

# MENDOCINO

# Local Agency Formation Commission

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

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## CHAIR

**Jerry Ward**  
Public Member

## VICE CHAIR

**John McCowen**  
County Board  
of Supervisors

## MEMBERS

**Carre Brown**  
County Board  
of Supervisors

**Doug Hammerstrom**  
Fort Bragg City Council

**Holly Madrigal**  
Willits City Council

**Theresa McNerlin**  
Ukiah Valley Sanitation District

**Tony Orth**  
Brooktrails Township CSD

## ALTERNATE MEMBERS

**Kevin Doble**  
Ukiah City Council

**Dan Hamburg**  
County Board  
of Supervisors

**Carol Rosenberg**  
Public Member

**Angela Silver**  
Calpella County Water District

## Executive Officer

Uma Hinman

## Analyst

Larkyn Feiler

## Commission Clerk

Elizabeth Salomone

## Counsel

Scott Browne

## Regular Meetings

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

*Approved by Commission December 5, 2016*

## MINUTES

### LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY

#### Regular Meeting of Monday, November 7, 2016

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

#### Call to Order

Chair Ward called the meeting to order at 9:05am.

#### Roll Call

Members Present:

Commissioners Carre Brown, Holly Madrigal (arrived at 9:07), Theresa McNerlin, Tony Orth, and Jerry Ward

Members Absent:

Commissioners Doug Hammerstrom and John McCowen

Alternate Members Present:

Commissioners Kevin Doble, Dan Hamburg, Angela Silver, and Carol Rosenberg

Alternate Members Absent:

None

Staff Present:

Uma Hinman, Executive Officer  
Larkyn Feiler, Analyst

*Alternate Commissioner Hamburg immediately took seat as County Representative and Commissioner Doble immediately took seat as City Representative.*

*Note: The building was evacuated due to a fire drill at 9:10am. The meeting continued at approximately 9:30am.*

#### **SPECIAL DISTRICT ELECTION RESULTS**

Chair Ward announced Tony Orth will continue to represent Special Districts as Commissioner. Commissioner Orth was the sole nominee in the recent election process and his next 4 year term begins January 2017.

#### **PUBLIC EXPRESSION**

1. The Commission heard comments from members of the public. Julie Bawcom, a constituent of the Ukiah Valley Sanitation District addressed the Commission regarding the District filing a lawsuit against the City of Ukiah. The speaker shared concern over the amount of money spent by the District, transparency to the public, and the District Board's representing the constituents ethically. She asked "for someone to step in to stop the direction the Sanitation Board is currently going because it is not best representing its constituents or the environment."

A second constituent, Lois Ericksen, spoke in support of the comments made by Ms. Bawcom, noting the impact of the expensive law suit to the community at large.

## CONSENT CALENDAR

2. Approval of the September 12, 2016 Regular Meeting Summary Minutes
3. Approval of the September 2016 Claims
4. Approval of the October 2016 Claims
5. Acceptance of the Monthly Financial Report (Including Quarterly Report)
6. 2017 Office Space Lease Agreement

Chair Ward noted one correction on Item 2 (Approval of the September 12, 2016 Regular Meeting Summary Minutes) and pulled Item 3 (Approval of the September 2016 Claims) and Item 6 (2017 Office Space Lease Agreement) for further discussion. Corrections to the Application Tracking were noted. Discussion was held regarding cost recovery in outstanding amounts due by applicants. The Commission directed the Policy and Procedures Committee to work with staff to develop draft policies and procedures to address application cost recovery.

### October 2016 claims totaling \$15,410.00

Uma Hinman Consulting, incl Cem Dist Contract:	\$5,234.66
Ukiah Valley Conf Ctr:	\$471.30
P. Scott Browne:	\$500.00
Commission Reimbursements:	\$1,751.78
Board of Equalization	\$7,452.37

Upon motion by Commissioner Madrigal and second by Commissioner Hamburg, Item 2 Approval of the September 12, 2016 Regular Meeting Summary Minutes with the addition of "*Alternate Commissioner Doble immediately took seat as City Representative,*" Item 4 (Approval of the October 2016 Claims), and Item 5 (Acceptance of the Monthly Financial Report Including Quarterly Report) were approved by roll call vote:

Ayes: (7) Brown, Doble, Hamburg, Madrigal, McNerlin, Orth, and Ward  
Absent: (2) Hammerstrom, McCowen

### Item 3, Approval of the September 2016 Claims

Upon motion by Commissioner Madrigal and second by Commissioner Brown, Item 3 September 2016 Claims was approved by roll call vote:

Ayes: (7) Brown, Doble, Hamburg, Madrigal, McNerlin, Orth, and Ward  
Absent: (2) Hammerstrom, McCowen

### September 2016 claims totaling \$10,564.78

Uma Hinman Consulting, incl Cem Dist Contract:	\$7,221.63
Ukiah Valley Conf Ctr:	\$440.75
P. Scott Browne:	\$500.00
Commission Reimbursements:	\$232.40
Planwest Partners	\$2,170.00

### Item 6, 2017 Office Space Lease Agreement

Commission discussed the proposed rate increase and directed Chair Ward to discuss with Ukiah Valley Conference Center staff and bring the lease agreement back in the December Regular meeting.

## PRESENTATION AND DISCUSSION

### 7. Population Statistics and Methodology

EO Hinman and Analyst Feiler presented a summary of population statistics for Mendocino County and a methodology for determining population estimates and projections for upcoming SOI studies and MSRs. Comments and questions were offered by Commissioner Orth and Ward.

