

MENDOCINO

Local Agency Formation Commission

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CHAIR

Jerry Ward
Public Member

VICE CHAIR

John McCowen
County Board
Of Supervisors

MEMBERS

Dan Hamburg
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

Carre Brown
County Board
Of Supervisors

Kevin Doble
Ukiah City Council

Carol Rosenberg
Public Member

Angela Silver
Calpella County Water District

Executive Officer
George Williamson

Counsel
Scott Browne

Analyst
Colette Metz

Commission Clerk
Elizabeth Salomone

Regular Meetings

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

Approved by Commission December 7, 2015
MINUTES

LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY

Regular Meeting of Monday, November 2, 2015

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

Call to Order

Vice Chair McCowen called the meeting to order at 9:03am.

Roll Call

Members Present:

Commissioners Dan Hamburg (9:04am), Doug Hammerstrom, Holly Madrigal, John McCowen, Theresa McNerlin, and Jerry Ward

Members Absent:

None

Alternate Members Present:

Commissioners Kevin Doble Carol Rosenberg, and Angela Silver

Alternate Members Absent:

Commissioners Carre Brown, with apologies

Staff Present:

George Williamson, Executive Officer
Elizabeth Salomone, Clerk

Alternate Commissioner Silver immediately took seat in the Special District Representative Vacancy.

Election of Officers

Executive Officer George Williamson conducted the nominations and election of the open Chair position, for the November and December 2015 meetings.

Commissioner Hamburg nominated Jerry Ward for Commission Chair. Commissioner Madrigal seconded the motion.

Commissioner Silver nominated Holly Madrigal for Commission Chair. Without a second, the motion was dropped.

Commissioner McCowen moved to close the nominations. Commissioner Hammerstrom seconded the motion. The motion was later withdrawn.

Commissioner Hamburg amended his motion to nominate Jerry Ward and close the nominations. Commissioner Madrigal seconded the amended motion. Commissioner Jerry Ward was elected Commission Chair upon roll call vote:

Ayes: Commissioners Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Rosenberg, and Ward

Absent: None

Chair Ward appointed Commission Holly Madrigal to the Executive Committee with no objections.

Consent Calendar

1. Approval of the October 5, 2015 Regular Meeting Summary Minutes
2. Approval October 2015 Claims
3. Acceptance of the Monthly Financial Report and Quarterly Report

Commissioner Ward asked for Item 3 to be pulled from the Consent Calendar for discussion.

Upon motion by Commissioner Madrigal and second by Commissioner Hamburg, Items 1 & 2 of the Consent Calendar were approved by roll call vote:

Ayes: Commissioners Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Rosenberg, Silver, and Ward
Absent: None

Commissioner Ward noted an Executive Meeting was never scheduled as requested in the October 2015 meeting. He asked George Williamson to speak on the budget. Mr. Williamson noted more effort has been required on the SOI and MSR updates than had been predicted. He also noted the production of the Financial Quarterly Report required additional Bookkeeping hours but expects the monthly charges for bookkeeping to reduce for the rest of the fiscal year. Commissioner McNerlin impressed the importance of staying within the budget. Commission Hammerstrom asked why the budget line for MSR Admin had not reduced and Mr. Williamson explained that is money budgeted for the MSR updates Planwest will be undertaking later in the fiscal year.

Discussion was held regarding the Applications Budget Track Report provided by Commissioner Ward.

City of Ukiah SOI Reduction and EIR~ Deposits, payments, and a possible hold on the project were discussed.

Fort Bragg Detachment~ Mapping issue awaiting resolution to refund remaining amount of deposit.

Sanitation District and City of Ukiah Trust Account~ Refund percentages await resolution.

Upon motion by Commissioner Madrigal and second by Commissioner Silver, Item 3 of the Consent Calendar was approved by roll call vote:

Ayes: Commissioners Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Rosenberg, Silver and Ward
Absent: None

4. Public Expression

Tony Orth: Brooktrails Township CSD Board Member and member of Mendocino Fire Association. Mr. Orth congratulated Jerry Ward and John McCowen for being long term Commission members and now Commission officers. He also recommended Jerry Ward continue as Chair as well as Commission Treasurer. He spoke about the Mendocino Fire Association updates and how he believed they would affect the Fire District MSR updates.

Richard Shoemaker: Former Commissioner and current Point Arena City Manager. Mr. Shoemaker reminded the Commission it is only very recently through the hard work of current Commissioners, Baracco & Associates, and Planwest Partners that the process of producing MSR, SOIs, and Budgets has been so transparent, thanking all those involved. He believes current budget tracking reflects the real cost of LAFCo.

Public Hearing

5. Fire District Municipal Services Reviews (MSRs) Part 2 CONTINUED

Commission consideration and possible adoption of the Final MSRs for the following Districts:

Albion-Little River Fire Protection District
Mendocino Fire Protection District
Potter Valley Community Service District
Redwood Valley-Calpella Fire District

Bruce Baracco presented and spoke regarding the Proposition 172 Funds. Discussion was held using Potter Valley CSD MSR Page 107, Determination #12 as an example of comment within the MSR of this possible funding source. The merits of including the reference were discussed at length.

