

# MENDOCINO

# Local Agency Formation Commission

Ukiah Valley Conference Center ◊ 200 South School Street ◊ Ukiah, California 95482  
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## CHAIR & TREASURER

**Jerry Ward**  
Public Member

*Approved by Commission April 3, 2017*

## VICE CHAIR

**Carre Brown**  
County Board  
of Supervisors

## MINUTES LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY

## MEMBERS

**Kevin Doble**  
Ukiah City Council

### Regular Meeting of Monday, March 6, 2017

**Gerardo Gonzalez**  
Willits City Council

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

**Dan Hamburg**  
County Board  
of Supervisors

### Call to Order

Chair Ward called the meeting to order at 9:04am.

**Theresa McNerlin**  
Ukiah Valley Sanitation District

### Roll Call

Members Present:

Commissioners Carre Brown, Kevin Doble, Gerardo Gonzalez, Dan Hamburg, Theresa McNerlin, and Jerry Ward

**Tony Orth**  
Brooktrails Township CSD

Members Absent:

Tony Orth

## ALTERNATE MEMBERS

**John McCowen**  
County Board  
of Supervisors

Alternate Members Present:

Commissioners John McCowen (departed 10:25am), Carol Rosenberg, and Angela Silver

**Carol Rosenberg**  
Public Member

Alternate Members Absent:

None

**Angela Silver**  
Calpella County Water District

Staff Present:

Uma Hinman, Executive Officer  
Larkyn Feiler, Analyst  
Elizabeth Salomone, Clerk

**City Alternate Representative  
to be announced March 2017  
by City Select Committee**

Commissioner Orth was absent due to weather related road conditions and sent apologies. Commissioner Silver was immediately seated as the Special District Representative.

## Executive Officer

Uma Hinman

## **PUBLIC EXPRESSION** (Video Time: -)

## Analyst

Larkyn Feiler

1. Public Expression: No one indicated an interest in speaking.

## Commission Clerk

Elizabeth Salomone

## **CONSENT CALENDAR** (Video Time: 0:00)

## Counsel

Scott Browne

2. Approval of the February 6, 2017 Regular Meeting Summary Minutes

## Regular Meetings

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

The following edits were requested:

- Page 6 of 6, Item #15, Upper Russian River Water Agency acronym is incorrect in second sighting. (URRWA)
- Page 6 of 6, Item #15, the collection amount is \$10,000 not \$15,000.

3. Approval of the February 2017 Claims

- Chair Ward asked for verification on the weighted rate for the audio/video charges.
- Chair Ward asked staff to verify total contract amount with Pehling & Pehling, CPA, prior to sending payment.

<u>February 2017 claims totaling:</u>	<u>\$15,334.41</u>
Uma Hinman Consulting:	\$11,423.90
Ukiah Valley Conf Ctr:	\$481.83
P. Scott Browne:	\$500.00
Commission Reimbursements:	\$233.48
County of Mendocino, audio/video & GIS	\$1,145.60
Pehling & Pehling, CPA	\$1,550.00

Upon motion by Commissioner Gonzalez and second by Commissioner Brown, the Consent Calendar (Items 2 and 3) were approved with corrections by roll call vote:

Ayes: (7) Brown, Doble, Gonzalez, Hamburg, McNerlin, Silver, and Ward  
Absent: (1) Orth

**MATTERS SET FOR HEARING**

4. Public Hearing for the Countywide Cemetery Districts Municipal Service Review (MSR) and Sphere of Influence (SOI) Update (Video Time: 3:35)

Analyst Feiler presented the properly noticed public hearing to consider public testimony and adopt the proposed MSR/SOI Update for these eight cemetery districts:

- Anderson Valley Cemetery District
- Cemetery District of the Redwoods
- Covelo Public Cemetery District
- Hopland Cemetery District
- Mendocino-Little River Cemetery District
- Potter Valley Cemetery District
- Russian River Cemetery District
- Westport-Ten Mile Cemetery District

Comments and questions were received by Commissioners Gonzalez, McCowen, Brown, Hamburg, McNerlin, Doble, and Rosenberg.

The following edits and comments were made:

- Commissioner Hamburg has received names of individuals that may be interested in serving as Hopland Cemetery District Board Members.
- Covelo Cemetery District deficit in operating funds is being supplemented by donation of the District's Board Members. Commissioners Brown and Silver offered to work with Covelo Cemetery District.
- Clarification and notification regarding requirements of financial reporting, including audits, for Special Districts. Staff directed to notify Special Districts of findings, specifically outlining the criteria for financial reporting options in place of an annual audit. (California Government Code Section 26909(c)(1).)

- The Grand Jury published a report in 2002-03 on the Hopland Cemetery District including the financial status, presenting the findings to the District Attorney, possibly indicating the importance of financial oversight of the Districts.
- The MSR portion of the report is complete for Potter Valley, Russian River, and Westport-Ten Mile Cemetery Districts. The SOI portion of the report is complete for all districts.
- Accurate and current financial reporting is critical for the final publication of the Cemetery District MSR/SOI Update and staff was directed to continue their efforts in obtaining information by taking further steps with the County Auditor-Controller's office.

**Chair Ward opened the Public Hearing at 9:25am.**

Charlie Betschart, Cemetery District of the Redwoods Board Member, addressed the Commission with his experiences regarding the general operation of cemetery districts. He answered questions from Commissioners Brown, McCowen, and Gonzalez, and provided further information on the District's availability of lands for expansion. Commissioner Gonzalez thanked Mr. Betschart for his years of dedication and service, offering his assistance.

Commissioner Brown suggested the Board of Supervisors reach out to the State Senator and Assembly member to develop legislation for the annual legislative platform.

