOARD MEETINGS:

- July 22, 2022** LOCATION: Virtual
- Oct. 21, 2022** LOCATION: Newport Beach (Conference)
- Dec. 2, 2022** LOCATION: Virtual

LEGISLATIVE COMMITTEE MEETINGS:

- July 29, 2022** LOCATION: Virtual
- Sept. 16, 2022** LOCATION: Virtual
- Oct. 7, 2022** LOCATION: TBD
- Nov. 4, 2022** LOCATION: TBD

CONNECTIONS

[Continued from Page 2](#)

parties were cooperative and there were no oral or written protests filed.

Contra Costa LAFCo Executive Officer Lou Ann Teixeira extends thanks and kudos to Joe Serano, Executive Officer Santa Cruz LAFCO, and to Mark Bramfitt, Executive Officer Sonoma LAFCO, for their support.

NEW Roles

ROB BARTOLI Appointed San Mateo EO

San Mateo LAFCo reports that its commission took action to appoint Rob Bartoli as Executive Officer on March 16, 2022. Rob has held the title of Interim Executive Officer since the retirement of Martha Poyatos.

TAYLOR MORRIS Welcomed as L.A. GIS Technician

Los Angeles LAFCo has welcomed new GIS

Technician, Taylor Morris, who began work at LAFCO this month. Taylor recently relocated to Los Angeles after working for six years in the right-of-way section of the Utah Department of Transportation. He holds a Bachelor of Science in Geography and Environmental and Sustainability Studies from the University of Utah.

MICHAEL HENDERSON Hired as Riverside GIS Analyst

Riverside LAFCo is pleased to welcome Michael Henderson to the newly created position of GIS Analyst.

KRYSTAL BRADFORD Takes Over as Butte Clerk

Krystal Bradford has taken over the reins as Butte LAFCo's Clerk upon the retirement of Joy Stover.

Congratulations to everyone!

ASSOCIATE Members

[Continued from Page 1](#)

CHASE DESIGNS, continued

for their clients by connecting business strategy and creative execution, Chase Designs helps businesses to make a statement with impactful branding that reinforces the values of the business. Go to ChrisChaseDesign.com to find out more, or contact Chris Chase at chris@chrischasedesign.com.

Associate Member **SPOTLIGHT**

The information below is provided by the Associate member upon joining the Association. All Associate Member information can be found in the CALAFCO Member Directory.

dta DTA

DTA is a national public finance and urban economics consulting firm specializing in infrastructure and public service finance. Their financing programs have utilized a variety of public financing mechanisms, such as Ads, CFDs, LLDs, and various types of fee programs.

To learn more about DTA, visit their website at www.FinanceDTA.com, or contact Colleen Liao at colleen@financedta.com.

SWALE, INC

Swale's consulting services focus on LAFCo critical issues including municipal service reviews, SOI's, CEQA compliance, strategic planning, workshops, and mapping with geographic information systems (GIS). Their northern California office is expanding to bring you the best of consulting services.

To learn more about SWALE, INC visit their website at www.swaleinc.com, or contact Kateri Harrison at Harrison@swaleinc.com

CALAFCO wishes to thank all of our Associate Members for your ongoing support and partnership. We look forward to highlighting you all in future Quarterly Reports.

SAVE THE DATE FOR THE

50+1 YEARS

A GOLDEN ERA

CALAFCO

IN THE
GOLDEN STATE

2022 ANNUAL CONFERENCE

OCTOBER 19-21, 2022

THIS THREE-DAY EVENT OFFERS THE OPPORTUNITY TO:

- ✓ Discuss statewide and local issues critical to LAFCo
- ✓ Participate in important conversations that will guide decision-making
- ✓ Gain new resources and fresh ideas that will have a positive community impact
- ✓ Hear important legislative updates
- ✓ Make industry connections
- ✓ Network with professionals



Hyatt Regency John Wayne Airport,
Newport Beach, CA

Conference and hotel registration opening soon.

Visit calafco.org and stay tuned
for details!



2023 Staff Workshop

Murphys, California

SAVE THE DATE!

April 26th - 28th, 2023

Certificate of Commendation

WHEREAS, Jenifer Bazzani was appointed as an Alternate Special District Member on the Mendocino Local Agency Formation Commission in 2018; and

WHEREAS, she contributed significantly to the accomplishments of the Commission; and

WHEREAS, during her tenure on the Commission, her experience and dedication have been invaluable.

NOW, THEREFORE BE IT RESOLVED that the Local Agency Formation Commission of Mendocino County does hereby commend

Jenifer Bazzani

For her valuable service and leadership as a member of the Mendocino Local Agency Formation Commission Presented on this 6th Day of June 2022.

Charles A. Orth, Commission Chair

Uma Hinman, Executive Officer