Tony Orth expressed his concern over point of order in the Public Hearing. Chair Ward noted the Public Hearing had not yet been opened.

Chair Ward noted Redwood Valley-Calpella Fire Protection District has dropped the word "Protection" from their name and needs to be changed in all Fire MSRs. Clerk to confirm with Special Districts regarding name change.

Albion-Little River Fire Protection District

The Fire District has no further comments and Mr. Baracco recommended approval of the MSR. Comments and questions were offered by Commissioners Hamburg, Ward, Rosenberg, and Madrigal.

Commissioner Ward asked about the procedural legalities of the Special District Board appointing Board Members instead of the Board of Supervisors. George Williamson to confer with the Registrar of Voters.

Mendocino Fire Protection District

Minor corrections were submitted by the District. Mr. Baracco recommended approval of the MSR. Comments and questions were offered by Commissioners Madrigal, Silver, and Hamburg.

Potter Valley Community Service District

The District does not have any further comments and Mr. Baracco recommended approval of the MSR.

Redwood Valley-Calpella Fire District

The District has provided additional comments to Mr. Baracco, most notably the name change, the reference to Fire Department, and relationship with the local tribe. Comments and questions were offered by Commissioners McCowen, Hammerstrom, Ward, Silver, and Madrigal.

Commissioner Silver asked for information on the agreement with the Redwood Band Tribe on Road I. Mr. Baracco will follow up.

The Public Hearing was opened at 10:14am.

Tony Orth, Brooktrails Township CSD Board Member and member of Mendocino Fire Association made comments. He submitted a handout to the Clerk and it was distributed to the Commissioners. He spoke with regards to the Proposition 172 impact on Fire Districts. Mr. Orth also noted the REACH system is now located permanently at the Willits Airport and suggested the ISO comments within the MSRs are incomplete. He made a suggested correction within the MSR documents regarding fire hydrants.

The Public Hearing was closed at 10:22am.

Comments and questions were offered by Commissioners Madrigal, McCowen, Ward, and Hammerstrom.

Chair Ward called a break from 10:31pm – 10:43 pm.

Action on Fire District MSRs Public Hearing CONTINUATION

Commissioner Hammerstrom made a motion to approve the Municipal Service Reviews for the following Districts, including the edits made during the discussion of the motion (listed below):

**Albion-Little River Fire Protection District
Mendocino Fire Protection District
Potter Valley Community Service District
Redwood Valley-Calpella Fire District**

Commissioner Madrigal seconded the motion. The edits from discussion are as follows:

Potter Valley FPD: Pg 107 Determination #12 stricken.

Redwood Valley-Calpella FD: Changes as presented by consultant and distributed prior to the meeting incorporated. Pg 116 Edit District name.

Mendocino Fire Protection District: Pg127 25 Firefighters. Pg 133 Date of construction 1995. Pg 135 Chart name to “District Profile.” Total Staff: 38. Total Volunteer Firefighters: 34. Pg 136 Determination #8 Strike “significant.” Page 127: change “reaches” to “informed.” Pg 133 add “Kelly House Pond.” Pg 134 “The District participates in, and often hosts,”

Ayes: Commissioners Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Rosenberg, Silver and Ward

Absent: None

Mr. Baracco noted the finalized MSR can be brought to the Commission for ratification at the completion of all Fire District MSRs. He also reported on the expected date of distribution for the remaining MSR drafts.

6. **Sphere of Influence (SOI) Updates CONTINUED**

The Public Hearing was opened at 10:53 on September 12, 2015 and continued to this meeting.

George Williamson presented the SOI Updates for Commission consideration and possible adoption for the following Districts:

**City of Point Arena
Caspar South Water District
Elk County Water District
Round Valley County Water District
Pacific Reefs Water District**

Westport County Water District

Tony Orth, Brooktrails Township CSD Board Member noted his concern regarding the accessibility of the draft SOIs on the LAFCo website. George Williamson noted they were on the website within the Agenda Packet rather than on the reports page and indicated in the future they will be included in both places.

City of Point Arena

George Williamson presented the draft SOI. Richard Shoemaker, Point Arena City Manager, distributed several maps to Commissioners and for the record, reviewing a number of details with the Commission. Comments and questions were offered by Commissioners McCowen, Hamburg, Madrigal, Silver, and Ward. Suggested edits were noted by Staff for incorporation. Tony Orth, Brooktrails Township CSD Board Member, spoke.

Upon motion by Commissioner Hamburg and second by Commissioner McCowen, Resolution 15-16-04 the City of Point Arena SOI with edits as submitted by District Manager and Commissioner discussion was approved by roll call vote:

Ayes: Commissioners Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Rosenberg, Silver and Ward
Absent: None

Caspar South Water District

George Williamson presented the draft SOI, recommending Commission approval.