Upon motion by Commissioner Doble and second by Commissioner Hamburg, the Public Hearing for the Countywide Cemetery Districts Municipal Service Review (MSR) and Sphere of Influence (SOI) was continued to April 3, 2017 to provide time for 1) staff to obtain further financial reporting information from the County Auditor-Controller's office, 2) prepare notice regarding financial reporting requirements and criteria for various options available, and 3) continue to solicit new information to be incorporated in the final Public Hearing Draft of the report with a deadline of Friday, March 24, 2017; approval by roll call vote:

Ayes: (7) Brown, Doble, Gonzalez, Hamburg, McNerlin, Silver, and Ward  
 Absent: (1) Orth

**Chair Ward continued the Public Hearing to Monday, April 3, 2017.**

**MATTERS FOR DISCUSSION/POSSIBLE ACTION**

None.

***Chair Ward called a break from 10:25 – 10:35 am.***

**INFORMATION/ REPORT ITEMS**

5. LAFCo 101 and Ethics Training (Video Time: 1:33)

EO Hinman reported the notice of available trainings was sent out to special districts. Comments and questions were offered by Commissioners Brown, Ward, Rosenberg, and Doble.

Discussion was held reviewing options to present a LAFCo 101 training to interested parties.

6. Status of Applications, Future Projects, MSR and SOI Updates (Video Time: 1:05, 1:31)

EO Hinman presented the staff report. A correction to the Staff Report was submitted: the Redwood Valley County Water District was omitted from the listing of agencies in Future Projects Item 5: *Proposed Consolidation of Five Water Districts in the Ukiah Valley Area*. Comments and questions were offered by Commissioners Ward, Hamburg, Doble, Brown, and McCowen.

*Anderson Valley CSD Proposed Reorganization (Annexation, Detachment, and Activation of Latent Powers to Provide Ambulance Services)*

AVCSD Chief Andres Avila addressed the Commission, summarizing the application the District submitted with LAFCo in 2016 that remains active. During discussions with the County, the District discovered that for doubling the size of the District's response area, the original estimate of \$17,000 in additional tax revenue was reduced to \$5,000. He noted the District currently receives \$240,000 for the legal jurisdictional boundaries.

Due to this new information, the District no longer finds the annexation financially viable. The Chief noted that his recommendation to their Board will be to remove the annexation portion of the current LAFCo application and move forward with the activation of latent powers as a sustainable and responsible action of the District. He will be presenting this recommendation to his Board later this month.

Chief Avila stressed the importance of progressing quickly with the proposed amended application due to the time frame requirement to qualify for the ambulance service Exclusive Operating Area (EOA) Request for Proposal (RFP.)

EO Hinman confirmed that if the AVCSD altered their application, it would become the priority project for staff in order to try to meet the District's timeline needs. She noted a 21 day notice is required; therefore it would likely be scheduled for public hearing with the Commission at the May 1, 2017 meeting unless a LAFCo Special Meeting was held. She noted that protests can hold up the process; however Chief Avila noted there have been no protests to date that would lead him to anticipate a delay.

Commissioner Brown submitted a letter from approximately 2007/2008 written by former LAFCo EO Frank McMichael including an article by Peter M. Detwiler on LAFCo Litigations related to delays in MSR/SOI updates.

*Fort Bragg RFPD North of 10 Mile Annexation*

EO Hinman reported steps being taken to clarify for final completion.

*RRFC SOI*

Workshop is tentatively scheduled for the April 3, 2017.

7. Correspondence (Video Time 1:43)

The CALAFCO Quarterly Report January 2017 and CALAFCO 2017 Calendar were received and forwarded to Commissioners via email. CALAFCO Strategic Plan Dashboard Review was also received and will be forwarded.

8. Executive Officer's Report: (Video Time 1:42)

- 700 Forms are due from Commissioners.
- EO Hinman and Analyst Feiler will be attending the April. 5th-7th CALAFCO Staff Workshop in Fresno.
- Recent legislation requires copies of JPA formation documents regarding municipal services be filed with LAFCo. Staff will be sending out letters to the special districts later this month.

9. Committee Reports (Video Time 1:46)

*Executive Committee* met February 21, 2017 and discussed a possible budget amendment, work plan and budget development, apportionment fee adjustment, and implementation of the new reserve policy. Another meeting will be scheduled for March to prepare recommendations to the Commission on these and other topics.

10. Commissioners Reports, Comments or Questions (Video Time 1:48)

*Upper Russian River Water Agency JPA Update* was given by Commissioner Silver, noting her gratitude to LAFCo for including this report regularly on the agenda. Consolidation efforts continue.

A letter from the URRWA JPA to the Governor and state legislatures is being drafted. The letter will request information, help with water rights, guidance, and funding. URRWA is asking LAFCo to support the efforts of the JPA and will send a copy of the letter to Commissioners when complete.

Members of the JPA are making progress, including: identifying goals and objectives, starting the LAFCo process, identifying funding, creating “zones of benefits” for incurred expenses, rate zones for water charges, voting and information policies for future projects, identification of treatment plant improvements, water sources, rate studies, and operation and maintenance contracts.

*Commissioner Carre Brown* urged the Commissioners to go to CALAFCO and SDRMA to gain information, share information and learn, in order to assist small special districts financial relief in the financial reporting process. provide small district relief.

11. Legislation Report

No report.

**ADJOURNMENT**

There being no further business, at 11:00am the meeting was adjourned. The next regular meeting is Monday, April 3, 2017 at 9:00am 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.*

*March 3, 2017 [https://www.youtube.com/watch?v=M1QQ\\_0s-HPI](https://www.youtube.com/watch?v=M1QQ_0s-HPI)*