

MENDOCINO

Local Agency Formation Commission

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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

Vacant
Special District Member

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
George Williamson

Counsel
Scott Browne

Analyst
Colette Metz

Commission Clerk
Elizabeth Salomone

Regular Meetings

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

Approved by Commission April 4, 2016

MINUTES

LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY

Regular Meeting of Monday, March 7, 2016

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

Call to Order

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

Roll Call

Members Present:

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

Members Absent:

None

Alternate Members Present:

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

Alternate Members Absent:

None

Staff Present:

George Williamson, Executive Officer
Elizabeth Salomone, Clerk

Alternate Commissioner Silver immediately took seat as Special District Representative.

1. Independent Special District Election Status

George Williamson reviewed the process followed for the election, noting that a lack of quorum in the returned ballots required staff to follow Government Code Section 56332 to extend the date for ballot submission by 60 days and notify all districts of the extension, which was done. The new ballot deadline is April 27, 2106.

2. Alternate Public Member Appointment

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

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

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

Abstain: Ward

Oath of Office

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

CONSENT CALENDAR

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

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

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

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

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

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

6. Public Expression

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

PUBLIC HEARINGS

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

7. Hopland Public Utility District Sphere of Influence Update

The Public Hearing was opened at 9:17am.

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

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

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

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

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

8. Potter Valley Irrigation District Sphere of Influence Update

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

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

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

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

Comptche Community Services District	Elk Community Services District
Piercy Fire Protection District	South Coast Fire Protection District
Westport Volunteer Fire Department	Whale Gulch Volunteer Fire Company

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

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

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

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

The Public Hearing was closed at 9:30am.

Workshops

10. Millview County Water District Sphere of Influence Update

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

Workshop Action:

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

11. Mendocino County Resource Conservation District Sphere of Influence Update

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

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

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

Workshop Action:

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

MATTERS FOR DISCUSSION/POSSIBLE ACTION

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

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

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

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

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

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

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

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

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

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

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

14. Request for Proposal: Professional Services

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

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

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

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

15. Independent Clerk Contract

Chair Ward presented. He noted the Clerk contract has previously been subcontracted under the Executive Officer and reviewed the proposal for the Clerk to be offered a direct contract with LAFCo, being drafted by legal counsel. Comments and questions were offered by Commissioners McCowen, Brown, Madrigal, Ward, and Rosenberg. The Executive Committee was directed to proceed in conjunction with legal counsel to determine the possibility of developing a contract without creating an employee/employer relationship.

INFORMATION/REPORT ITEMS

16. Status of Current and Future Projects

George Williamson reviewed the staff report.

17. Correspondence - No discussion was held.

18. Executive Officer's Report

Update on RVCWD and Millview CWD Meeting

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

CSDA Special District Training

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

19. Commissioners Reports, Comments or Questions

February 16, 2016 Executive Committee Meeting.

No verbal report was provided.

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

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

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

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

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

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

20. Legislation Report

No report was offered.

Adjournment

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