Upon motion by Commissioner McCowen and second by Commissioner Hamburg, Resolution 15-16-05 the Caspar South Water District SOI with was approved by roll call vote:

Ayes: Commissioners Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Rosenberg, Silver and Ward
Absent: None

Chair Ward asked about the one year Municipal Service Review update. George Williamson noted the District Manager has communicated with Staff and a report will be brought back in the December meeting. He also asked to refer to the Executive Committee for further discussion.

Elk County Water District

Charlie Acker, General Manager of Elk County Water District, thanked staff and Commission for the work done, supporting the acceptance of the SOI Draft with minor changes he discussed and submitted to Staff. Comments and questions were offered by Commissioners Hammerstrom, Hamburg, McCowen, Madrigal, and Rosenberg, including a number of edits that were received by staff.

Upon motion by Commissioner Madrigal and second by Commissioner Hamburg, Resolution 15-16-03 the Elk County Water District SOI with edits as submitted by District Manager and Commissioner discussion was approved by roll call vote:

Ayes: Commissioners Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Rosenberg, Silver and Ward
Absent: None

Round Valley County Water District

George Williamson presented the draft SOI, recommending Commission extend approval until December 2015 to allow District and Staff further time to confer with the affected Tribes.

Pacific Reefs Water District

Upon motion by Commissioner McCowen and second by Commissioner Hamburg, Resolution 15-16-06 the Pacific Reefs Water District SOI with was approved by roll call vote:

Ayes: Commissioners Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Rosenberg, Silver and Ward
Absent: None

Westport County Water District

George Williamson presented the draft SOI, recommending Commission approval.

Upon motion by Commissioner McCowen and second by Commissioner Silver, Resolution 15-16-07 the Westport County Water District SOI with was approved by roll call vote:

Ayes: Commissioners Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Rosenberg, Silver and Ward
Absent: None

Workshop

7. Sphere of Influence (SOI) Updates

George Williamson presented the Administrative Draft SOI Updates for **Gualala Community Service District**. Joe Wilson, Gualala District Manager, addressed the Commission, noting the District Board was satisfied with the SOI and had no comments. Comments and questions were offered by Commissioners Hamburg, McCowen, and Hammerstrom.

Staff noted the Public Hearing for **Gualala Community Service District SOI** is scheduled for December 2015.

Matters for Discussion & Possible Action

8. De Ruitter Detachment from Irish Beach Water District Proposal

Mr. Williamson reported the Applicant's request to place application in an "Inactive" or "Hold" status on the project and recommended the request be denied in order to resolve issues more effectively. He noted the Irish Beach Water District Board is meeting in November 2015 and the issue may be resolved before the next LAFCo Regular Meeting. Comments and questions were offered by McCowen, Ward, Hammerstrom, and Mr. Williamson.

Upon motion by Commissioner McCowen and second by Commissioner Madrigal, adoption of staff recommendation to continue the De Ruitter Detachment from Irish Beach Water District Proposal until the December 4, 2015 meeting in hopes that the issue will then be resolved was approved by roll call vote:

Ayes: Commissioners Hamburg, Hammerstrom, Madrigal, McCowen, McNerlin, Rosenberg, Silver and Ward
Absent: None

Mr. Williamson was directed to communicate with the applicants and District regarding the Commission decision.

9. Sustainable Groundwater Management

Commissioner Hamburg reported. Comments and questions were offered by Commissioners Doble, Ward, Madrigal, and Hammerstrom. Tony Orth, Brooktrails Township CSD Board Member, spoke.

10. Status of MSR and SOI Updates

Comments and questions were offered by Commission McCowen.

11. Status of Current and Future Projects

George Williamson presented the staff report. Comments and questions were offered by Commissioners Ward,

Mr. Williamson also reported on the Moore Annexation, which is awaiting the LCP amendment completion before returning to the Commission. Anderson Valley CSD held a community meeting regarding activation of latent powers but no update available from that meeting as of yet.

Other Items

12. Correspondence - Nothing to report.

13. Executive Officer's Report

George Williamson reported on the Special District Elections, noting the email sent to Districts was informational and certified letters were sent from LAFCo to each special district with the nomination materials.

14. Commissioners Reports, Comments or Questions

Commissioner Ward asked for an update on the audit. Mr. Williamson noted the audit is still underway and he has no update available.

The Planning Committee provided an update for the Policies and Procedures update. The draft will be distributed later this week and appear on the December or January agenda.

Angela Silver indicated interest in attending the CALAFCO University Course.

Angela Silver: reported on the cooperation of water districts involved in the JPA, noting the date and time of upcoming meeting.

15. Legislation Report – There was no report presented.

Adjournment

There being no further business, at 12:15pm the meeting was adjourned to the next regular meeting on Monday, December 7, 2015 at 9:00 AM in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah, California.