## MATTERS FOR DISCUSSION/POSSIBLE ACTION

### 8. Draft Financial Policy

Chair Ward presented the proposed policy allowing the Chair or Executive Officer to approve and pay claims between meetings, as recommended by LAFCo legal counsel.

Upon motion by Commissioner Madrigal and second by Commissioner Hamburg, Resolution No. 16-17-02 Financial Policies Authorizing the Executive Officer to Perform Specific Duties was approved by roll call vote:

Ayes: (7) Brown, Doble, Hamburg, Madrigal, McNerlin, Orth, and Ward  
Absent: (2) Hammerstrom, McCowen

### 9. Hastings Frontage Road Ad Hoc Committee Report and Counsel Opinion

EO Hinman noted the Ad Hoc meeting met November 2<sup>nd</sup>, 2016 to discuss the legal opinion on the incorrect map filed with the Certificate of Completion of the 1982 Hastings Frontage Road annexation from the County to the City of Ukiah. Commissioner Brown reported the Ad Hoc Committee unanimously supported the public release of the LAFCo legal counsel opinion.

Upon motion by Commissioner Orth and second by Commissioner McNerlin, public release of the legal opinion by LAFCo legal counsel dated September 26, 2016 regarding 1982 Hastings Frontage Road annexation was approved by roll call vote:

Ayes: (7) Brown, Doble, Hamburg, Madrigal, McNerlin, Orth, and Ward  
Absent: (2) Hammerstrom, McCowen

### **Chair Ward called a short break at 9:45am.**

Mel Grandi, City of Ukiah Electric Department, thanked the Ad Hoc Committee members and the Commission.

As per the Ad Hoc Committee recommendation and for reasons stated in the legal opinion, LAFCo will take no further action at this time and jurisdictional responsibility for the portion of the roadway in question will be considered if and when a subsequent application for reorganization is submitted in the immediate vicinity of the roadway in question.

The Commission directed the Policy and Procedures Committee to work with staff to develop draft policies and procedures to insure that all required conditions of the LAFCo actions are complied with and report back to the Commission for discussion and possible adoption.

Upon motion by Commissioner Orth and second by Commissioner Brown, Commission direction to staff to prepare a letter to the parties involved with the findings of LAFCo on the 1982 Hastings Frontage Road annexation from the County to the City of Ukiah was approved unanimously as follows:

Ayes: (7) Brown, Doble, Hamburg, Madrigal, McNerlin, Orth, and Ward  
Absent: (2) Hammerstrom, McCowen

The Commission directed staff to prepare a summary memo for Commissioners.

## **INFORMATION/ REPORT ITEMS**

### 10. Status of Applications, Future Projects, MSR and SOI Updates

EO Hinman presented the staff report. Comments and questions were offered by Commissioners Doble, Ward, Orth, and Madrigal. Procedures for project finalization were discussed.

### 11. Correspondence

EO Hinman reviewed.

### 12. Executive Officer's Report:

EO Hinman provided a verbal update.

- CALAFCO Conference: Reviewed website, white papers in progress, mapping of Disadvantaged Unincorporated Communities (DUCs.)

### 13. Committee Reports

*Executive Committee:* Meeting scheduled to follow the Regular meeting.

### 14. Commissioners Reports, Comments or Questions

*Commissioner Rosenberg:* Reported on CALAFCO Conference workshops, including water issues, EB8 implementation of Prop 18, and CEQA issues.

*Commissioner Silver:* Reported on CALAFCO Conference workshops, including water issues, DUCs, special district advisory board, Prop 1 funding, Sustainable Groundwater Management Act (SGMA), and further education for staff, Commissioners, and special districts. Comments and questions were offered on SGMA by Commissioners Brown, Doble, and Orth.

*Commissioner Brown:* Reported on cap and trade funding/air quality qualification regulations. Comments and questions were offered by Commissioners Rosenberg, Orth, Ward, and EO Hinman.

*Commissioner Orth:* Reported the City of Willits and Brooktrails Township CSD entered into a joint use agreement for sewer system.

*Commissioner Madrigal:* Reported the Willits Bypass is now open.

*Upper Russian River Water Agency (JPA) Update by Commissioner Silver:* JPA Board met November 2, 2016 and discussed SGMA funding and impact on individual water districts and relicensing of the Potter Valley Project. The JPA hired a contractor to research and produce a written plan towards consolidation. Russian River Flood Control & WCI District is in the process of joining the JPA.

### 15. Legislation Report

Commissioner Brown noted new legislation on housing, specifically second units. The County of Mendocino is holding two meetings to provide information and receive comments from the public.

Commissioner Madrigal thanked staff for providing the Legislative summary in the agenda. EO Hinman noted this was provided by CALAFCO at the conference.

Bill Koehler, General Manager of Redwood Valley County Water and Millview County Water Districts noted a recent newspaper article suggested County staff belief that SB1069 and AB2299 would not impact Water Districts. Mr. Koehler stated his disagreement with this report, noting his assessment that they will have significant impacts. Comments and questions were offered by Commissioners Ward, Brown, Orth, Madrigal, and Rosenberg.

### **ADJOURNMENT**

There being no further business, at 11:25am the meeting was adjourned. The next regular meeting is Monday, December 5, 2016 at 9:00 AM in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah, California.

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

*November 7, 2016 meeting:*

[https://www.youtube.com/watch?v=7i1We\\_sHvss&list=PLraKTU7AyZLS-y2htsLamY6DO6IFMHuwP&index=12](https://www.youtube.com/watch?v=7i1We_sHvss&list=PLraKTU7AyZLS-y2htsLamY6DO6IFMHuwP&index=12)